

(18)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 3rd day of July, 2001.

CORAM :-

Hon'ble Mr. Justice RRK Trivedi, V.C.

Hon'ble Maj Gen KK Srivastava, A.M.

I. Original Application No. 101 of 1996.

Raj Bali Mishra

S/o Late Shri Dal Singar Mishra,

Resident of C-29/22, Maldahiya,

Varanasi.

(Sri KC Sinha/Sri A Srivastava, Advocate)

. Applicant

Versus

1. Union of India
Through Director General Telecom,
New Delhi.
2. Chief General Manager,
Telecom, U.P. Circle, Lucknow.
3. General Manager Telecom,
Varanasi.

(Sri Amit Sthalekar, Advocate)

. Respondents

II. Original Application No.102 of 1996.

Ramanuj Thakur

S/o Late Shri Ram Deo Thakur,

Resident of Sa-1/164-8,

Rahul Nagar, Pandeypur,

Varanasi Cantt.

(Sri KC Sinha/Sri A Srivastava, Advocates)

. Applicant

Versus

1. Union of India
Through Director General Telecom,
New Delhi.
2. Chief General Manager Telecom,
U.P. Circle, Lucknow.
3. General Manager, Telecom, Varanasi.

(Sri Amit Sthalekar, Advocate)

. Respondents



III. Original Application No. 103 of 1996.

Manohar Ram
S/o Shri Manki Ram,
R/o 03/160, Ka-7,
Chotelal Pur, Daulatpur Road,
Pandepur, Varanasi Cantt.

(Sri KC Sinha/Sri A Srivastava, Advocates)

. Applicant

Versus

1. Union of India through
Director General Telecom,
New Delhi.
2. Chief General Manager Telecom,
U.P. Circle, Lucknow.
3. General Manager Telecom,
Varanasi.

(Sri Amit Sthalekar, Advocate)

. Respondents

IV. Original Application No. 104 of 1996.

Hori Lal
S/o Late Sri Darbari Lal,
R/o S-19/40-C, Baruna Bridge,
Varanasi-2.

(Sri KC Sinha/Sri A Srivastava, Advocates)

. Applicant

Versus

1. Union of India
Through Director General Telecom,
New Delhi.
2. Chief General Manager Telecom,
U.P. Circle, Lucknow.
3. General Manager Telecom,
Varanasi.

(Sri Amit Sthalekar, Advocate)

. Respondents

O R D E R (O_r_a_l)

By Hon'ble Mr. Justice RRK Trivedi, V.C.

The question of facts and law involved in the above-mentioned cases are similar and they can be decided by a common order, against which counsel for the parties have no objection.



2. The applicants joined as Telephone Operator in Telecom Department on different dates. The applicants were granted ^{or promotion under} time bound promotion scheme after completing 16 years of service. As promotion under ^{B.C.R.} ~~VCR~~ Scheme was not granted to the applicants, though they had completed 26 years of service, they have filed the present OAs claiming the relief that the respondents may be directed to grant promotion to the applicants under the ^{B.C.R.} ~~VCR~~ Scheme. It is not disputed that during the pendency of these OAs the applicants have been granted benefits under the ^{B.C.R.} ~~VCR~~ Scheme. Then by an amendment they, however, pray that respondents may be directed to grant 10% promotion in the scale of Rs.2000-3200 in view of their entry in Grade III after completion of 26 years of service w.e.f. 24-10-1990. The dispute, in granting this benefit to the extent of 10%, was as to whether the promotion should be granted on the basis of seniority in basic cadre subject to fulfilment of the conditions or ~~on the basis of the year~~ on the basis of seniority in the list prepared after grant of benefit under ^{B.C.R.} ~~VCR~~ Scheme. This dispute has been resolved by the judgement of Principal Bench dated 07-7-1992 in OA No.1455/1991 - Santosh Kapoor Vs. UOI & Ors. The Principal Bench directed that promotion to the 10% post in the scale of Rs.2000-3200 ^u would have to be based on seniority in the basic cadre subject to fulfilment of other conditions of the ^{B.C.R.} ~~VCR~~, who were regular employees on 01-1-1990 and had completed 26 years of service in basic grade (including higher grade). As dispute now stands resolved, we find no reason as to why the respondents should not consider the applicant for promotion to the next higher grade to the extent of 10% as mentioned above.


3. These OAs are accordingly disposed of with the direction to the respondents to consider the applicant ^u for promotion to 10% in Grade IV in scale of Rs.2000-3200/- or such scale


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which may now be applicable after revision, ~~to the~~
~~v~~ ^v ~~applicants~~ in the light of the order of the Principal
Bench in Santosh Kapoor's case. There shall be no
order as to costs.


Member (A)


Vice Chairman

Dube/