

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 46 OF 2010

Monday, this the 27th day of September, 2010

CORAM:

**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

A.Suyambulingam
Cameraman Gr-III
Doordarshan Kendra
Thiruvananthapuram

... Applicant

(By Advocate Mr.P.Santhosh Kumar)

versus

1. Union of India represented by the Secretary
Ministry of Information and Broadcasting
New Delhi

2. Prasar Bharathi (Broadcasting Corporation of India)
New Delhi represented by the
Chief Executive Officer

3. The Director General
Doordarshan, Mandi House
Doordarshan Bhavan, Copernicus Marg
New Delhi – 110 001

4. The Director
Doordarshan Kendra
Thiruvannathapuram

... Respondents

(By Advocate Mr.M.K.Aboobacker, ACGSC (R1&2)
Advocate Mr.N.N.Sugunapalan, Senior with Mr.S.Sujin (R3&4))

The application having been heard on 27.09.2010, the Tribunal
on the same day delivered the following:

ORDER

HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER

The question raised in this Original Application is that whether the
applicant is entitled for promotion to the post of Cameraman, Grade II or
not. As per the existing rules, the category of Cameraman, Grade III is not



a feeder category to the post of Cameraman, Grade II. Hence, his promotion avenue has been curtailed and the applicant has filed this OA.

2. On receipt of the notice from this Tribunal, the respondents have filed reply statement. In the reply statement, the stand taken is that as per Recruitment Rules at present, the category of Cameraman, Grade III is not a feeder category to the post of Cameraman, Grade II. However, a proposal has already been sent by the 3rd respondent to the 1st respondent, viz., Union of India, Ministry of Information and Broadcasting, New Delhi for amending the Recruitment Rules. It is also stated in the reply statement that if the amendment so suggested to the Recruitment Rules is accepted by 1st respondent, the case of the applicant will be considered.

3. In the light of the above, and the stand taken in the reply statement and the contentions raised by the applicant, we have considered the case in extenso. Mr.P.Santhosh Kumar, counsel for applicant submits that as per Recruitment Rules now prevailing, there is no possibility for the applicant to be promoted to the next higher grade of Cameraman, Grade II. Hence his promotion chances are curtailed. However, the applicant has submitted representations and there was no response for that. Hence this application has been filed. In this context, we have heard, Mr. N.N.Sugunapalan, Senior and also considered the stand taken in the reply statement. In the reply statement, in Para 12 it is stated as under :-

" The Recruitment Rules have been framed taking into account various requirements of the post including educational qualification etc. Government has introduced the Assured Career Progression Scheme in August, 1999 to give monetary benefits to the Government servant who stagnates without promotion. This has been further modified by the 6th Central Pay Commission. Hence on completion of the prescribed

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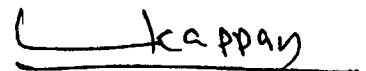
period of service, the applicant will get better monetary benefits in case he does not get promotion. However, considering the representation of Cameraman Grade III, the third respondent has already sent a proposal to the Respondent No.1 for amendment of Recruitment Rules of Cameraman Grade II keeping 15% of the sanctioned post of cameraman Grade II for promotion from the category of cameraman Grade III."

Reading of the above would show that the case of the applicant is clearly understood by the Department and the 3rd respondent has already taken steps to mitigate the grievance of the applicant to amend the Recruitment Rules. If so, the question further remains is to give a direction to the 1st respondent to consider the proposal sent by the 3rd respondent and take a decision as early as possible, at any rate, within 90 days from the date of receipt of a copy of this order. Accordingly, OA is allowed to the extent indicated above. No order as to costs.

Dated, the 27th September, 2010.



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE K.THANKAPPAN
JUDICIAL MEMBER

VS