

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 801/93

Date of Decision: 15.10.1999

G.P.Singh & Anr.

Applicant.

Shri G.S.Walia

Advocate for
Applicant.

Versus

Union of India & Ors.

Respondent(s)

Shri J.P.Deodhar

Advocate for
Respondent(s)

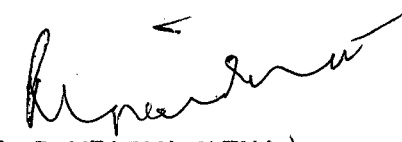
CORAM:

Hon'ble Shri. Justice R.G.Vaidyanatha, Vice Chairman

Hon'ble Shri. D.S.Baweja, Member (A)

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?
- (3) Library

} NO


(B.G.VIADYANATHA)
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

OA.NO. 801/93

Friday this the 15th day of October, 1999.

CORAM : Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman

Hon'ble Shri D.S.Baweja, Member (A)

1. G.P.Singh

2. Dineshwar Singh
Both working as Watchmen,
Personnel Division,
Security Section,
Bhabha Atomic Research Centre,
Central Complex, Trombay, Bombay.

...Applicants

By Advocate Shri G.S.Walia

V/S.

1. Union of India through
(Ministry of Atomic Energy)
Chairman, Bhabha Atomic
Research Centre,
Central Complex,
Trombay, Bombay.

2. Head,
Personnel Division,
Bhabha Atomic Research Centre,
Central Complex, Trombay, Bombay.

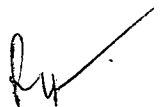
...Respondents

By Advocate Shri J.P.Deodhar

O R D E R (ORAL)

{Per: Shri Justice R.G.Vaidyanatha, VC}

In this application, the applicant's grievance is that there are no promotional opportunities for Watchmen and there is no quota for the appointment of Assistant Security Officer. Respondents have filed reply stating that there is promotional opportunity for Watchmen.



2. In the reply, the respondents have taken a stand that there is a promotional avenue for the Watchmen. Watchmen are eligible for promotion to the next higher post of Head Watchmen. But the applicant is seriously disputing this stand. His main grievance is that there is no promotional avenue for the post of Assistant Security Officer but it is purely meant for direct recruitment.

We ^{had} ~~have~~ heard the arguments in part on the last date and adjourned to today for further arguments. Today, the learned counsel for the respondents tenders additional affidavit of Naval Kishor, who is Head, Personnel Division in the BARC, where it is brought out that now there are 3 existing posts which are called Security Guards, Senior Security Guards and Head Security Guards. It is also brought out that the Watchman and the Head Watchman have been redesignated as Security Guards and Senior Security Guards respectively and a new cadre of Head Security Guards have been introduced in 1998. In view of this, there is no difficulty to hold that the Watchman could be posted as Security Guards, Senior Security Guards and Head Security Guards.

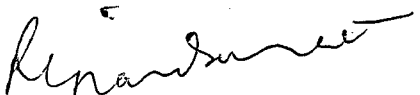
3. In this connection, we may also make a mention to another unreported judgement of this Tribunal dated 1.7.1999, OA.NO.910/93 and another OA. where another Division Bench has quoted that in 1998 promotional avenue for Watchman has been created and therefore those two applications were treated having become infructuous. Now the affidavit filed today also brings out that there are two promotional avenues available to Watchman.

In our view, the applicant can seek promotion to higher post of Senior Security Guards and Head Security Guards. As far as applicant's request for promotion to the post of Assistant Security Officer, he will have to apply as a direct recruit and if he answers the eligibility criteria, he can be considered as per rules applicable to direct recruits.

4. In the result, the OA. is disposed of as per the observations made above. No order as to costs.


(D.S. BAWEJA)

MEMBER (A)


(R.G. VAIDYANATHA)

VICE CHAIRMAN

mrj.