

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. No. 565/2003.

Friday this the 11th day of July 2003.

CORAM:

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER  
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

(By Advocate Shri Mohan Jacob George)

VS.

1. Union of India represented by its Secretary, Ministry of Railways, Rail Bhavan, New Delhi.
2. The General Manager, Southern Railway, Headquarters Office, Park Town P.O., Chennai-3.
3. K.K. Mukundan, now working as Chief Welfare Inspector of Sports, Southern Railway Sports Association, Headquarters Office, Park Town P.O., Chennai-3. Respondents

(By Advocate Shri P. Haridas (R.1-2))

The application having been heard on 11th July, 2003, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant, initially recruited under Sports Quota is presently working as Traveling Ticket Examiner, Divisional Flying Squad, Southern Railway, Trivandrum. He is aggrieved by the delay on the part of the respondents 1 & 2 in granting him out of turn promotions and other incentives like advance increments on account of his outstanding performance at National and International level Swimming Competitions. The applicant's case is that, he had earned five Gold, 12 Silver and 11 Bronze medals in different National Swimming Championship events between 1984

and 1987, in addition to one Silver medal in International Swimming Championship in 1985. Apparently, all these medals were won when the applicant was working in different capacities in Madras(Chennai). The thrust of the O.A. is that, in spite of the fact that several representations as in A-13, A-14, A-15 and A-16 have been made by the applicant, no action has been taken so far by the respondents in the matter of granting him the well merited out of turn promotions and other incentives like advance increments. The main relief sought for by the applicant is as follows:

To issue an appropriate order or direction to the 2nd respondent to consider AnnexureA-15 and A-16 representations in the light of Annexure A-3 guidelines within a time limit prescribed by this Hon'ble Tribunal and grant to the applicant his due promotions and increments in view of his meritorious achievements in both national and international sporting events.

2. When the matter came up for consideration for admission Shri Mohan Jacob George, learned counsel appeared for the applicant and Shri P.Haridas, learned Standing Counsel for Railways took notice for the respondents 1 & 2. Shri Haridas, learned counsel, initially sought for time for making a statement before admission. However, since the learned counsel for the applicant submitted that, the applicant would be satisfied if the 2nd respondent is directed to consider the various representations already made in regard to the applicant's claim for incentives like advance increments and out of turn promotions based on his outstanding performances in National and International Swimming Championship events, and pass appropriate orders in the light of A-3 guidelines dated 28.11.90 and other relevant material, learned counsel for the respondents states

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that he has no objection in adopting such a course of action. It is, however, submitted by the learned counsel for the respondents that the applicant may be directed to submit copies of the representations A-13 to A-16, said to have been already forwarded to the 2nd respondent. At this, learned counsel for the applicant stated that the applicant would submit copies of the representations alongwith supporting material regarding his outstanding performance in Swimming Competitions within two weeks from today to the 2nd respondent.

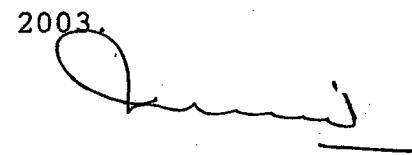
4. Learned counsel on either side agree that the O.A. can be disposed of on the above lines. In the light of the above submissions of the learned counsel, we consider it proper and expedient to dispose of this O.A. by directing the 2nd respondent to consider the applicant's representations A-13 to A-16 or copies thereof, if submitted within two weeks from today, and pass appropriate orders thereon with a copy to the applicant, within a period of three months from the last date by which the copies of representations are to be furnished.

5. O.A. is disposed of as above. No order as to costs.

Dated the 11th July 2003.



K.V. SACHIDANANDAN  
JUDICIAL MEMBER



T.N.T. NAYAR  
ADMINISTRATIVE MEMBER