

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O.A. No.60/32/2018

Date of decision: 02.4.2019

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

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Ms. Monika Khanna, aged about 40 years, W/o Sh. Rajesh Khanna, working as Statistical Assistant, Integrated Child Development Services, Social Welfare Department, Union Territory, Chandigarh Administration, Chandigarh (Group-B).

R/o #773, Sector-91, Mohali.



... APPLICANT

VERSUS

1. The Secretary, Social Welfare Department, UT Secretariat Building, Sector-9, Chandigarh Administration, Chandigarh.
2. Director, Integrated Child Development Services, Social Welfare Department, Chandigarh Administration, Town Hall Extension Building, Sector-17, Chandigarh.
3. The Deputy Director, Integrated Child Child Development Services, Social Welfare Department, Chandigarh Administration, Town Hall Extension Building, Sector-17, Chandigarh.

... RESPONDENTS

PRESENT: Applicant in person.

Sh. Gagandeep Singh Chhina, counsel for the respondents.

ORDER (Oral)**SANJEEV KAUSHIK, MEMBER (J):-**

1. Applicant, who was initially recruited as Direct Recruit on the post of Statistical Assistant with the respondent department, is before this Court for issuance of direction to the respondents to adopt draft rules for promotional post framed by them, which have not been notified till date.
2. Applicant, who is appearing in person, submitted that since she joined the department, she has not got a single promotion as there is no promotional avenue for the post of Statistical Assistant, on which she is working whereas, persons junior to her in another cadre i.e. cadre of Supervisor have been given promotion as CDPO under Punjab Rules. Therefore, a plea has been raised that respondents may be directed to provide promotional avenue as she is stagnating on the same post for 18 years. It is not disputed by the applicant that she has got ACP/MACP being working on an isolated post. Since there is no promotional avenues by way of drafts Rules of 2015, Administration has decided to address her grievance but the same have not been notified till date. Therefore, a request has been made to direct them to finalize the draft rules to make way for her promotion.
3. Learned counsel for the respondents did not dispute that post of Statistical Assistant, which the applicant is holding is not having any promotional avenue. He submitted that post of CDPO is governed under Punjab Rules in terms of notification dated 13.1.1992 and several changes have been made in draft rules framed by Administration but the same have not been approved till date. He

also informs that this Court that amended draft rules of 2015 for the post of CDPO were displayed on notice board against which, two persons namely Smt. Meenakshi and Sh. Babu Singh Jandiala, raised objection, which is pending examination.

4. In the wake of above, we are left with no option but to direct the Chandigarh Administration to provide promotional avenue to the cadre of the applicant, who is stagnating on the same post and is eligible for promotion by finalizing the draft rules. Let the matter be expedited by issuing instructions qua the post under Punjab rules so that grievance of the applicant can be redressed. Let the above exercise be carried out within a period of three months from the date of receipt of a certified copy of this order. No costs.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 02.4.2019.
Place: Chandigarh.

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