

2/100

5

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 3218/2000.....

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI. 5.

ORIGINAL APPLICATION NO. 348/2000

Th. Jayanta Kumar Singh APPLICANTS
versus.

Union of India & ors Respondents.

FOR THE APPLICANT(S) *Mr. B. K. Sharma*
ADVOCATE *Mr. S. Sarma, Mr. U. K. Nair.*

FOR THE RESPONDENT(S) *C. G. S. C.*

Notes of the Registry

DATE

COURT'S ORDER

2.11.00

Present: Hon'ble Mr. Justice D.N .
Choudhury, Vice-Chairman.

Heard Mr. S. Sarma, learned counsel
for the applicant and also learned
counsel for the respondents.

Application is admitted. Call for
records. Issue notice on the respondents.
Returnable by 2 months.

List on 4.1.2001 for filing of
written statement and further orders.

[Signature]
Vice-Chairman

1m

Registry filed.

20.12.00

Three weeks time is granted to the
respondents to file written statement on
the prayer of Mr A. Deb Roy, learned Sr. C.G.
S.C.

List on 9.1.2001 for order.

[Signature]
Member

[Signature]
Vice-Chairman

pg

*Notice prepared and sent
to D/S for issuing the summons
No. 1 to 5 by Regd Post &
by Hand. vide D/No
2643 to 2647 dtd 15/11/00*

① Service report are
still awaited.

② No. Written statement
has been filed.

[Signature]
19.12.2000

This application is in form
but for the Coordination
Petition. It is filed vide
M. P. No. C.F.
for Rs. 50/-
IPO/BO 501898
Dated 2.11.2000

[Signature]
Dy. Registrar.

Notice has been served on
R No 5. Others are notified.

by
21/1/00

29.2.01

List on 23.3.01 to enable the
respondent to file written statement.

No written statement
has been filed.

Member

Vice-Chairman

by
19.2.01

1m

23.3.01

Written statement has been filed. The
applicant may file rejoinder, if any
within 3 weeks from today.

List on 23.4.01 for order.

23-2-2001

W/S has been filed
by the Respondent Nos 1, 2 & 3.
pg

Member

Vice-Chairman

23.4.01

Written statement filed. The applicant
may file rejoinder, if any within two
weeks from today.

List on 9.5.01 for order.

20.4.01.

No rejoinder has been
filed.
pg

Member

Vice-Chairman

28.5.01
(Imphal)

The present O.A. is stood over, in
order to enable the applicant to put his
rejoinder.

List on 28.6.01 for order.

dist on correct sitting
at Manipal.

AS
21/5/01

28.6.01

Mr. S. Sarma, learned counsel for the
applicant states that written statement has
already been filed and he may be granted 3 weeks
time to file rejoinder.

Time prayed is allowed. List on 29-8-2001
for hearing.

No rejoinder has been
filed.

by
28.6.01

Member

Vice-Chairman

bb

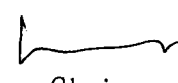
29.8 There is no division bench today.
The case is adjourned to 29.9.2001.

By order
29/8/01

3/10

OA 348/2003

3

Notes of the Registry	Date	Order of the Tribunal
	24-9,	<p>Hearal Mr. Mr. Sharan, learned counsel for the applicant & Mr. B.C. Pathak, Addl. U.G. Sec. for the respondent, Hearing concluded, Judgment reserved.</p> <p>3/6, A.K. Singh 24.9.2001</p>
<p>22.10.2001</p> <p>Copy of the Judgment has been sent to the D/Sec for issuing the same to the applicant as well as to the C.B.M., N.E. Circle Shing.</p> <p>HS</p>	<p>27.9.2001</p> <p>nk m</p>	<p>Judgment pronounced in open court. The application is dismissed. No order as to costs.</p> <p>IC Ushary Member</p> <p> Vice-Chairman</p>

Notes of the Registry	Date	Order of the Tribunal

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.347 of 2000

With

Original Application No.348 of 2000

Date of decision: This the 27th day of September 2001

The Hon'ble Mr Justice D.N. Chowdhury, Vice-Chairman

The Hon'ble Mr K.K. Sharma, Administrative Member

O.A.No.347/2000

Suchitra Devi,
Senior Telecom Supervisor (O),
(STS (O) E-108 Truck Exchange,
Imphal.

O.A.No.348/2000

Th. Jayanta Kumar Singh,
Senior Telecom Supervisor (O),
(STS (O) E-108 Truck Exchange,
Imphal.

.....Applicants

By Advocates Mr B.K. Sharma, Mr S. Sarma, Mr D.K. Sharma,
Mr U.K. Nair and Mr U.K. Goswami.

- versus -

1. The Union of India, represented by the
Secretary to the Government of India,
Ministry of Communications,
New Delhi.
2. The Chief General Manager,
Department of Telecommunication,
N.E. Circle, Shillong.
3. The General Manager,
Telecom District, Imphal.
4. Shri K. Mahendra Kr. Singh,
5. Shri K. Leibak Macha Singh,

.....Respondents

Both respondent Nos.4 and 5 are promotees
under 10% BCR Scheme posts in Grade-IV in the
Office of the General Manager,
Telecom District, Imphal.

By Advocate Mr A. Deb Roy, Sr. C.G.S.C.

.....

O R D E R

CHOWDHURY. J. (V.C.)

Both the cases were taken up for hearing together since
both the cases involved same and similar facts comprising same or similar
law.

