

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

CIRCUIT SITTING AT
INDORE

OA No.400/04

Indore, this the 9th day of March, 2005.

C O R A M

HON'BLE MR.V.K.MAJOTRA, VICE CHAIRMAN
HON'BLE MR.A.S.SANGHVI, JUDICIAL MEMBER

Vasudev Yadav
S/o Shri Ramgopal Yadav
89, Sitla Mata Street
Kodariya, Tehsil, Mhow
Dist. Indore (MP)

Applicant

(By advocate Shri Saleem Rehman)

Versus

1. Union of India through
Secretary, Ministry of
Defence, New Delhi.
2. The Director General of
Military Training (MT-7)
General Staff Branch,
Army Headquarters
DHQ PO, New Delhi.
3. The Commandant, Infantry School
Mhow (MP)

Respondents

(By advocate Shri S.A.Dharmadhikari)

O R D E R (oral)

By V.K.Majotra, Vice Chairman

By virtue of this OA, the applicant has sought the
following reliefs:

- (i) Direct the respondents to consider the services rendered by the applicant and to upgrade him as Group 'C' employee.
- (ii) Direct the respondents to promote the applicant from Grade D to Grade C from the date he has been holding complete charge as barrack supervisor.
- (iii) Direct the respondents to promote the applicant to the post of Barrack supervisor with all consequential benefits since 14.5.2001.

2. It is undisputed that under the existing Recruitment Rules, the applicant is not eligible for promotion from Grade 'D' to Grade 'C' i.e. the post of Barrack Supervisor. Learned counsel for the applicant drew our attention to

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Annexure A2 dated 31st August 2001 whereby the Headquarters of the Infantry School, Mhow (MP) have written to Army Headquarters to expedite framing of Recruitment Rules in view of the Fifth Central Pay Commission's recommendations regarding which the Headquarters of the Infantry School have already sent the draft rules so that even Grade 'D' employees like the applicant who have worked for a long period in Grade 'D' can be considered for promotion to the post of Barrack Supervisor. Learned counsel for the applicant submitted that the respondents may be called upon to expedite framing of the new Recruitment Rules on the basis of the recommendations of the Fifth CPC.

3. A suggestion was made that this OA can be disposed of by directing the respondents to frame the new Recruitment Rules, taking into consideration the recommendations of the Fifth CPC in this behalf, and also the draft rules referred to in Annexure A2. Both sides have not expressed any objection to this proposition. As such this OA is disposed of with a direction to the respondents to expedite framing of the revised Recruitment Rules, taking into consideration the Fifth CPC recommendations as also the draft rules referred to in A-2 dated 31st August 2001. Ordered accordingly. The respondents are further directed to implement this direction expeditiously and preferably within a period of six months from the date of communication of this order. No costs.

A. S. Sanghvi
(A. S. Sanghvi)
Judicial Member

aa.

V.K. Majotra
(V.K. Majotra)
Vice Chairman

9-3-05