

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**O.A. No. 838/2014
M.A. No. 4942/2018**

New Delhi, this the 11th day of July, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Air Force Civilian Karamchari Union,
[affiliated with Indian National Defence
Worker's Federation] through it's
General Secretary Mr. Rajendra Singh,
CAO/128 Laskar (T),
Of C/o AFCAO, Subroto Park
New Delhi – 110010.

Also at:
C-7/466, Sultanpuri
New Delhi – 110086.

2. Sh. Rajinder Singh [CAO/128 LASCAR(T)]
S/o Sh. Nebu Ram, Age about 57 years,
Air Force Central Account Office (AFCAO)
Subroto Park,
New Delhi – 110010.
3. Sh. Gosain Singh [CAO/60 Lascar]
S/o Sh. D.S. Rawal, Age about 51 years,
Air Force Central Account Office (AFCAO),
Subroto Park
New Delhi – 110010.
4. Sh. Pritam Kumar [CAO/59 Laskar]
S/o Sh. Prem Chand, Age about 44 years,
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
5. Sh. Nandan [CAO/69 S/WALA]
S/o Sh. B. Lal, Age about 55 years
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.

6. Sh. Satbir [CAO/62 Waserup]
S/o Sh. Dhare, Age about 53 years,
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
7. Sh. Kailash Nath [CAO/54, LAS (T)]
S/o Sh. Mahesh Prasad, Age about 59 years
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
8. Sh. Raju [CAO/73 S/WALA]
S/o Sh. Babu Lal, Age about 56 years,
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
9. Sh. Santer Pal [CAO/107 S/Wala]
S/o Sh. Hari Sharan, Age about 54 years
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
10. Sh. Prakash [CAO/116 S/Wala]
S/o Sh. Dalel, Age about 54 years,
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
11. Sh. Mamman [CAO/68 S/Wala]
S/o Sh. Danna Ram, Age about 52 years,
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
12. Sh. Mahabir Singh [CAO/120 S/Wala]
S/o Sh. Begraj, Age about 56 years,
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
13. Sh. Veeru [CAO/75 S/Wala]
S/o Sh. Chandagi Ram, Age about 47 years,
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.

14. Sh. Ajay Kumar [CAO/152 S/Wala]
S/o Sh. Chandra, age about 44 years,
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
15. Sh. P.C. Sharma [RO/175 W/Man]
S/o Sh. A.S. Sharma, Age about 53 years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.
16. Smt. Prema Devi [RO/75 LAS]
W/o Sh. S.B. Singh, Age about 58 Years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.
17. Sh. Nathulal [RO/127 LAS]
S/o Sh. Kishori Lal, age about 55 years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.
18. Sh. Ranveer [RO/88 S/Wala]
S/o Sh. Dharm Singh, Age about 51 years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.
19. Sh. Sukhbir Singh [Ro/188 S/Wala]
S/o Sh. Banwari Lal, Age about 43 years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.
20. Sh. Om Prakash [CAO/86 S/Wala]
S/o Sh. Babu, age about 47 years,
Air Force Central Account Office (AFCAO)
Subroto Park
New Delhi – 110010.
21. Sh. Ramniwas [RO/194 S/Wala]
S/o Sh. Sher Singh, Age about 45 Years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.

22. Sh. Harichand [RO/76 Laskar]
S/o Sh. Ram Chandra, Age about 59 years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.
23. Sh. Sukpal singh [RO/167 Laskar]
S/o sh. Vijay Singh, Age about 48 years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.
24. Sh. Balwan [RO/86 S/Wala]
S/o Sh. Bodi Ram, Age about 53 years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.
25. Sh. Kailash Chander [RO/84 S/Wala]
S/o Sh. Kaloda, Age about 47 years,
Air Force Record Office (AFRO)
Subroto Park
New Delhi – 110010.
26. Smt. Rama Devi [(U) AF/594 T]
W/o Sh. Deepchano, Age about 57 years,
HQ WAC (U) AF
Subroto Park
New Delhi - 110010.
27. Sh. Chhittar Singh [(U)AF/596]
S/o Sh. Devkaran, Age about 48 years,
HQ WAC (U) AF
Subroto Park
New Delhi - 110010.
28. Smt. Geeta Devi [(U)AF/604 T]
W/o Sh. Gula Ram, Age about 57 years
HQ WAC (U) AF
Subroto Park
New Delhi 110010.
29. Sh. Subhash Chander [(U)AF/572]
S/o Sh. Prabhu Dayal, Age about 52 years,
HQ WAC (U) AF

Subroto Park
New Delhi - 110010.