2. Both the applicants assailed the order No.E-74/BCR/Rlg/ dated 21.6.2000 promoting Shri K. Mahendra Kr Singh and Shri K. Leibak Macha Singh, respondent Nos.4 and 5 respectively in the applications. The aforementioned two respondents alongwith one Md. A.H. Ahmed were promoted under the 10% Biennial Cadre Review (BCR for short) Scheme posts in Grade IV on the basis of functional responsibilities with effect from the date noted against each name in the scale of pay of Rs.2000-3200 (old) and Rs.6500-10,500 (revised scale). Being aggrieved by the order of promotion, the applicant in O.A.No.348/2000, assailing the promotion of the aforementioned two respondents, submitted a representation before the respondent authority questioning his supersession. The applicant in O.A.No.347/2000 also stated in the application that she also preferred a representation before the respondent authority. Failing to get any response the applicants moved this Tribunal by two separate applications questioning the promotion of respondent Nos.4 and 5 as arbitrary and discriminatory. The thematic contents of their grievance is based on their seniority. The applicant in O.A. No.348/2000 specifically pleaded that he was senior to respondent Nos.4 and 5 and he was superseded and accordingly questioned his supersession by the said two respondents. The applicant in O.A.No.347/2000 also similarly pleaded and contended that she was also senior to the aforementioned two respondents.

3. The respondent Nos.1, 2 and 3 filed two separate written statements assailing the contentions of the applicants. According to the respondents as per the norms seniority is determined in order of merit indicated at the initial time of appointment. According to respondent Nos.1, 2 and 3 the respondent Nos.4 and 5 were senior to the applicants as was reflected in the Gradation List of Telephone Operators as on 1.7.1978 and as on 31.7.1990 for the Manipur Engineering Division. The respondent Nos.4 and 5 were senior to the applicants as per the merit list of initial appointment as Telephone Operator. The respondent Nos.4 and 5 figured at serial No.1 and 2 respectively, whereas the applicant in O.A.No.348/2000 figured at serial No.5 in the Divisional Gradation.....

Gradation List and whereas the applicant in O.A.No.348/2000 figured at serial No.9 of the said Gradation List.

4. Mr B.K. Sharma, the learned Sr. Counsel for the applicant, assisted by Mr S. Sarma, learned Advocate, strenuously contended that the two applicants were senior to respondent Nos.4 and 5. Mr B.K. Sharma, the learned Sr. Counsel, cited the order dated 17.3.1980 issued by the SDO, Phones, by which the respondent Nos.4 and 5 who were officiating as Junior Supervisor were reverted to their present cadre as Telephone Operator with effect from 18.3.1980 as they were found junior as per the Circle Gradation List of 1979. On the other hand, by the aforementioned order the two applicants were given officiating charge to work as Junior Supervisor from 18.3.1980 on purely temporary basis. Referring to the Gradation List of 1992, the learned Sr. Counsel for the applicant stated that both the applicants' names were above the respondent Nos.4 and 5.

5. Mr B.C. Pathak, learned Addl. C.G.S.C., countering the arguments of Mr B.K. Sharma, submitted that the order dated 17.3.1980 as well as the approved Gradation List dated 23.7.1992 were not decisive. Mr Pathak submitted that the order dated 17.3.1980 was based as per the Circle Gradation List of 1979 and that too in giving officiating charge to the present two applicants. Similarly, the order dated 23.7.1992 was only mentioned as Draft Circle Gradation List of Telephone Supervisors and Telephone Operators as on 1.7.1992. Mr Pathak drew our attention to the Gradation List for Telephone Operators as on 1.7.1978 and as on 31.7.1990 wherein the names of respondent Nos.4 and 5 appeared before the applicants.

6. We have given our anxious consideration in the matter. On consideration of the materials on record it is difficult to hold that the applicants were senior to respondent Nos.4 and 5. On the other hand the materials on record clearly indicated that the seniority was to be fixed according to the position in the merit list on the basis of which

recruitment.....

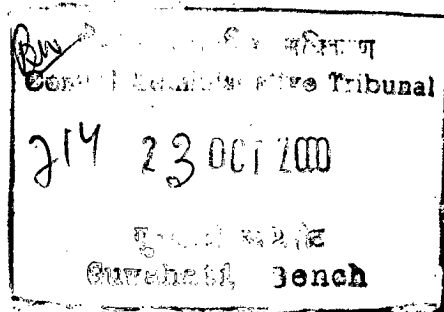
recruitment was made. Against the 10% BCR posts for SSA Cadre, the Divisional seniority was to be taken into consideration. In the circumstances it is difficult to uphold the contention of the applicants that the two applicants were senior to the respondent Nos.4 and 5 and that the said two respondents unlawfully superseded the applicants.

7. For the reasons stated above both the applications thus fail. Accordingly the applications are dismissed. The dismissal of the applications, however, would not preclude the respondents from considering the case of the two applicants for promotion to the next higher post as per law.

No order as to costs.

Sd/VICE CHAIRMAN

Sd/MEMBER (A)



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Title of the case :

OA No 348/2000

BETWEEN

Th. Jayanta Kumar Singh.

... Applicants

- versus -

Union of India & Ors.

... Respondents

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Filed by :

Advocate

THE CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH
GUWAHATI

FILED BY:
The Applicant,
Through
U.K. Nair,
Advocate.

