

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Dated this Thursday the 17th day of July, 2003

Review Application No.49 of 2003
in
O.A. No.744 of 2001

1. Union of India
through the Secretary,
Ministry of Information &
Broadcasting, Shastri Bhavan,
New Delhi.
 2. Chief Executive Officer,
Prasar Bharati, Doordarshan
Directorate, Mandi House,
New Delhi - 110 001.
 3. Director General,
All India Radio, Akashwani
Bhavan, Sansad Marg,
New Delhi - 110 001
- Applicants

Versus

Smt.Usha Prabha Page,
Station Director,
All India Radio,Pune.

- Respondent

ORDER BY CIRCULATION

The respondents in the Original Application have preferred the instant Review Petition on 25.4.2003 pointing out difficulties in implementation of the directions dated 19.4.2002. It has been stated therein that as the departmental proceedings have ended in imposition of penalty the directions to consider her for ad-hoc promotion needs to be considered.

There is no separate application for condonation of delay though condonation has been sought on the ground that various agencies had to be consulted.

2. The case of the applicant was that his juniors had been given Non-functional Selection Grade w.e.f. 1.7.1994. The minor penalty charge sheet was issued on 16.6.1995. It was withdrawn and a major penalty charge sheet was issued on 25.7.1996.



....2/-

The applicant had sought for the following reliefs -

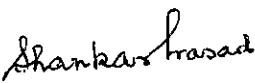
- (a) To direct the respondents to pass final orders in enquiry.
- (b) To grant ad-hoc promotion as per Department of Personnel and Training as more than two years had passed.

The Tribunal passed the following order -

" In view of this, in our considered view the applicant has a case for being considered for ad-hoc promotion pending the finalisation of departmental enquiry. In our view, therefore, ends of justice will be met if the respondents could consider the applicant for ad-hoc promotion. We direct the respondents, therefore, to consider the applicant for ad-hoc promotion as per the rules, in the immediate next DPC to be held to the Selection Grade (Non-functional) and in any case within a period of 3 months from the date of receipt of a copy of this order."

3. The cardinal principle of review is that it is only to correct errors apparent on face of record. It is also for applicant^{of review petition} to point out these errors. The respondents were given three months time. They do not appear to have carried out the exercise in 3 months nor did they move a miscellaneous application for extension of time. In this case a minor penalty charge sheet was issued in 1995, a major penalty charge sheet in lieu thereof was issued and finally a minor penalty only imposed on 9.10.2002.

4. There is no merit in the Review Application. It is also barred by limitation. It is dismissed.


(Shankar Prasad)
Member (A)


(R.R.K. Trivedi)
Vice Chairman