30. Sh. Rajender [WAC/629]
S/o Sh. Bhala Ram, Age about 50 years,
HQ WAC AF
Subroto Park
New Delhi - 110010.
31. Sh. Damdhar [WC/627],
S/o Sh. Maharaj Deen, Age about 50 years,
HQ WAC AF
Subroto Park
New Delhi - 110010.
32. Sh. Shiv Harak Lal [WAC/535T]
S/o Sh. Nannu Lal, Age about 54 Years
HQ WAC AF
Subroto Park
New Delhi 110010.

.. Applicants

(By Advocate: None)

Vs.

1. Union of India
Through its Secretary,
Ministry of Defence,
Government of India,
South Block,
New Delhi – 110001.
2. Chief Air Staff,
Air Headquarters,
Vayu Bhawan,
New Delhi – 110011.
3. ACAS [Accts]
West Block-V, R. K. Puram
New Delhi – 110066.
4. AFCAO
Subroto Park,
New Delhi - 110010

... Respondents

(By Advocate : Shri Rohit Sehrawat for Shri Rajeev Kumar)

O R D E R (ORAL)**Justice L. Narasimha Reddy, Chairman**

The 1st applicant is Union of Air Force Civilian Karamcharis and the applicants No.2 to 32 are said to be its members and employed in the Air Force Central Account Office. The 2nd applicant submitted a representation dated 26.08.2013 ventilating his grievances. Similar representations are said to have been made by others. A reply was given on 03.09.2013 by the concerned authority, i.e. Squadron Leader of the Civilian Administration.

2. This O.A. is filed challenging the order dated 03.09.2013 and with a prayer to direct the respondents to consider the pay fixation issues and to grant ACP and MACP. Other ancillary benefits are also prayed for.

3. The respondents filed a detailed counter affidavit running into 29 pages. An objection is raised as to the maintainability of the O.A. It is stated that the 2nd applicant, by name Mr. Rajinder Singh, and other MTS staff refused to perform the duties assigned to them and, hence, orders, directing *dies-non* were issued in respect of their absences. It is also stated that the 2nd applicant was awarded penalty of 'Censure' for his act of misconduct and an enquiry under Rule 14 of CCS (CCA) Rules, 1965 was

ordered on certain charges. Various other contentions in the O.A. are specifically denied itemwise. They have also filed voluminous supporting documents.

4. This is one of the oldest cases pending in the Tribunal and as of now, it has undergone 14 adjournments. There is no representation on behalf of the applicants. Therefore, after perusing the record, we decided to proceed with the case, as provided under Rule 15 of the Central Administrative Tribunal (Procedure) Rules, 1987.

5. We heard Shri Rohit Sehrawat proxy for Shri Rajeev Kumar, learned counsel for the respondents.

6. The O.A. is partly in respect of individual grievances and partly in respect of general grievance. The first limb of it is with reference to an order dated 03.09.2013, which is in form of reply to representation dated 26.08.2013. Except mentioning the events that have taken place from time to time, neither any punishment is imposed nor the rights of the 2nd applicant was taken away in any manner, whatsoever.

7. So far as the relief as regards the ACP/MACP is concerned, much would depend upon the length of service of individual employees and their service conditions. We find it difficult to decide it in general terms. Added to that,

in their counter affidavit, the respondents have stated that except the representation of the 2nd applicant, no other representation has been received and if any grievance is made out by the applicants, it would be certainly addressed.

8. We, therefore, dispose of the O.A. directing the applicants that in case they have any specific grievance, it shall be open to them to make individual representations, in a specific and precise manner and the respondents shall consider the same, in accordance with law. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/jyoti/