

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 97/97

FRIDAY, THIS THE 31ST DAY OF JANUARY, 1997.

C O R A M:

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

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

K. Velayudhan,
S/o Sri S. Kochu
Engine Driver (Ad hoc)
Central Institute of Fisheries Nautical Engineering
Training (CIFNET), Cochin-16. ..Applicant

By Advocate Mr. M.C. Cherian

Vs.

1. The Director,
Central Institute of Fisheries, Nautical Engineering
Training, Dewan's Road,
Cochin-16.
2. Union of India represented by, the Secretary
Ministry of Agriculture & Irrigation
Department of Agriculture,
Krishi Bhavan, New Delhi. ..Respondents

By Advocate Mr. J. R. Ramachandran Nair, ACGSC

The application having been heard on 31.1.97, the Tribunal on the same day delivered the following:

O R D E R

A. V. HARIDASAN, VICE CHAIRMAN

Applicant who is working as Senior Deck-hand-cum Greaser substantively and has been working as Engine Driver Class-II on ad hoc basis, has filed this application for a direction to respondents 1 & 2 to post him as Engine Driver Class-II on regular basis with retrospective effect from the date of his ad hoc promotion and for a direction to second respondent to dispose of the representation made by him which is annexed as Annexure A7.

2. It has been alleged in the application that the applicant had filed an earlier application for the same relief which was disposed of with direction to the respondents to consider amendment of the Recruitment Rules so as to create

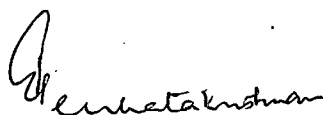
promotional avenues for the Senior Deckhand-cum-Greasers as Engine Driver Class-II within a period of three months and that this has not been done so far. Hence, he has filed this application.

3. Shri T.R. Ramachandran Nair, ACGSC appearing for the respondents stated that the amended Recruitment Rules has been notified on October, 1992 making the post of Engine Driver Class-II a promotion post also with a condition that a Senior Deckhand-cum-Greaser should have five years regular service in the grade for being considered for promotion as Engine Driver Class-II. He has further stated that the applicant has now completed the required length of service in the grade of Senior Deckhand-cum-Greaser in October, 1996 and if he possess the required qualifications, he would be considered for promotion to the post of Engine Driver Class-II. He also stated that the representation submitted by the applicant at Annexure A7 has been forwarded to the second respondent for consideration and disposal and that an appropriate decision would be taken and communicated to the applicant within a reasonable time. Learned counsel for applicant submits that the applicant would be satisfied if a direction is issued to consider the representation A7 in accordance with law.

4. In the result, the application is admitted and disposed of with a direction to the respondents to consider and dispose of the representation submitted by the applicant (Annexure A7) in the light of the amended Recruitment Rules; and to give the applicant a speaking order within a period of two months from the date of receipt of a copy of this order.


5. There shall be no order as to costs.

Dated the 31st January, 1997.



P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

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A.V. HARIDASAN
VICE CHAIRMAN

LIST OF ANNEXURE

1. Annexure A7: True copy of the representation dated 23.9.96 of the Applicant to the Respondents.

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