

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 27 APR 1994

APPLICATION NUMBER: 766/93 & 781 To 784/93

APPLICANTS:

V. Chaudramohan
To. & 4 others

RESPONDENTS:

vs. UOI Secretary, Ministry of
Defence, New Delhi & others

- 1) Sri. R.S. Hegde, Advocate.
23, Laxmivilas,
80 Road, Bangalore-9.
- 2) The Secretary, Ministry of Defence,
Govt. of India, New Delhi-110 011.
- 3) The Chief of Air Staff, Air Headquarters,
Vajra Bhawan, New Delhi-110 011.
- 4) The Director General,
Defence Research & Development Orgn.,
Ministry of Defence, DHQ Post,
New Delhi-110 011.
- 5) The Commandant,
Institute of Aerospace Medicine, IAF
Vimanapura Post, Bangalore-560 017.
- 6) Sri M.S. Padmarajaiah, Senior Standing Counsel
of Central Govt, High Court Buildings,
Bangalore-1.

Subject:- Forwarding of copies of the Orders passed by the
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above
mentioned application(s) on 13-4-1994

Issued on
27/4/94
R

R. Shanwar
for DEPUTY REGISTRAR 27/4
JUDICIAL BRANCHES.

gm*

of
lc

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NOS. 766/93 & 781 TO 784/93

WEDNESDAY THIS THE THIRTEENTH DAY OF APRIL, 1994

MR. JUSTICE P.K. SHYAMSUNDAR VICE CHAIRMAN

MR. T.V. RAMANAN MEMBER (A)

1. Shri V. Chandramohan
 2. Mrs. C.G. Roopa
 3. Shri B. Aravindakshan
 4. Shri S. Suryanarayana
 5. Mrs. Surinder Kaur
- Applicants

(All are working as Senior
Scientific Assistants in the
Institute of Aerospace Medicine,
I.A.F., Bangalore)

(By Advocate Shri R.S. Hegde)

v.

1. The Union of India,
represented by Secretary,
Ministry of Defence,
Government of India,
New Delhi - 110 011
 2. The Chief of Air Staff,
Air Headquarters,
Vayu Bhavan,
New Delhi - 110 011
 3. The Director General,
Defence Research & Development Orgn.
Ministry of Defence, Govt. of India,
R&D Organisation, DHQ Post,
New Delhi - 110 011
 4. The Air Officer Commanding in Chief,
Headquarter Training Command,
I.A.F., Hebbal,
Bangalore - 560 006
 5. The Commandant,
Institute of Aerospace Medicine, IAF,
Vimanapura Post,
Bangalore - 560 017
- Respondents

(By learned Standing Counsel)
Shri M.S. Padmarajaiah



ORDER

MR. T.V. RAMANAN, MEMBER (A)

Admit.

2. We have heard the learned counsel for the applicants and the learned Standing Counsel appearing for the respondents. It is not within our competence to direct the respondents to encadre the posts of Senior Scientific Assistant (SSA for short) in the Institute of Aerospace Medicine, IAF, Bangalore in the Defence Research & Development Service (DRDS for short) especially in the light of the contents of the letter dated 8th September, 1992, addressed by the Government of India, Ministry of Defence, Defence Research & Development Organisation (DRDO for short), New Delhi to the Commandant, Institute of Aerospace Medicine, IAF, Bangalore (Annexure A-7). In that letter it is clearly stated that the DRDS under the DRDO consists of only Group 'A' (Gazetted) Posts and, therefore, only Group 'A' posts of other Defence Departments/Organisations are encadred into DRDS and that as the posts of SSA are Group 'B' (Non-gazetted) posts, it is not possible to encadre these posts into DRDS.

3. Be that as it may, it is not disputed that the applicants holding the posts of SSA in the Institute of Aerospace Medicine, IAF, Bangalore, do not have any promotional avenues. All of them, we are told, have put in more than 10 years of service. The Supreme Court has on more than one occasion pointed out that provision for promotion

increases efficiency of the public servant while stagnation reduces efficiency and makes the services ineffective. Promotion being a normal incidence of service, it will be difficult to justify why a group of Scientists in an important Defence Organisation should be allowed to remain where they are and make no advancement in their career whatsoever. In view of this position, while we cannot give the reliefs as prayed for by the applicants, we would like the respondents R-1 to 3 to consider making provision of promotional avenues for the SSAs working in the Institute of Aerospace Medicine, IAF, Bangalore. We do hope that this suggestion of ours is taken by them in the right spirit and they will do the needful in this regard within a reasonable period of time, say, within a period of one year from the date of this order.

4. This application is disposed of accordingly with no order as to costs.

(T.V. RAMANAN)
MEMBER (A)

(P.K. SHYAMSUNDAR)
VICE CHAIRMAN



TRUE COPY
SECTION OFFICER 27/4
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE - 560 033.

Miscellaneous Appln. No. 211 of 1995
IN

Dated: **9 MAY 1995**

APPLICATION NO. 766 of 1993 and 781 to 784 of 1993

APPLICANTS: Sri. V. Chandramohan and four others.

V/S.

RESPONDENTS Secretary, Ministry of Defence,
New Delhi and others.

To

1. Sri. R. S. Hegde, Advocate,
No. 231, Laxmivilas,
Subedar Chatram Road,
Bangalore-560 009.
2. Sri. M. S. Padmarajaiah, Senior
Central Govt. Standing Counsel,
High Court Building, Bangalore-1.

