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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. NO. 340/2003

NEW DELHI 07TH DAY OF AUGUST 2003

HON'BLE SHRI JUSTICE V S AGGARWAL, CHAIRMAN
HON'BLE SHRI S.K. NAIK, MEMBER (A)

Smt. Usha Sharma
working as TGT Teacher
Govt of Girls Secondary School,
Vijay Park, Maujpur,
Delhi - 10053.

.....Applicant

(By Shri K.L. Bandula, Advocate)

VERSUS

1. The Govt of NCT of Delhi)
(Through the Lt. Governor)
Raj Niwas Marg, Delhi
2. The Director,
Directorate of Education,
Govt of NCT of Delhi
Old Secretariat,
Delhi.
3. The Vice Principal,
Govt. Girls Secondary School,
Vijay Park, Maujpur,
Delhi

.....Respondents

(By Sh. George Paracken, Advocate)

O R D E R (ORAL)

BY HON'BLE SHRI JUSTICE V S AGGARWAL, CHAIRMAN

The applicant, by virtue of the present application,
seeks directions to the respondents to grant her the
second financial upgradation in the pay scale of
Rs.7500-12000/- from 1.12.1999 on completion of 24 years



(6)

of service. She seeks further directions to fix the pay as above with consequential benefits and interest on the said amount.

2. The applicant is a Trained Graduate Teacher (Science) . She had been given First Financial upgradation . The applicant asserts that this benefit has been granted on completion of 12 years of service in the grade and contends that on completion of 24 years of service, she is entitled for second upgradation under Assured Career Progression Scheme.

3. In the reply though it has been stated that an order was passed on 13.1.2000 stating that ACP is applicable to teaching staff also but this has been withdrawn on 22.5.2001. According to which, such scheme was not applicable on the teaching staff as the scheme of award of Senior Scale after completion of 12 years of service is in operation. The applicant is stated to have been awarded senior scale of Rs. 6500 - 10500/- on completion of 12 years of service .

4. Our attention has been drawn towards Annexure R-I dated 22.5.2001, the opening paragraph of which reads:-

"The undersigned are directed to inform all the Principals, HOO of all the Schools under this zone, that as the guidance in respect of implementation of ACP Scheme for teaching staff is awaited from the concerned higher authorities and it seems that it will take some more time. in accordance to avoid the hardship to the teachers, it is decided that the senior scale will be awarded as earlier subject to the conditions received the guidance from H.O."

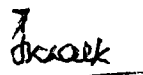
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4. The reasons given above clearly show that the question of implementation of ACP for teaching staff is under consideration because it is mentioned that decision in this regard is awaited from higher authorities.

5. It is, therefore, directed that respondent^{No 1} should take the conscious decision and pass a speaking order preferably within three months from the date of receipt of a certified copy of the present order.

6. Subject to aforesaid, OA is disposed of.


(S.K. Naik)
Member (A)


(V.S. Aggarwal)
Chairman

Patwal/