

**Central Administrative Tribunal  
Principal Bench**

**CP No.281/2017  
in  
OA No.3314/2013**

New Delhi, this the 02<sup>nd</sup> day of November, 2017

**Hon'ble Shri V. Ajay Kumar, Member (J)  
Hon'ble Ms. Nita Chowdhury, Member (A)**

Shri Brahm Singh,  
S/o Shri Bir Singh,  
Working as Auto Electrician  
Posted in Delhi Fire Services at  
Auto Workshop, Moti Nagar,  
New Delhi-110015.

...Applicant

(By Advocate : Shri R.K. Shukla)

**Versus**

1. Dr. M.M. Kutty,  
The Chief Secretary,  
National Capital Territory of Delhi,  
Delhi Secretariat, I.P. Estate,  
New Delhi-110002.
2. Shri S.N. Sahai,  
The Principal Secretary,  
National Capital Territory of Delhi,  
Government of NCT of Delhi,  
Delhi Secretariat, I.P.Estate,  
New Delhi-110002.
3. Dr. G.C. Mishra,  
Director: Delhi Fire Service HQ,  
Government of NCT of Delhi,  
New Delhi-110001.
4. Shri Atul Garg,  
The Chief Fire Officer-I,  
Delhi Fire Service Headquarter,  
Connaught Lane,  
New Delhi-110001.

...Respondents

(By Advocate : Ms. Harvinder Oberoi)

**ORDER (ORAL)****Mr. V. Ajay Kumar, Member (J) :-**

Heard both sides.

2. The OA No.3314/2013, filed by the applicant was disposed of by this Tribunal on 17.05.2016, and the relevant paragraphs of the said judgment read as under :-

“The applicants, eight in number, working in Delhi Fire Service (DFS) [transferred from the Municipal Corporation of Delhi to the Government of N.C.T. of Delhi in 1995] earlier in the pay-scale of Rs.3050-4590/- were granted first financial upgradation under the ACP Scheme in the pay-scale of Rs.3200-4900/- w.e.f. 09.08.1999. Dissatisfied, they claim that their pay-scale should have been Rs.4000-6000/-on the said first financial upgradation. In this backdrop, the applicants, through the instant OA, seek direction to the respondents not only to grant them the desired pay-scale, but also undertake the exercise of review of the cadre of workshop employees of the DFS, as per the DoP&T’s OM No.2/1/87-PP dated 23.11.1987 (Annexure A-1 with Rejoinder), which envisages periodicity of five years for cadre review exercise.

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6. In the light of the above, the applicants have no case as regards their claim of pay-scale of Rs.4000- 6000/-. However, as regards cadre review, the respondents seem to have shown laxity. Therefore, the respondents are hereby directed to undertake the exercise of cadre review and complete it within six months from the date of receipt of a copy of this Order.”

3. The learned counsel for respondents while submitting that the respondents have fully complied with the orders of this Tribunal, produced an order dated 01.11.2017, which reads as under :-

**“Sub: Cadre Review of Workshop Staff of Delhi Fire Service**

In compliance of Hon'ble CAT order dated 17/05/2016 in O.A. No.3314/2013 titled as “Brahm Singh & Ors.” v/s “GNCTD & Ors.”, the exercise of Cadre Review of Workshop Staff in Delhi Fire Service was undertaken.

The Cadre Review Committee, after considering all the facts relevant to the case, deliberating upon the issue, recommends that:

- A. The workshop staff is too small for cadre review.
- B. Cadre review is not to be done solely for creating promotional avenues.
- C. The educational qualifications/duties and responsibilities of 08 persons have not matched the educational qualifications/ responsibilities for next level.
- D. These isolated posts do not constitute any cadre. Adequate sanctioned manpower strength also not available.
- E. Growths of employees who do not have promotional avenues are covered under the ACPs and now, MACPs.
- F. Duties and responsibilities attached to these posts are varying in nature and it's not possible to merge these posts in the existing cadre also.
- G. The financial implications shall be nil, as no new posts have been introduced.”

In view of the above, the Chief Secretary, Delhi vide Note No.4728/F dated 30/10/2017 has conveyed the approval of competent authority for implementation of Cadre Review Committee's above recommendations in respect of Workshop Staff, Delhi Fire Service (i.e. Auto Electrician,

Tyreman, Upholster, Welder-cum-Blacksmith/Welder, Blacksmith and Latheman). Accordingly, Cadre Review of Workshop Staff, Delhi Fire Service is neither feasible nor required.”

4. In the circumstances and in view of the exercise taken by the respondents, we are satisfied that the orders of this Tribunal have been substantially complied with. Accordingly, the CP is closed. Notices are discharged. However, the applicant is at liberty to question the order, now, passed by the respondents, if he is still aggrieved, in accordance with law.

( Nita Chowdhury )  
Member (A)

( V. Ajay Kumar )  
Member (J)

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