Subject:- Forwarding copies of the Orders passed by the
Central Administrative Tribunal, Bangalore-38.

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Please find enclosed herewith a copy of the Order/
Stay Order/Interim Order, passed by this Tribunal in the above
mentioned application(s) on 28-04-1995.

Issued on
9/5/95

[Signature]

o/c

[Signature]
for


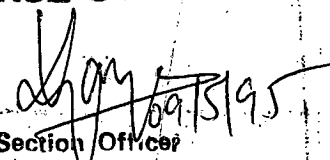
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

In the Central Administrative Tribunal
Bangalore Bench
Bangalore

Application No. 766/93 & 781 to 784/1993

ORDER SHEET (Contd.)

Sri. V. Chandramohan 4/03 1/3 Secy. M/o. Defence New Delhi

Date	Office Notes	Orders of Tribunal
		<p>PKS (VC)/TVR (MA)</p> <p>28.4.1995</p> <p><u>ORDERS ON M.A. 211/1995 in OA.</u> <u>Nos. 766/93 & 781 to 784/1993</u></p> <p>Heard the Standing Counsel.</p> <p>Time for compliance extended by 6 months. No further extension.</p>
		<p>Sd- Sd-</p> <p>M(A) VC</p> <p></p> <p>TRUE COPY</p> <p> Section Officer Central Administrative Tribunal Bangalore Bench Bangalore</p>

13607 843

Air HQ/22936/2/P&W/3/1659 /DG-II/D(Air-III)
Government of India
Ministry of Defence
New Delhi, dated the 25 October, 1995

To

Chief of the Air Staff (50 copies)

Subject :- Cadre Review of Scientific Staff in
INDIAN AIR FORCE : Revision of
Establishment.

Sir,

I am directed to convey the sanction of the President to the establishment of 1 post of Junior Scientific Officer at IAM Bangalore in the pay scale of Rs.2000-3500 and two additional post of Junior Scientific Assistant at 3 BRD and 4 BRD respectively in the pay scale of Rs.1400-2300.

2. The distribution of the revised establishment of Scientific Staff will be as indicated in the Appendix 'A' to this letter. The relevant Government letter specifying existing establishment of the concerned I A F units will stand amended accordingly.

3. This issues with the concurrence of Min of Def/Fin vide their IB No.1020/P&W/95 dated 25.10.95.

Yours faithfully,

Sewa Ram

(Sewa Ram)
Desk Officer

Copy to:-

The Principal Director of Audit, AF/Navy, New Delhi - 2 copies ; Dir of Audit(AF) Dehradun ; Dy Dir of Audit (AF) Bangalore; CDA(AF) Dehradun - 2 copies : signed in ink; Dy CDA(AF) New Delhi(copy signed in ink) ; FA(AF/Crg) ; The Chairman AFSEC HQ; DD SAC; DD Stats ; DEFP ; 3 BRD, 4 BRD, 9 BRD, IAM, AFTC, CTI, WTI, MTC, EMI, ETI, RCC

Appendix 1A to Govt of India Min of Def Letter
 No Air HQ/22935/2/P-3/1659 /LC-II/5(Air-III)
 dated 25 October 1995

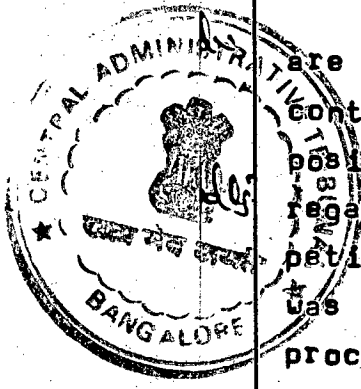
ESTABLISHMENT OF SCIENTIFIC STAFF CONSEQUENT TO REVISION AND
 GORE REVISION IN INDIAN AIR FORCE

<u>Sl No</u>	<u>Unit</u>	<u>Lab Assistant</u>	<u>JSA</u>	<u>SSA</u>	<u>JSC</u>
1.	3 BRD	2	3	3	-
2.	4 BRD	1	1	-	-
3.	9 BRD	1	-	-	-
4.	IAM	-	-	5	1
5.	AFTC	2	-	-	-
6.	CTI	1	-	-	-
7.	MTI	1	-	-	-
8.	MTC	1	-	-	-
9.	ESITI	1	-	-	-
10.	ETI	1	-	-	-
11.	RCC	-	-	1	-
<u>Total</u>		<u>11</u>	<u>4</u>	<u>9</u>	<u>1</u>

-3- B-707

● In the Central Administrative Tribunal
Bangalore Bench
Bangalore

C.P. (Civil) Application No. 164 & 165 of 199 C
in Nos. 766/93 & 782/93 ✓
ORDER SHEET (Contd.)

Date	Office Notes	Orders of Tribunal
		<p><u>DPH (VC) / TVR (MA)</u> 26.2.97</p> <p>Heard. Read Ann.-R-1. We are satisfied that there is no contempt as we did not make any positive or substantial order regarding the reliefs to the petitioner in the O.A. which was disposed of on 13.4.94. Hence, proceedings dropped.</p> <p>Sd/- M(A)</p> <p>Sd/- V.C.</p> <p>TRUE COPY</p> <p>Section Officer Central Administrative Tribunal Bangalore Bench Bangalore</p>