O.A. No. 348 of 2000

BETWEEN

Th. Jayanta Kumar Singh, Senior Telecom
Supervisor (O), (STS (O) E-10B Truck
Exchange, Imphal

... Applicant

- AND -

1. The Union of India, represented by
the Secretary to the Government of
India, Ministry of Communications,
New Delhi.
2. The Chief General Manager,
Department of Telecommunication,
N.E. Circle, Shillong-793001.
3. The General Manager, Telecom
District, Imphal.
4. Shri K. Mahendra Kr. Singh,
5. Shri K. Leibak Macha Singh,

Both No. 4 and 5 are promotees under
10% BCR scheme posts in Grade-IV in
the office of the General Manager,
Telecom District, Imphal.

... Respondents

DETAILS OF APPLICATION

1. PARTICULARS OF THE ORDER AGAINST WHICH THE
APPLICATION IS MADE :

This application is directed against an order
dated 21.6.2000 issued under No. E-74/BCR/Rlg/ by
which juniors to the Applicant have been promoted under
the 10% of BCR scheme posts in Group IV on the basis of

JKS

functional responsibilities with effect from the dates noted against their names as reflected in the order itself. The Applicant is aggrieved by his non-promotion to the said post.

2. JURISDICTION OF THE TRIBUNAL :

The Applicant declares that the subject matter of the application is within the jurisdiction of this Hon'ble Tribunal.

3. LIMITATION :

The Applicant further declares that the application is filed within the limitation period prescribed under Section 21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE :

4.1 That the Applicant is a citizen of India and as such he is entitled to all the rights and protection guaranteed under the Constitution of India.

4.2 That the Applicant was appointed as a Telephone Operator alongwith nine others by an order dated 7.8.71 issued by the Divisional Engineer, Telegraphs, Jorhat Division, Jorhat. He was confirmed in his service and was promoted giving officiating charge to work as Junior Supervisor from 18.3.80.

4.3 That having regard to the stagnation being faced by the employees of the Telecom Department, the Respondents introduced Time Bound Promotion Scale (TBOP) and Biennial Cadre Review (BCR) Scheme providing

Jks

upgradation on completion of 16 years and 26 years of service. In the BCR scheme, it was further provided that 10% of the promotional posts would be confined to the BCR promotees.

The Applicant craves leave of this Hon'ble Tribunal to produce the copies of the aforesaid schemes as and when necessary.

4.4 That by an order dated 17.10.87, the Applicant was promoted/upgraded to the next higher scale of pay under the TBOP scheme and he being the senior most one, his name appeared at Sl. No.1 in the said order of promotion.

Copies of the order dated 7.8.71, 17.3.80 and 17.10.87 are annexed as ANNEXURES-1, 2 and 3 respectively.

4.5 That in the gradation list published in the year 1992, the name of the Applicant appeared at Sl. No. 72 and that of the private Respondents at Sl. No. 74 and 77 respectively.

A copy of the said gradation list as circulated by letter dated 23.7.92 is annexed as ANNEXURE-4.

4.6 That the Applicant got his further promotion on completion of 26 years of service in the basic cadre and the same was pursuant to his selection by the DPC as ordered under No. P-157/BCR/120 dated 19.6.97. In the said order also, the name of the Applicant appeared at Sl. No.1.

JHS

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A copy of the said order dated 19.6.97 is annexed as ANNEXURE-5.

4.7 That the Applicant states that as already stated above under the BCR scheme 10% of the promoted posts for BCR scheme promotees and the Applicant being the senior most is entitled to get his such promotion and naturally he was expecting his such promotion. But to his utter surprise, the official Respondents have issued an order of promotion No.E-74/BCR/Rlg dated 21.6.2000 by which the private Respondents have been promoted against 10% posts in the BCR with effect from 1.1.98. In the said order, the name of the Applicant does not appear and thus he has been superseded in the matter of promotion.

A copy of the said order dated 21.6.2000 is annexed as ANNEXURE-6.

4.8 That being aggrieved by his supersession in the matter of promotion under 10% BCR scheme, the Applicant submitted a representation on 18.7.2000 to the Respondent No. 2, but the same has not evoked any response so far.

A copy of the said representation dated 18.7.2000 is annexed as ANNEXURE-7.

4.9 That the Applicant states that there is nothing adverse against the Applicant and there is also no impediment against the promotion of the Applicant under the 10% BCR scheme and his service career is by far

Jks

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better than the private Respondents and he could not have been found unsuitable for such promotion, but for extraneous reasons. Hence this O.A. towards redressal of grievance of the Applicant by way of granting the promotion which has been granted to his juniors with effect from the same date with all consequential benefits.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS :

5.1 For that the Applicant being senior to the private Respondents and there being no adverse remarks and impediments against the Applicant, he could not have been superseded in the matter of promotion under the 10% BCR scheme.

5.2 For that the impugned order having been issued without taking into account the relevant considerations, same is liable to be set aside and quashed and/or alternatively directions are required to be issued for promotion of the Applicant from the same date as that of his juniors with all consequential benefits.

5.3 For that all along the Applicant having been promoted in all the grades along with his juniors and in all the promotion orders he having been placed above the juniors, there cannot be any earthly reason as to why he should have been ignored for promotion under 10% BCR scheme.

JKS

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5.4 For that the Applicant having been illegally superseded in the matter of promotion under 10% BCR scheme, he is required to be restored with his such promotion from the same date as that of his juniors applying the test of next below rule and with all consequential benefits of salary, seniority etc.

