

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00221/2018 & OA/310/00517/2018

Dated Thursday the 26th day of April Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

- 1.P.Arulmary Robert,
- 2.Suja Sam,
- 3.Sini Christopher,
- 4.V.G.Devanathan,
- 5.V.Mahalakshmi,
- 6.V.Thamilarasi,
- 7.I.Shali,
- 8.S.Sunitha,
- 9.Jemima Silviyamary,
- 10.S.Saburabee,
- 11.A.Kathiravan,
- 12.E.Mercy Rose,
- 13.C.Meenakshi,
- 14.D.Indumathi,
- 15.R.Kalpana Amudhavalli,
- 16.D.Stella,
- 17.A.C.Ananthi,
- 18.G.Mahalakshmi,
- 19.R.Ramalakshmi,
- 20.J.Kalpana,
- 21.S.Uthayakumar,
- 22.N.Punitha Jeyaseeli,
- 23.V.Sasi,
- 24.J.Rajeswari,
- 25.P.Masanam,
- 26.P.Veilatchiammal.Applicants

By Advocate Sr. Counsel Mr. Venkataramani for M/s. M.Muthappan

Vs

- 1.The Union of India,
rep by the Secretary,
Ministry of Labour & Employment,

- Shram Shakti Bhavan,
Rafa Marg, New Delhi 110001.
- 2.The Employees' State Insurance Corporation,
rep by the Director General,
Employees' State Insurance Corporation,
Head Quarters Office, CIG Road,
New Delhi 110002.
- 3.The Deputy Director,
Employees' State Insurance Corporation,
Medical VI, Head Quarters Office,
CIG Road, New Delhi 110002.
- 4.The Regional Director,
Employees' State Insurance Corporation,
Panchdeep Bhavan,
No. 143, Sterling Road, Chennai 34.
- 5.The Medical Superintendent,
ESIC Hospital, K.K.Nagar,
Chennai 78.
- 6.The Medical Superintendent,
ESIC Hospital, Vannarpettai,
Tirunelveli.
- 7.The Dean,
ESIC Hospital, K.K.Nagar,
Chennai 78.
- 8.The Deputy Director,
ESIC Hospital, K.K.Nagar,
Chennai 78.
- 9.The Deputy Director,
ESIC Hospital, Vannarpettai,
Tirunelveli.
-Respondents

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. MA filed by the applicants for joining together is allowed.

2. The applicants have filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“To direct the respondents to convene the Departmental Promotional Committee for preparation of the panel from the post of Staff Nurse to the post of Nursing Sister based on the regulation issued by the Head of Department within a reasonable time and promote the applicants as Nursing Sister and grant him such other further relief as this Hon'ble Tribunal may deem fit in the circumstances of the case and thus render justice.”

3. Learned counsel for the applicants submits that the applicants had made Annexure A10 representations (page 61-85) on 22-23.03.2018 seeking to convene a meeting of the DPC for their promotion as Nursing Sisters. Presently, the applicants are all working as Staff Nurses and have put in adequate service to qualify for such promotion. However, despite repeated representations for several years no concrete action was taken by the authorities. Attention is also drawn to Annexure A1 direction from the Head Quarters to the Medical Superintendent of ESIC Hospitals dated 18.07.2017 directing the authorities to hold the DPC as per the existing regulations to various promotional posts mentioned therein which included the posts of Nursing Sister. It is submitted that the applicants would be satisfied if the respondents are directed to pass a reasoned and speaking order

on the representations keeping in view the aforesaid Annexure A1 direction to hold DPC for their promotions.

4. Keeping in view the limited prayer and without going into the merits of the case, I deem it appropriate to direct the competent authority to consider Annexure A10 representations of the applicants in the light of the direction contained in Annexure A1 letter of the Head Quarters dt. 18.07.2017 as also any other relevant correspondence and subsequent developments, if any in this regard and pass a reasoned and speaking order within a period of six weeks from the date of receipt of a copy of this order.

5. OA is disposed of with the above direction at the admission stage.

(R. Ramanujam)
Member(A)
26.04.2018

SKSI