

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 166/2001

Thursday this the 22nd day of February, 2001.

CORAM

HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

R.Nandanam Thampi
Senior Technical Assistant
Telecommunication Wing
Customs House
Cochin-682 009.

Applicant.

[By advocate Mr.C.S.G.Nair]

Versus

1. Member(Personnel)
Central Board of Excise & Customs
North Block
New Delhi.

2. The Commissioner of Central Excise & Customs
Central Revenue Buildings
I.S.Press Road
Cochin-682 018.

3. Union of India
represented by the Secretary
Department of Revenue
Ministry of Finance
North Block
New Delhi.

Respondents.

[By advocate Mr.T.A.Unnikrishnan, ACGSC]

The application having been heard on 22nd February, 2001, the Tribunal on the same day delivered the following:

O R D E R

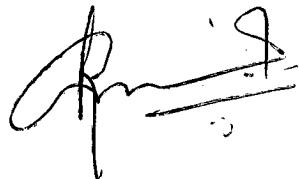
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant who is working as Senior Technical Assistant, Telecommunication Wing, Customs House, Cochin has filed this Original Application seeking a direction to the first respondent to dispose of A3 appeal dated 25.2.2000 addressed to the President of India.



2. According to the applicant, he worked in the Maintenance Section of the Telecommunication Wing of the Customs and Central Excise Department at Kochi. He claimed that he was having over 25 years of service in the department. In his Annual Confidential Report for the year 1998-99 certain adverse entries were made by the Assistant Director (Telecommunication Wing) which was communicated to him by memo C.No.II/9/7.99-Con.Cx dated 15.10.99 (Annexure A1). Applicant submitted an appeal to the second respondent to expunge the adverse remarks. By A2 order dated 9.2.2000, the 2nd respondent had partially expunged the adverse remarks. Aggrieved by A2, applicant submitted a Memo of Appeal to the Hon'ble President of India, copy of which is enclosed as Annexure A3 dated 25.2.2000. According to the applicant, the first respondent is the authority competent to dispose of the A3 Memorandum of Appeal addressed to the President. Having not received any reply, the applicant has filed this Original Application seeking the reliefs mentioned above.

3. When the OA came up for admission on 13.2.2000, the learned counsel for the respondents sought a week's time to get instructions on the subject. Today when the OA was taken up, learned counsel for the respondents on instructions submitted that there is no objection for granting the reliefs sought for, giving a reasonable time to the first respondent to dispose of the A3 memorandum of appeal.

A handwritten signature in black ink, appearing to read 'A. P. S. J.' or a similar variation, is placed here.

4. In the light of the submissions made by the learned counsel for the respondents, the first respondent, Member (Personnel) is directed to dispose of A3 Memorandum of Appeal of the applicant within a period of 4 months from the date of receipt of a copy of this order.

5. The Original Applications stands allowed as stated above with no order as to costs.

Dated 22nd February, 2001.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER

aa.

Annexures referred to in this order:

A3 True copy of the Memorandum of Appeal dated 25.2.2000.

A1 True copy of the adverse remarks communicated in Memo C.No.II/9/7.99-Con.Cx dt.15.10.99.

A2 True copy of the order C.No.II/9/7/99-Con.Cx dt.9.2.2000.