

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.349/97

Tuesday, this the 11th day of March, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR K RAMAMOORTHY, ADMINISTRATIVE MEMBER

1. S Govindan,  
Ferro Printer,  
Office of the Chief Engineer(Civil),  
Department of Telecom,  
Thiruvananthapuram.
2. K Ravindran,  
Record Keeper,  
Telecom Civil Circle,  
Thiruvananthapuram.
3. G Ravindran Nair,  
Telecom Office Assistant(General)  
Grade I, Telecom Circle Division No.2,  
Pattom, Thiruvananthapuram. - Applicants

By Advocate Mr N Nandakumara Menon

Vs

1. Union of India represented by the  
Secretary,  
Ministry of Communication,  
New Delhi.
2. Director General,  
Department of Telecommunication,  
Sanchar Bhavan, 20 Ashoka Road,  
New Delhi-110 001.
3. Chief General Manager,  
Telecom, Kerala Circle,  
Thiruvananthapuram-33.
4. The Superintending Engineer,  
Telecom, Civil Circle,  
Trivandrum.
5. The Chief Engineer(Civil),  
Department of Telecom,  
Trivandrum. - Respondents

By Advocate Mr TR Ramachandran Nair, ACGSC

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The application having been heard on 11.3.97 the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

Heard the learned counsel on either side. The prayer in this O.A. is to declare that the applicants are entitled to the benefit of an order No.27-4/87-TE-II(1) dated 16.10.90 at A-1. The said order was passed with a view to provide relief from stagnation in the grade to Government servants by Biennial Cadre Review. The Sub paragraph (i) of Paragraph 2 of the order reads as follows:

"Biennial cadre reviews will be applicable for only those cadres in Groups C&D for which scheme of 'One Time Bound Promotion' on completion of 16 years of service in the basis grade is already in existence."

The first applicant in this case who commenced service in the Telecommunication department as Group 'D' Chowkidar on 26.2.69 in the scale of pay Rs.70-85 which cadre have converted into Group 'D' Peon on 18.1.76 was promoted as Record Keeper on 15.5.82 in the scale of pay Rs.200-250 and was again promoted as Ferro Printer on 1.3.95. The second applicant who commenced service as Group 'D' Chowkidar on 1.11.68 was promoted to Group 'D' Record Keeper on 14.3.88 in the scale of pay Rs.775-1025. The third applicant who commenced service on 8.10.68 in Group 'D' cadre was promoted as T.O.A.(General) Grade-I in the Postal Civil Division, Thiruvananthapuram. The above profile

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of service of the applicants would show that they were not stagnating for them to be given the benefit of One Time Bound Promotion scheme. A reading of A-1 would clearly show that the scheme applies only to those for whom OTBP is in existence and not for others. The applicants who had no grievance of stagnation are outside the purview of the scheme and therefore there is no legitimate grievance for them to be redressed. The application therefore fails and the same is rejected under Section 19(3) of the Administrative Tribunals Act, 1985. No costs.

Dated, the 11th March, 1997.



K RAMAMOORTHY  
ADMINISTRATIVE MEMBER



AV HARIDASAN  
VICE CHAIRMAN

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