

(C)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

NEW DELHI

Registration L.R. No. 1172 of 1967

S.K. Arora and others Applicants.

Versus

Union of India Respondent.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Ms. Usha Savara, Member (h)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicants, 5 in numbers, were recruited as senior Translator in the scale of Rs. 550-900. The next channel of promotion of the applicants was to the post of Translation Officer, Class-II gazette scale of Rs. 650-950 a.s.o. according to the recruitment rules, it is a selection post to be filled 75% by promotion failing which by transfer on deputation and failing both by direct recruitment and 25% by direct recruitment. As per recruitment rules of Translation Officer/Training Officers in the Central Translation Bureau, provisions for filling up the posts are 75% by promotion, failing which by transfer on deputation basis and failing both by direct recruitment and 25% by direct recruitment. As per recruitment rules the ratio of promotees and direct recruits is 3 : 1. The applicants were appointed on different dates on adhoc basis with the stipulation that the appointment is purely on adhoc basis and no benefit in seniority will be allowed for them for regular appointment. The applicants continued to work and it appears that subsequently, regular posts were vacant and these officers were appointed on temporary and officiating basis vide the various orders ranging from 1974, 1979, 1981 and 1986.

2. The grievance of the applicants is that their seniority has not been correctly determined and they have been made juniors to the direct recruits and the benefit of the adhoc period during which they worked ^{for} years together has not been given to them, and in case the benefit of the adhoc period may be given to them, they will become senior to those persons. Under the rules, Senior Translators or Research Assistants with 3 years service in the grade rendered after appointment thereto on a regular basis. ^{are promoted from} ~~are promoted from~~ ^{the} ~~the~~ applicants ^{were} ~~were~~ not appointed on the regular although, there were subsequently regularised and that is why their seniority will be counted from the date, they were regularised. The learned counsel for the ^{respective} ~~applicants~~ made a reference to the number of cases in this connection, we are giving reference in this behalf few cases. Ashok Gulati Vs. B.S. Jain W.I.D., 1957 S.C. page 424, and D.N. Agarwal Vs. State of Madhya Pradesh, 1952, S.C. page 553.

3. Accordingly, the applicants cannot claim seniority as claimed by them over the persons promoted earlier and the period of their adhoc working cannot be counted for their seniority. The application, in this circumstances, is hereby dismissed. No order as to the costs.

U. S. Jain
Member

Dated: 23.12.1952

(u.u.)

U. S. Jain
Vice-Chairman