

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.483/2002

Tuesday this the 24th day of September, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

T.P.Leela D/o P.G.Menon

Senior TOA, Office of the Assistant
General Manager, Training Coordination
Telecom, Trichur 1 residing in
C9 Enark Apartments,
Poonkunnam PO, Trichur.

..Applicant

(By Advocate Mr.MR Rajendran Nair & PA Kumaran)

v.

1. The General Manager,
Telecom, BSNL, Trissur SSA
Thrissur.

2. The Chief General Manager,
Telecom, BSNL Kerala Cicle,
Thiruvananthapuram.

3. Union of India, represented by
its Secretary, Ministry of
Communciations, New Delhi.

4. M.O.Francis, Senior TOA (BCR)
Telecom Revenue Accounts Unit
Office of the General Manager,
BSNL Thrissur.

...Respondents

(By Advocate Mr.C.Rajendran,SCGSC (R.1to3) (rep)

The application having been heard on 24.9.2002, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

Applicant who commenced service as Time Scale
Clerk in the Office of the Accounts Officer, Telecom
Revenue, Trivandrum on 19.7.62 permanently appointed in
the cadre with effect from 1.3.1963. She was on her

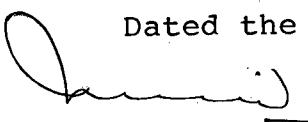
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request xxxxxx transferred from Trivandrum to Trichur on 13.10.65. Her grievance is that while she is senior to the 4th respondent who commenced service as TOA in the department on 1.1.65 and has been promoted to LSG later than the applicant has been by the impugned order Annexure.A1 given Grade IV promotion while the applicant has not been given. Her representation has been rejected by the impugned order Annexure.A4 on the ground that promotion to Grade IV of BCR being on the basis of basic grade seniority, the 4th respondent who is senior has been promoted and that the applicant does not have any greivance on that score. A copy of the procedure to be followed for promotion to Grade IV against 10% in BCR scheme has also been appended to the impugned order Annexure.A4. The applicant has questioned the correctness of the order on the ground that the applicant should be treated as senior to the 4th respondent.

2. SCGSC under instructions from the respondents 1 to 3 stated that the applicant has become junior to the 4th respondent in the Trichur SSA as she joined that Division on request under Rule 38 of P&T Manual Vol.IV on 13.10.65 when the 4th respondent was already in position on 1.1.65.

3. We have heard the learned counsel on either side and have gone through the materials placed on record. Since the promotion to Grade IV of the BCR is made on the basis of basic grade seniority, we do not find any infirmity in the impugned order. Hence the application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated the 24th day of September, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of the order No.STA/211-17/2002-2003/2 dated 26.4.2002 issued by the 1st respondent.
2. A-2: True copy of the relevant portion of the Gradation list of the Selection Supervisors as on 1.1.95.
3. A-3: True copy of the representation dated 3.4.2002 was submitted by the applicant before the 2nd respondent.
4. A-4: True copy of the letter No.STA 211-17/1997-2002/82 dated 11.4.2002 issued by the 1st respondent.

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25.9.02