

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No. 295 of 1995

THURSDAY THIS THE 11TH DAY OF JULY, 1996.

CORAM

THE HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN  
THE HON'BLE MR. P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

K.R. Gopinathan,  
Tindal of Lascars,  
Yard Craft Organisation,  
Naval Ship Repair Yard,  
Cochin-4 (Tattaril House,  
South Chittoor PO).

... Applicant

(By Advocate Mr. R.Sreeraj for MRR Nair)

Vs

1. Union of India represented by  
Secretary to Government,  
Ministry of Defence, New Dehi.
2. The Flag Officer Commanding in  
Chief, Southern Naval Command,  
Naval Base, Cochin.
3. The Civilian Gazetted Officer,  
Headquarters, Southern Naval Command,  
Naval Base, Cochin.
4. The Captain Superintendent,  
Naval Ship Repair Yard,  
Naval Base, Cochin.

... RESPONDENTS

5. The Chief Staff Officer, (Personnel & Admn),  
Southern Naval Command, Kochi.

..(impleaded as R.5  
vide order in MA )

(By Advocate Mr. K.S.Bahuleyan for Sr.CGSC (R.lto5)

The application having been heard on 11th July, 1996, the Tribunal  
on the same day delivered the following order:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant now working as a 'Tindal' seeks a declaration  
that he is entitled to be promoted as a 'Syrang'.

2. Applicant started his career as a 'Lascar', became a  
'Tindal' and hopes to become a 'Syrang'. Tindal is not a feeder  
category for Syrang. But, applicant would say that another group  
of officials, not in the feeder category and below Tindals, have  
been promoted as 'Syrang'. This fact is not denied, but it is

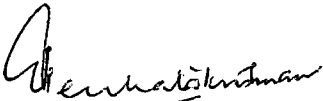
said that this was due to a direction issued by this Tribunal.

3. We cannot issue a direction to relax the rules, or to include a group in the feeder category, or order promotion. At the same time, Government should look into anomalous situations, and remedy them. Applicant would submit that a Tindal is not considered for promotion to the post of Syrang, while an equally ineligible category Lascar, below the category of Tindal is considered.

4. Applicant seeks permission to move the Government for redress by way of an appropriate representation. He may make a representation before first respondent Government of India, and first respondent Government of India will consider whether anomalies exist, and if necessary amend or modify the rules to obviate anomalies and to rationalise the system of promotion. Representations, if any, made will be considered and disposed of within four months from the date of receipt of the same. If any appointments are made to the post of Syrang in the meanwhile, the appointees will be informed that the appointment will be provisional and subject to the decision of the Government of India in the matter, hereinbefore mentioned.

5. Application is disposed of with the aforesaid directions.  
No costs.

Dated the 11th July, 1996.

  
P.V. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

ks117.