5.5 For that in any view of the matter, the impugned order is not sustainable and liable to be set aside.

6. DETAILS OF REMEDIES EXHAUSTED :

The Applicant declares that he has no other alternative and efficacious remedy except by way of filing this application.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT :

The Applicant further declares that no other application, writ petition or suit in respect of the subject matter of the instant application is filed before any other Court, Authority or any other Bench of the Hon'ble Tribunal nor any such application, writ petition or suit is pending before any of them.

7. RELIEFS SOUGHT FOR :

Under the facts and circumstances stated above, the Applicant prays that this application be admitted, records be called for and notice be issued to the Respondents to show cause as to why the reliefs sought for in this application should not be granted and upon

Jks

hearing the parties and on perusal of the records, be pleased to grant the following reliefs :

8.1 To set aside and quash the order dated 21.6.2000 (Annexure-6) and/or alternatively issue direction to promote the Applicant under the 10% BCR scheme in Grade-IV from the same date as that of his juniors with all consequential benefits of salary, seniority etc.

8.2 Cost of the application.

8.3. Any other relief or reliefs to which the Applicant may be entitled and as may be deemed fit and proper by the Hon'ble Tribunal.

9. INTERIM ORDER PRAYED FOR :

Under the facts and circumstances of the case, the Applicant does not pray for any interim direction at this stage.

10.

The application is filed through Advocate.

11. PARTICULARS OF THE I.P.O. :

- i) I.P.O. No. : 26 501898
- ii) Date : 25/9/2000
- iii) Payable at : Guwahati.

12. LIST OF ENCLOSURES :

As stated in the Index.

Verification.....

Jks

V E R I F I C A T I O N

I, Th. Jayanta Kumar Singh, aged about 53 years, son of Late Th. Tomba Singh, the Applicant, presently working, Senior Telecom Supervisor (O), (STS (O) E-10B Truck Exchange, Imphal, do hereby solemnly affirm and verify that the statements made in paragraphs 4.1 to 4.3 and 4.9 are true to my knowledge ; those made in paragraphs 4.4 to 4.8 are true to my information derived from records and the rests are my humble submissions before the Hon'ble Tribunal.

And I sign this verification on this the 26 th day of September 2000.

Th. Jayantakumar Singh

OFFICE OF THE DIVISIONAL ENGINEER TELEGRAPHS : JORHAT DIVN. JORHAT.

Memo No. E - 42/Rectt/T.O./54

Dated at Jorhat the 7th Aug' 71.

On successful completion of practical training, the following Telephone Operator trainees are hereby appointed as temporary Telephone Operator on a monthly pay of Rs. 110/- in the scale of pay of Rs. 110-4-150-5-175-EB-6-205-EB-7-240 plus x usual allowances as admissible under rules. The dates of effect and stations of posting are indicated below against each.

Sl. No.	Name	Date of appointment	Station of Posting
1.	Sri. Kansam Mahendra Kumar Singh	1-7-71	Imphal Xge.
2.	" Keithelakpam Leibalomacha Singh	1-7-71	"
3.	Kumari Ningombam Ibempishak Devi	1-7-71	"
4.	Sri Ningthoujam Mahakumar Singh	1-7-71	"
5.	" Thokchon Jayanta Kumar Singh	1-7-71	"
6.	" Mayengbam Tomchou Singh.	1-7-71	"
7.	Smt. Sorokhaibam Gomati Devi	1-7-71	"
8.	Sri. Mutam Ramesh Singh	1-7-71	"
9.	Kumari Laishram Suchitra Devi	1-7-71	"
10.	Sri Negrujam Nandababu Singh	1-7-71	"

The terms and conditions of appointments are as follows.

- (1) The appointment is purely temporary and will not confer any title to permanent employment.
- (2) The appointment may be terminated at any time on one month's notice to be given by the appointing authority without assigning any reason thereof.
- (3) The appointment carries with it the liability to serve in any part of Jorhat Engg. Division and in special circumstances in any part of India. The appointment shall also be liable for field service within India in times of war & National Emergency.
- (4) The service conditions will be governed by the relevant rules and orders in force from time to time.

(P.S. Gopalan)

Divisional Engineer Telegraphs,
Jorhat Division, Jorhat.

Copy to :-

- (1) The P.M.G. Shillong. (2) The Chief Accounts Officer, A to 13 O/Concerned O/O the P.M.G. Shillong. (3) The S.D.O. Telegraphs, Imphal.
- (4) to (23) P/Files. (24) H.C. (S&E) Section O/O the D.E. Telegraphs, Jorhat Division. (25) E - 21/GI/TO.
- (26) E - 15/TO/TFR (27) The JDA O/O the D.E.T. Jorhat Divn.
- (28) Increment Register.
- (29) R/R.
- (30) E - 45/Confer/T.O
- (31) Sparo.

(P.S. Gopalan)

Divisional Engineer Telegraphs,
Jorhat Division, Jorhat.

-16-

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Annexure-2

Indian Posts and Telegraphs Deptt.

Office of Subdivisional Officer Phones, Imphal.

No. E. 29/1PP/79-80/4

Dt. 17.3.80

In pursuance of D.E. Telegraphs letter No. Est/To/GL/ dtd. 27.2.80. Sri K. Mahendra Singh and Sri K. Leibakmocha Singh officiating JS are being reverted to their present cadre as T.O. with effect from 18.3.80 as they are junior as per circle gradation list of 1979 Sri Th. Jayanta Kumar Singh and Smti L. Suchitra Devi T.O. Imphal are being given officiating charge to work as Junior Supervisor from 18.3.80 on purely temporary basis.

