

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.575/94

Monday, this the 9th day of January, 1995.

CORAM:

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

1. All India Customs Employees Federation,  
Madras, represented by its  
General Secretary,  
S Natarajan, S/o N Subramani,  
Deputy Office Superintendent,  
Customs House, Madras.
2. Avaran.E, S/o Mohemmed Koya,  
Tax Assistant, Custom House,  
Cochin-9.
3. J Varghese, S/o MV Joseph,  
Tax Assistant, Custom House,  
Cochin-9. - Applicants

By Advocate Mr MR Rajendra Nair

Vs

1. Union of India represented by  
Secretary to Government,  
Ministry of Finance,  
Secretariat, New Delhi.
2. Central Board of Excise and Customs,  
represented by its Chairman,  
New Delhi. - Respondents

By Advocate Mr C Kochunni Nair

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

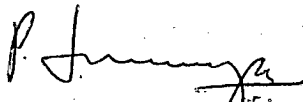
Applicants are aggrieved by the fact that despite several attempts made by applicant No.1, the All India Customs Employees Federation and others, the problem regarding the stagnation in the ministerial cadre(Grade'C') of the Customs Department has still not been satisfactorily solved. According to applicants, the minutes of the 76th meeting of the Departmental Council of the Ministry of Finance held on 16th & 17th March, 1992 stated that the staff side had written a letter contending that the stagnation had not been reduced and the official side had agreed to examine the facts stated in the letter. It is not clear from the pleadings whether the examination of the facts agreed to by the official side has been completed or not. However, it is seen from Annexure-R7 that a

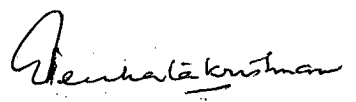
decision has been reached in May 1994 not to divert direct quota vacancies to the promotion quota though it is not clear whether R7 was passed after examining the details called for by A6. It would however, appear from the arguments advanced by the learned counsel for applicants that their grievances in this regard are still not redressed.

2. In this state of affairs, we would permit applicants to make a fresh representation setting out the present situation and detailing the state of stagnation as it exists at present. Such a representation may be made within one month to the first respondent who shall, notwithstanding the position adopted in R7, examine and pass appropriate orders within five months from the date of receipt of such representation.

3. The application is disposed of as above. No costs.

Dated, the 9th day of January, 1995.

  
P SURYAPRASADAM  
JUDICIAL MEMBER

  
PV VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

trs/101

List of Annexures

Annexure A6: True copy of the message dated 4.1.1994 from B. Sankaran Member (Personnel & Vig.) to Collectorate of Customs.

Annexure R.7 A true copy of letter No.B-12017/8/93-Ad.III.A dated 27.5.94 issued by R.K. Mitra, Under Secretary to the Govt. of India.