

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00967/2018
&
Miscellaneous Application No. 180/00053/2020
in
Original Application No. 180/00967/2018

Thursday, this the 13th day of August, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

Gracy Poulose, W/o. N.K. Poulose, aged 52 years,
 Nammanaril House, South Vazhakkulam PO, Aluva-683 105,
 MES/109856, Assistant Garrison Engineer (Contract),
 (now on leave), O/o. The Garrison Engineer (South), No. 59,
 Trinity Church Road, Goutampuram, Pogupalya,
 Halsasuru, Bangalore – 560 008.

Applicant

(By Advocate : Mr. P.K. Madhusoodhanan)

V e r s u s

1. The Chief Engineer, Headquarters, Southern Command, Pune – 411 001.
2. The Engineer-in-Chief, Military Engineer Services, Engineer-in-chief's Branch, Kashmir House, DHQ (PO), Rajaji Marg, New Delhi – 110 011.
3. The Director, Directorate General (Personnel), Military Engineer Services, Engineer-in-Chief's Branch, Integrated Head Quarters of Ministry of Defence (Army), Kashmir House, New Delhi – 110 011.
4. Chief Engineer (NW), Military Engineer Services, Naval Base (PO), Kochi – 682 004.
5. Departmental Screening Committee for grant of MACP to Civilian Employees, represented by its Chairperson, Military Engineer Services, Head Quarters, Southern Command, Pune-411 001.
6. Union of India, represented by its Secretary, Ministry of Defence, South Block, New Delhi- 110 011. **Respondents**

(By Advocate : Mr. N. Anilkumar, SCGSC)

This application having been heard on 13.08.2020 through video conferencing, the Tribunal on the same day delivered the following:

O R D E R (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard the Advocate appearing for the applicant and the Advocate appearing for the respondents through video conferencing.

2. MA No. 180/53/2020 has been filed by the respondents to close the OA since the prayer made in the OA by the applicant is going to be redressed in the next review DPC and the applicant will be benefited by the new bench mark fixed by the respondents.

3. Counsel for the applicant has no objection if the respondents are directed to grant her the monetary benefits within a time frame.

4. Accordingly, the MA is allowed and it is directed that the respondents will conduct the review DPC within a period of three months from the date of receipt of a copy of this order and give the applicant all consequential benefits as early as possible, if she is eligible otherwise.

5. The Original Application is disposed of as above. No order as to costs.

**(K.V. EAPEN)
ADMINISTRATIVE MEMBER
“SA”**

**(P. MADHAVAN)
JUDICIAL MEMBER**

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APPLICANT'S ANNEXURES

- Annexure A1** – True copy of the letter No. 41002/MACP/SUB/E1 DPC (PP&SUB) dated 27.4.2018 of the 2nd respondent only in so far as it did not grant 3rd MACP scheme benefits to the applicant.
- Annexure A2** – True copy of the submitted to the 3rd respondent representation dated 8.5.2018 submitted to the 3rd respondent.
- Annexure A3** – True copy of the of the DOP & T office memorandum dated 28.9.2016.
- Annexure A4** – True copy of the letter dated 4.10.2017 referred to in paragraph 4 of Annexure A2.
- Annexure A5** – True copy of the clarification issued by the under Secretary to Government of India, Ministry of Defence in respect of Bench mark for financial upgradation under MACP.
- Annexure A6** – True copy of the letter No. 150101/MACP/JES/Tue/E1B(R-DPC) dated 17.7.2018 of the 1st respondent.
- Annexure A7** – True copy of the covering letter dated 8.8.2018 of the 4th respondent.
- Annexure A8** – True copy of the representation dated 25.9.2018 submitted to the 2nd respondent.
- Annexure A9** – True copy of the circular issued by the Joint Registrar (Estt) of High Court of Delhi, New Delhi dated 27.1.2018.
- Annexure A10** – True copy of the letter No. 150101/MACP/JES/2770/EIB(R-DPC) dated 22.10.2018 issued by the 1st respondent.
- Annexure A11** – True copy of the Office Memorandum dated 10.1.2019.

RESPONDENTS' ANNEXURES

Annexure R1 – True copy of DoP&T OM No. 35034/3/2015-Est(D) dated 27/28 September, 2016.

Annexure R2 – True copy of the clarification on benchmark for financial upgradation issued by the Government of India, Ministry of Defense vide MoD ID No. 116(10)/2018D/Works-II dated 20.7.2018.

Annexure R3 – True copy of the clarification on benchmark for financial upgradation issued by the Government of India, Ministry of Defence vide MoD ID No. 27(1)/2018-D (Civ-I) dated 11.7.2018.

Annexure R4 – True copy of 4 of the APAR was duly given to all the personnel assessed for which acknowledgment receipts are also obtained. A copy of the said acknowledgment receipt.

Annexure MA1 – True copy of OM No. 35034/3/2015-Estt(D) dated 22 Oct 2019.

Annexure MA2 – True copy of HQ CE SC Pune letter No. 109011/CE KZ/Gracy Poulose / 20/LC dated 26 Oct 2019.

Annexure MA3 – True copy of HQ CE SC Pune letter No. 150101/MACP/JEs/2899/E1B(R-DPC) dated 14 Nov 2019.

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