Sd/-

R.N.P. Gupta

S.D.O.Phones, Imphal

Copy to:

1. Sri K. Mahendra Singh Offs. J.S. Imphal.
2. Sri K. Leibakmocha Singh Offs J.S. Imphal
3. Sri Th. Jayanta Kumar Singh T.O. Imphal.
4. Smti L. Suchitra Devi T.O. Imphal,
5. D.E. Telegraphs Imphal to issue orders in this regard.

Sd/-

R.N.P. Gupta

S.D.O.Phones, Imphal

Circle gradation list.

Department of Telecommunications
Office of the Telecom District Manager, Imphal

Memo No. E-192/OTBP/TO/155 Dtd. at Imphal the 17th Oct '87

In pursuance of DG P&T, N.D. letter No. 1-71/83-NCC dated 17.12.83 and G.M.T, Shillong letter No. STB/OTBP/TO/84-85/140 dated 6.10.87, the following Telephone Operators after completion of 16 years of service in the cadre have been promoted from the date noted against each to the next higher scale of pay of Rs. 1400-40-1800-EB-50-2300 (Revised).

<u>Name of the Operator</u>	<u>With effect from</u>
1. Shri Th. Jayanta Kr. Singh	30.6.87
2. Smti. L. Suchitra Devi	30.6.87
3. Shri M. Ramesh Singh	30.6.87
4. Shri H. Nanda Babu Singh	30.6.87
5. Shri K. Leibakmacha Singh	30.6.87
6. Shri M. Tomchou Singh	30.6.87
7. Smti. N. Ibampishak Devi	30.6.87
8. Shri N. Nabakumar Singh	30.6.87
9. Shri Kh. Narayan Singh	31.8.87
10. Smti Th. Chandra Sakhi Devi	31.8.87
11. Smti P. Binodini Devi	31.8.87
12. Smti Th. Binasakhi Devi	31.8.87
13. Shri Th. Bhalendra Singh	31.8.87
14. Smti A. Radharani Devi	31.8.87
15. Shri Kh. Basudev Singh	31.8.87
16. Smti Th. Hemolata Devi	31.8.87

The seniority of the officials will be fixed as per Rules in vogue. The pay of the officials will be fixed as per FR-22 C.

Sd/-
(K.G. Singh)
Asstt. Director Telecom.
For Telecom District Manager, Imphal.

Copy forwarded for information to :-

- 1) The G.M.T. Shillong.
- 2) Officials concerned.
- 13-35) F/files of concerned officials
- 34) The A.E. Phones, Imphal.
- 35-38) A.O., J.A.O., Jr. Account & Pay bill assistant, O/o TDM/Imphal.

For Telecom District Manager,
Imphal-795001.

Department of Telecommunications
Office of the Chief General Manager, M. Telecom Circle,
Shillong-793 001

No. STB/TC/CI/12 Dated at Shillong, the 23rd July, 1992.

To

The General Manager (HCE)
Shillong.

The TSP/SH/LMF/IT/AGT

The TDE/AZ/ITN

Sub:- Draft Circle Gradation List of Telephone Supervisors/Telephone Operators as on 1st July, 1992.

Three copies of Draft Circle Gradation List of Telephone Supervisors/Telephone Operators corrected upto 01-07-1992 are sent herewith.

Due to some obvious reasons the particulars regarding date of birth, date of entry in the Department, date of CTSP/CTO could not be incorporated in respect of a number of officials. One copy of the Draft Gradation List may kindly be returned to this office after incorporating the particulars with reference to their service documents in respect of the Telephone Operators under their respective control as early as possible.

The G.L. may kindly be circulated amongst all the Telephone Operators of all Grades and objections, if any, received from them may kindly be forwarded to this office alongwith the G.L. bearing their signature in token of their having seen it.

In order to finalise the compilation of the final Gradation List, all concerned may kindly take expeditious action as above. Extra copies of G.L. if required, may be sent on requisition.

Receipt of this may be acknowledged by first post.

Encl:- 1 as above.

(G.N. Chyne)
Asst General Manager (A)
for Chief General Manager
M. Telecom Circle
Shillong-793 001

Circle Gradation List

SL 72 Jayi
73 Sulung
74 hmi
75 hmi

Department of Telecommunications
Office of the Telecom District Manager, Imphal

No. E-157/BCR/120

Dtd. at Imphal, 19.6.97

In pursuance of DOT order No. 27-4/87-TE (1) dtd. 16.10.90 and approval of DPC held on 4.6.97, Telecom District Manager, Imphal is pleased to promote the following officials in the upgraded post in the scale of Rs. 1600-50-2300-EB-60-2660 after completion of twenty six years of service in the basic cadre (including time spent in the higher grade/OTBP) under the scheme of Bi-ennial cadre review from the crucial date noted against each/or from the date of assumption of the charge if the officials do not assume duty on the crucial date.

Sl. No.	Name of the official and designation	Dt. of entry in the cadre	Date of completion of 26 yrs. service	Dt. of effect (crucial dt. from the dt. of assumption of charge.
1.	Sri Jayanta Kr. Singh TSO	1.7.71	30.6.97	1.7.97
2.	Smt L. Suchitra Devi TSO	1.7.71	30.6.97	1.7.97
3.	Sri K. Leibakmacha Singh, TSO	1.7.71	30.6.97	1.7.97
4.	Sri M. Romesh Singh, TSO	1.7.71	30.6.97	1.7.97
5.	Smt N. Ibempishak Devi, TSO	1.7.71	30.6.97	1.7.97
6.	Sri M. Tomchou Singh TSO	1.7.71	30.6.97	1.7.97 ✓
7.	Sri K. Mahendra Kr. Singh, TS	1.7.71	30.6.97	1.7.97
8.	Sri H. Nandababu Singh TSO	1.7.71	30.6.97	1.7.97

The pay of the officials will be fixed as per FR-22(C) as amended from time to time.

