

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 17 MAR 1988

APPLICATION NO

457

/ 88(F)

W.P. NO.

Applicant

Shri P. Subramaniam

v/s

Respondent

The Secretary, M/o Defence & another

To

1. Shri P. Subramaniam
Store Keeper Grade I
Madras Engineering Group & Centre
Bangalore - 560 042
2. Shri Munir Ahmed
Advocate
No. 581, 3rd Main Road
Sadashivanagar
Bangalore - 560 080

1800
100
18-3-88

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~XXXXX~~/~~XXXXXXXXXXXX~~
passed by this Tribunal in the above said application on 11-3-88.

R. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

Encl : As above

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CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE -

DATED THIS THE 11TH DAY OF MARCH, 1988

Present: Hon'ble Shri Ch. Ramakrishna Rao, Member (J)
and
Hon'ble Shri P. Srinivasan, Member (A)

APPLICATION NO. 457/1988

Shri P. Subramaniam,
S/o. Late P. Guravaiah Chetty,
Store Keeper, Grade I,
Madras Engineering Group and
Centre, Bangalore.

... Applicant

(Shri Muneeur Ahmed, Advocate)

v.

1. The Union of India, represented by its Secretary, M/o. Defence, New Delhi.
2. The Madras Engineering Group and Centre, Ulsoor, Bangalore, represented by its Commandant.

... Respondents.

This application having come up for hearing to-day,
Ch. Ramakrishna Rao, Hon'ble Member (J), made the following:

ORDER

This application has come up before us today for admission.

Subri Munir Ahmed appearing for the applicant submits that in the Madras Engineering Group and Centre (MEC&C) where the applicant is working as Store Keeper Grade I (SKG I) there are no promotional posts to which he can aspire while in sister organisations of the Defence Ministry like 515 EME WORKSHOP, MEG SERVICES, ORDNANCE and Defence Research and Development Establishment there are promotional avenues and posts of Stores Superintendent and Stores Officers with higher pay scales.

The absence of such higher posts in MEG&C in which the applicant is working and consequent denial of any promotion to the applicant, according to Shri Munir Ahmed, amounts to discrimination violating Articles 14 and 16 of the Constitution.

2. We feel that there is no merit in the application. The structuring of each Department of Government of India and the provision of posts in different scales is essentially the responsibility of the administration and will depend on various factors which administration has to take into account. It is not for us to say how a particular department should be structured and what the hierarchy should be. The hierarchy and promotional avenues are necessarily not the same in every department of the Government even in respect of departments in the same Ministry and this is inherent in the nature of things. The applicant was unfortunate in joining the MEG&C as Store Keeper Grade II which has proved to be a blind alley. There can be other departments where similarly there are no promotional opportunities. It is upto the applicant and persons similarly placed to approach the administration and it is for the administration to consider the question of creation of higher posts after taking into account all relevant considerations.

3. We are, therefore, not satisfied that this is a fit case for adjudication and as such we reject the application at the admission stage itself.

TRUE COPY

Sd/-

MEMBER (A)

R. Venkateshwaran
DEPUTY REGISTRAR (JULY 1971)
CENTRAL ADMINISTRATIVE TRIBUNAL

Sd/-

MEMBER (J)

1971
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE