

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Original Application No: 560 of 1992

R.P.Mishra & others Applicants.

Versus

Union of India & others. Respondents.


Hon'ble Mr. Justice U.C.Srivastava, V.C.

Hon'ble Mr. K.Obayya, Member-A

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

The applicants 23 in numbers were appointed as Junior Field Officers in the year 1976 & 1977 in the pay scale of Rs. 550-900 class II Group 'B' non-gazetted post in the department of Handicrafts. The posts of Junior Field Officer in the Carpet Division was redesignated as Carpet Training Officer on 15.2.1978. The lower scale of pay 550-800 class III Group 'C' now revised as 1600-2600.

2. The grievance of the applicants is that they were designated as Carpet Training Officers at a particular pay scale but there is no avenue of promotion and more or less all of them have attained the maximum stage and are stagnating without any promotion, whereas the other officers who attained in different divisions along with the applicants the pay scale of Rs. 550-900 and they were redesignated as Handicrafts Promotion Officer in the scale and Grade which is Rs. 550-900 now revised as Rs. 1640-2900 by order dated 4.6.1979 but the



respondent No. 2 redesignated the applicants as Carpet Training Officer in lower pay scale i.e. Rs. 550-800 Class III Group 'C' in illegal and arbitrary manner. The next promotion from the post of Carpet Training Officer is Assistant Director. At present there are only 10 posts of Assistant Directors in the Carpet scheme and total number of Carpet training Officers are more than 160. The applicants have approached the Department and prayed for justice and have reminded the department that the stagnation is not to be allowed after 10 years and avenue of promotion should be open, the department has not considered the matter.

3. The respondents in their Counter Affidavit have refuted the plea of the applicants. The respondents have also stated that the petitioners who are Carpet Training Officers have a channel of promotion and are entitled for promotion as Assistant Director and thereafter, to the next higher post of Deputy Director and as such the present petition is wholly misconceived and is liable to be rejected. It is stated that the present petition is highly belated and is liable to be dismissed on the grounds of limitation alone.

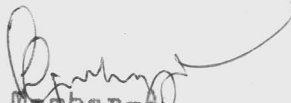
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However, as regards the appointment of the other petitioners is concerned, it is stated that the other petitioners are presently serving in various parts of the country and their service records are being maintained in the respective Regional Controlling Offices and as such it is not possible to verify at this stage the particulars regarding the appointment of the other petitioners, other than petitioner No. 10.

4. The contention of the applicant is that there is no avenue of promotion and it may be that the avenue of promotions may be few in numbers. However, in view of the fact similarly placed persons have been fixed in the higher pay scale and there is a combined seniority list. There is no reason why respondents at their own level will not consider the pay scale of the applicant. It is true that they are entitled to stagnation allowance and they were also entitled to draw annual increments in this scale. It may be considered if the creation of selection grade post for these persons is permissible. The applicants case does not make out any case for direction as prayed for, but with the observations that the respondents will consider the stepping of the scale of the applicant

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along with similarly placed counter parts. This application is therefore disposed of finally.


Member-A


Vice-Chairman

Allahabad Dated: 9.2.93

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