The Supervisory allowances if granted earlier for performing supervisory duties will be dispensed with from the date of assumption of the charge.

(K. G. Singh)
D. E. (SBP)

O/o Telecom District Manager,
Imphal-795001.

Copy to:-

1. The Chief General Manager, N.E. Telecom Circle, Shillong- for information and creation of posts.
2. The DE E-10B/Imphal. He is requested to intimate the officials to assume the charge as per above order and submit the report to this office. 14-21) P/F of the officials.
- 3-10. Official concerned. 22) Justification file- for
11. The A.O. (Cash) O/o TDM/Imphal. effecting 1% and 5% cut respectively
12. Staff & Estt. Section- for information.
13. Pay bill Section.

(SBI)
O/o Telecom District Manager, Imphal.

Department of Telecom Services
Office of the General Manager Telecom District
Imphal- 795001.

No. E-74/BCR/RLG/

Dated at Imphal, 21. 6. 2000

In accordance with the DOT, New Delhi letter No. 27-4/87-TE-II dated 18.3.1992, the following BCRs TOA (Phone) Grade-III are hereby promoted under the 10% of BCR scheme post in Grade IV on the basis of functional responsibilities with effect from the dates noted against each in the scale of Rs. 2000-30-2300-75-3200 old and Rs. 6500-200-10,500 Revised scale. ✓

The pay of the officials will be fixed under FR-22 (C) old and FR 22 (1) a (1) new.

Sl. No.	Name of the official	Design.	Date of effect of 10% post in the BCR
1.	Md. A.H. Ahmed	TOA (Phones) Grade- IV	01.07.1997
2.	K. Mohendra Kumar Singh	- do -	01.01.1998
3.	K. Leilak Macha Singh	-do-	01.01.1998

R⁴
R³

[Signature]
D. E. (P&A)
O/o General Manager Telecom
District, Imphal.

Copy to:-

1. The Chief General Manager, N.E. Telecom Circle, Shillong.
2. Sr. A.O. (TA) O/o CGMT, Shillong.
3. DE(Internal) Telephone Bhawan, Imphal.
4. Chief Accounts Officer O/o GMD, Imphal.
5. A.O. (Cash) O/o GMD, Imphal.
- 6- 8. Official concerned, Md. A.H. Ahmed - TOA (P) Grade IV
- 9-11. P/F of the officials.

[Signature]
D. E. (P&A)
O/o General Manager Telecom
District, Imphal.

Attested
W. J. J. J.
Advocate

To

The Chief General Manager,
Department of Telecommunications,
NE Telecom Circle,
Shillong -793 001.

(Through the proper channel)

Subject :- Supersession of senior by Junior
coupled with a request for promotion
under 10% BCR Scheme.

Sir,

I, the undersigned, have the honour to state the following few lines for your kind consideration and favourable action at your earliest convenience.

1. That, I was appointed as a Telephone Operator along with 9(nine) others vide Memo No.E-42/RECTT/T.O./54 dated Jorhat, the 7th August, 1971 issued by the Divisional Engineer Telegraphs, Jorhat Division, Jorhat and my name was shown against Serial No.5(five).

2. That, as per para No.2 of the circular issued by the G.M.Telecom, N.E.Circle, Shillong vide Order No.NET/Cell.10/Part dated 20-2-1980 if T/Os were appointed and confirmed as T/O on the same date, their seniority would be fixed with reference to their date of birth (Older person is ranked senior).

3. That, Shri K. Mohendrakumar Singh and Shri K. Leibakmacha Singh functioning as officiating Junior Supervisors were reverted to T.Os w.e.f. 18-3-1980 vide No.E-29/IPP/99-80/4 dated 17-3-1980. On the other hand I was given officiating charge to work as Junior Supervisor from 18-3-1980.

4. That, by order No.E-192/OTBP/TO/155 dated Imphal the 17th Oct. 1987, issued by the Asst. Director Telecom, Imphal, 16 persons including me were promoted/ upgraded to the next higher scale of pay for having completed 16 years of services and my name was listed in Serial No.1.

Contd...2/-

DR-5952
19.7.20

26
5. That, my name appeared in Serial No.72 in the Draft Circle Gradation List of Telephone Supervisors/ Telephone Operators as on 1st July, 1992 vide Order No.STB/TO/CL/92 dated Shillong 23-7-1992 issued by the Asst. General Manager (for Chief General Manager), N.E. Telecom Circle, Shillong, ^{and} is senior to, in the same list Shri K. Mohendrakumar Singh and Shri K. Leibakmacha Singh who were listed in Serial No.74 and 77 respectively.

6. That, by Order No.E-157/BCR/120 dated 19-6-1992 issued by the Telecom District Manager, Imphal, 8(eight) persons including me were promoted/upgraded to the next higher scale of pay i.e. Rs. 1600-50-2300-EB-60-2660 for having completed 26 years of services and my name still appeared in Serial No.1.

