



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**O.A. No.1321/2020**

**This the 21<sup>st</sup> day of September, 2020**

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Pradeep Kumar, Member (A)**

Budh Prakash, aged about 50 years,  
S/o Sh. Manphul,  
Working as Santirary attendant Group 'C',  
All India Institute of Medical Sciences, New Delhi.  
R/o Ayur Vigyan Nagar,  
New Delhi – 110049.

...Applicant

(By Advocate: Mr. Somnath Bhattacharya)

**VERSUS**

1. Union of India through the Secretary,  
Ministry of Health and Family Welfare,  
Nirman Bhawan, New Delhi.
2. The Chairman, Governing Body,  
All India Institute of Medical Sciences,  
Ansari Nagar, New Delhi.
3. The Director,  
All India Institute of Medical Sciences,  
Ansari Nagar, New Delhi.
4. Chief Administrative Officer,  
All India Institute of Medical Sciences,  
Ansari Nagar, New Delhi      ...Respondents

(By Advocate: Mr. H. A. Khan and Mr. Vibhor Garg)



### **ORDER (Oral)**

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman:**

The applicant is working as Sanitary Attendant in the respondents organisation i.e. All India Institute of Medical Sciences (AIIMS). There is a facility of promotion to the post of Sanitary Inspector Grade –II (SI Gr.-II) with the Grade Pay of Rs. 2800/-, from the post of Sanitary Attendant, to the extent of 50%. Respondents issued a notice proposing to take up the promotions to the post of SI (Gr.-II).

2. The grievance of the applicant is that the notification is worded in such a manner that persons from all other departments are also made eligible to apply. He submitted a representation dated 10.06.2020 and his grievance is that without taking any action on that, the respondents are proceeding to select candidates.

3. We heard Mr. Somnath Bhattacharya, learned counsel for the applicant and Mr. H. A. Khan and Mr.



Vibhor Garg, learned counsel for the respondents at the stage of admission.

4. The recruitment rules for the post of SI –Gr. – II provide for filling up of the same through direct recruitment to the extent of 50% and through promotion from departmental candidates, to the extent of remaining 50%. Steps initiated by the respondents are as regards the second category.

5. The rule itself mentions that the promotion shall be from the eligible departmental candidates. The question as to whether the respondents intend to interpret the word ‘department’, restricting it to the one, in which the applicant is working, or widening it to include other departments also within AIIMS, needs to be examined. The applicant has made a representation and no steps have been taken thereon.

6. We, therefore, dispose of the OA directing the respondents to pass orders on the representation dated 10.06.2020 submitted by the applicant within a period of two weeks from the date of receipt of copy of this order, if not already passed. We make it clear that in case the grievance of applicant still subsists, it shall be

open to him to avail the remedies. There shall be no order as to costs.



**(Pradeep Kumar)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/pj/vb/ankit/sd/akshaya24sep/