



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

**O.A. No.1651/2020**

**This the 29<sup>th</sup> day of October, 2020**

(Through Video Conferencing)

**Hon'ble Mr. Pradeep Kumar, Member (A)  
Hon'ble Mr. R.N. Singh, Member (J)**

1. ESIC PHARMACIST ASSOCIATION DELHI(REGD)  
Through its President, Shri Suneel Kumar,  
Aged 52 years  
Registered Office,  
ESIC Hospital Complex,  
BasaiDarapur,  
New Delhi-110015  
E-mail ID : Suneel [Kumar@esic.nic.in](mailto:Kumar@esic.nic.in)
2. Kashmir Singh  
S/o Shri Sohan Lal  
R/o A-1938, Green Field Colony  
Faridabad, Delhi. .... Applicants

(By Advocate: Shri Rajat Aneja)

Versus

1. Union of India  
Ministry of Labour and Employment  
Through Secretary  
Rafi Marg,  
New Delhi-110001  
E-mail Id: [secy-labour@nic.in&uoi.litigation.cat@gmail.com](mailto:secy-labour@nic.in&uoi.litigation.cat@gmail.com)
2. EMPLOYEES STATE, INSURANCE CORPORATION  
(ESIC)  
Through its Director General  
ESIC Headquarters,



CIG Road, Panchdeep Bhawan,  
New Delhi-110002  
E-mail Id: [dir-gen@esic.nic.in](mailto:dir-gen@esic.nic.in)

Standing Counsel: Krishna Kant  
E-mail Id: [krishkant2007@gmail.com](mailto:krishkant2007@gmail.com)

(By Advocate: Shri Ravinder Kumar Sharma)

### **ORDER (ORAL)**

#### **Hon'ble Shri Pradeep Kumar, Member (A)**

The present OA has been preferred by ESIC Pharmacist Association and one employee who is serving as a Pharmacist. Applicants are aggrieved at non-availability of proper cadre structure for Pharmacists in ESIC. Applicants had brought out that Pharmacist Council of India had made certain recommendations about cadre structure which has 7 tiers. ESIC at the moment had made out a proposal for a cadre structure for Pharmacist which has 3 tiers only as against what was recommended by the Pharmacist Council.

The applicants are aggrieved that if this proposed cadre structure is notified, their career prospects will be adversely affected.

2. It is against this proposal that the present OA has been preferred. The applicants had pleaded that this



proposal which is presently under consideration by the respondents, need to be quashed.

3. The applicants' counsel has also pleaded that the ESIC Pharmacist Association has made detailed representations dated 30.09.2019 and 20.07.2020 (Annexure A-19 colly.) wherein the proposals as contained in the proposal presently under consideration, have been questioned and their demands have been raised.

4. Matter has been heard. Shri Rajat Aneja, learned counsel represented the applicant while Shri R.K.Sharma, learned counsel represented the respondent No.1.

5. The item impugned in the instant OA is the proposal which is presently under consideration of the respondents. The Tribunal does not find it appropriate to intervene at this stage when the competent authority is yet to take a decision on the issue.

6. Therefore, the OA is disposed of with the consent of learned counsel for the respective parties, as are present today, without going into the merits of the case, with a direction to the respondents to expedite a final decision on the proposal under their consideration, within a time period



of four months from the date of receipt of a copy of this order. Respondents are also directed that while considering the proposal, the view point expressed by the applicants in their detailed representations dated 30.09.2019 and 20.07.2020, be kept in view. No costs.

**(R.N. Singh)**  
**Member (J)**

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

Sunita/Rita