7. That, by Order No.E-74/BCR/RL4/Imphal 21-6-2000 issued by the D.E.(P & A) O/o General Manager, Telecom District, Imphal, Shri K. Mohendrakumar Singh and Shri K. Leibakmacha Singh who are my juniors as per Draft Circle Gradation list mentioned in Para No.5 have been given promotion under 10% BCR Scheme post in grade, superseding me and also ignoring the seniority list and as such I have been harrassed emotionally and mentally.

In view of the above facts and circumstances, I request you to kindly look into/examine the matter relating to the promotion of Shri K. Mohendrakumar Singh and Shri K. Leibakmacha Singh under 10% BCR Scheme superseding me in the interest of justice.

Encl:- Relevant documents.

Yours faithfully,

Th. Jayantakumar Singh 18/7/2k
(Th. Jayanta Kumar Singh)
STS (O),

E-10B Trunk Exchange, Imphal-795 001.

Copy to :-

1. The General Manager,
Telecom Deptt., Imphal for information
and necessary action, please.
2. The Circle Secretary,
Class-III-AITEEU (NFTE),
Shillong - 793 001.

- 17 -

Ready
May 19/2/01

(A. DEB ROY)
Sr. C. C. S. C.
C. A. T., Guwahati Bench 27

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

OA.NO 348 of 2000

गुवाहाटी बेंच
Guwahati Bench

Shri Th.Jayanta Kumar Singh

Applicant

Vs.

Union Of India & Ors

Respondents

(Written statement filed by the Respondents No 1,2,3)

The written statement of the respondents No 1, 2 and 3 as follows :

1. That the copies of the OA.No 348 of 2000 herein after referred to as application have been served on the respondents and the respondents after going through the said application have understood the contents thereof.
2. That the statement made in the application save and except those which are specifically admitted and denied by the respondents.
3. That with regard to the statement made in paragraph 1 of the application the respondents beg to state that the statement of the applicant is not correct. As per Deptt. rules the persons recruited or promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment. Seniority would be determined by the order of merit indicated at the time of initial appointment and not according to the date of confirmation. As per appointment letter No E-42/Rectt/T.O/54 dated 7th August 1971, the applicant's name was figured in Sl.No 5. The names of Shri K.Mahendra Kr Singh and Shri K.Leibakmocha Singh figured in Sl.No 1 and Sl.No 2 respectively. Hence the juniors to the applicant have not been promoted under the 10% of BCR scheme post in Group IV on the basis of functional responsibilities with effect from the dates noted against their names as reflected in the order. There is no question of applicant's grievance for the non promotion to the said post.

(Annexed here as Annexure R1 and R2).

4. That with regard to the statement made in paragraph 2 and 3 of the application the respondents have nothing to comment.
5. That with regard to the statement made in paragraph 4.1 of the application the respondents have nothing to comment.
6. That with regard to the statement made in paragraph 4.2 of the application the respondents beg to state that he was appointed as telephone operator on 7.8.71 and his position was figured in the merit list as No 5. Officiating charge was given as per circle gradation list as per the date of confirmation which is different from the order of merit. Seniority would be determined by the order of merit.

7. That with regard to the statement made in paragraph 4.3 of the application the respondents beg to state that as per the scheme the time bound promotion was implemented.
8. That with regard to the statement made in paragraph 4.4 of the application the respondents beg to state that the benefit of promotion OTBP scheme was given to the TOs who have completed 16 years of service respectively without the basis of seniority list in the cadre of TOs. Seniority would be determined by the order of merit indicated at the time of initial appointment where the applicant's name was figured in Sl.No 5.
(The Scheme annexed here as Annexure R3).
9. That with regard to the statement made in paragraph 4.5 of the application the respondents beg to state that gradation lists published in the year 1992 was on the basis of confirmation in the cadre of TOs of the Circle as a whole and not according to the order of merit. Seniority would be determined by the order of merit indicated at the time of appointment.
(The Circle Gradation List dated 17-12-76 is annexed here as Annexure R4).
10. That with regard to the statement made in paragraph 4.6 of the application the respondents beg to state that the applicant got further promotion on completion of 26 years of service in the basic cadre. Even though the name of the applicant appeared at Sl.No 1, he cannot claim that he is senior most. Seniority would be determined by the order of merit indicated at the time of initial appointment. In the Divisional gradation list (The TO cadre is a Divisional cadre) of the telephone operator of Manipur division as on 30.7.90 the applicants name appeared at Sl.No7 in the order.
Clarification regarding fixation of Divisional Seniority for Promotion to Grade IV against 10% posts under BCR scheme annexed here as Annexure R5(A).
Gradation list of Telephone Operators as on 1-7-78 and as on 31-7-90 for the Manipur Engineering Division is annexed here as Annexure R5(B) and R5(C).
11. That with regard to the statement made in paragraph 4.7 of the application the respondents beg to state that under the BCR Scheme 10% of the promoted posts for BCR, the applicant was not superseded because Shri K.Mahendra Kumar Singh and Shri K.Leibakmocha Singh were senior to the applicant as per the merit list indicated at the time of initial appointment and in the Divisional gradation list of Telephone Operator as on 31.7.90. In the merit list at the time of initial appointment as Telephone Operator, they figured at Sl.No1 and Sl.No2 whereas the applicant figured at Sl.No5 and in the Divisional gradation list, Shri K.Mahendra Kumar Singh and Shri K.Leibakmocha Singh figured at Sl.No2 and 3 and the applicant figured at Sl.No7. Hence the claim of the applicant is not correct and the application is liable to be dismissed with cost.
Divisional Gradation list of Manipur Engineering Division as on 31-7-90 is annexed here as Annexure R5(C).
Procedure for promotion from Grade III to Grade IV is annexed here as Annexure R6.
12. That with regard to the statement made in paragraph 4.8 of the application the respondents beg to state that the representation submitted by the applicant for promotion was considered and rejected on the ground that the claim is not correct as per the merit list indicated at the time of initial appointment.

13. That with regard to the statement made in paragraph 4.9 of the application the respondents beg to state that in no case his junior was granted promotion. Under the BCR scheme 10% of the promoted post for BCR scheme, the applicant being junior to the private respondents, was not entitled to get the promotion and hence the action taken by the respondents is correct. Hence the application is liable to be dismissed with cost.
14. That with regard to the statement made in paragraph 5.1 to 5.5 of the application the respondents beg to state that the applicant is not entitled for promotion. The applicant is junior to the private respondent as per merit list. The grounds prayed for relief is not maintainable in law as well as in facts and as such the application is liable to be dismissed with cost.
15. That with regard to the statement made in paragraph 6 and 7 of the application the respondents have nothing to comment.
16. That with regard to the statement made in paragraph 8.1 to 8.3 of the application regarding relief sought for the respondents beg to state that the applicant is not at all entitled to any of the relief sought for and as such the application is liable to be dismissed with cost.
17. That with regard to the statement made in paragraph 9,10,11,12 of the application the respondents have nothing to comment.
18. That the respondents beg to state that the applicant is not entitled to any of the reliefs sought for and as such the application is liable to be dismissed with cost.
19. That the respondents submit that in fact there is no merit in this case and as such the application is liable to be dismissed.

VERIFICATION

I, Shri C.Murmu, Vigilance Officer, o/o the Chief General Manager, North Eastern Telecom Circle, Shillong = 793 001 as authorized do hereby solemnly declare that the statements made above in the Petition are true to my knowledge, belief and information and I sign the verification on this ...15th..... day of February..... 2001.


15/2/01
DECLARANT

CHAPTER 38

SENIORITY

Order effective from 4th November, 1992. [Government of India, Department of Personnel and Training, Office Memorandum No. 20011/5/90-Estt (D), dated the 4th November, 1992]

Seniority to be determined by the order of merit indicated at the time of initial appointment.—The seniority of Government servants is determined in accordance with the general principles of seniority contained in M.H.A. O.M. No. 9/11/55-RPS, dated the 22nd December, 1959 (see Section II). One of the basic principles enunciated in the said OM is that seniority follows confirmation and consequently permanent officers in each grade shall rank senior to those who are officiating in that grade.

2. This principle has been coming under judicial scrutiny in a number of cases in the past; the last important judgment being the one delivered by the Supreme Court on 2-5-1990, in the case of Class II Direct Recruits Engineering Officers' Association v. State of Maharashtra. In para. 47 (A) of the said judgment, the Supreme Court has held that once an incumbent is appointed to a post according to rule, his seniority has to be counted from the date of his appointment and not according to the date of his confirmation.

3. The general principle of seniority mentioned above has been examined in the light of the judicial pronouncement referred to above and it has been decided that seniority may be delinked from confirmation as per the directive of the Supreme Court in para. 47 (A) of its judgment, dated 2-5-1990. Accordingly, in modification of the General Principle 3, proviso to General Principle 4 and proviso to General Principle 5 (i) contained in O.M. No. 9/11/55-RPS, dated the 22nd December, 1959 and para. 2.3 of OM, dated the 3rd July, 1986, it has been decided that seniority of a person regularly appointed to a post according to rule would be determined by the order of merit indicated at the time of initial appointment and not according to the date of confirmation.

4. These orders shall take effect from the date of issue of this Office Memorandum. Seniority already determined according to the existing principles on the date of issue of these orders will not be reopened even if in some cases seniority has already been challenged or is in dispute and it will continue to be determined on the basis of the principles already existing prior to the date of issue of these orders.

(5) (21) A.E. (h) 4

II

Consolidated Orders on Seniority

Government of India, Department of Personnel and Training,
Office Memorandum No. 22011/7/86-Estt. (D), dated the 3rd July, 1986.

Instructions issued from time to time laying down the principles for determining seniority of persons appointed to services and posts under the Central Government have been consolidated in this Office Memorandum. The original communications consolidated here are reproduced (items I to VII) at the end of this OM.

Seniority of Direct Recruits and Promotees

2.1 The relative seniority of all direct recruits is determined by the order of merit in which they are selected for such appointment on the recommendations of the UPSC or other selecting authority, persons appointed as a result of an earlier selection being senior to those appointed as a result of a subsequent selection.

2.2 Where promotions are made on the basis of selection by a DPC, the seniority of such promotees shall be in the order in which they are recommended for such promotion by the Committee. Where promotions are made on the basis of seniority, subject to the rejection of the unfit, the seniority of persons considered fit for promotion at the same time shall be the same as the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered unfit for promotion and is superseded by a junior such persons shall not, if he is subsequently found suitable and promoted, take seniority in the higher grade over the junior persons who had superseded him.

2.3 Where persons recruited or promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority will be determined by the order of merit indicated at the time of initial appointment and not according to the date of confirmation.

2.4.1 The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the quota of vacancies reserved for direct recruitment and promotion respectively in the Recruitment Rules.

2.4.2 If adequate number of direct recruits do not become available in any particular year, rotation of quotas for the purpose of determining seniority would take place only to the extent of the available direct recruits and the promotees.

Modified vide G.I., Dept. of Per. & Trg., O.M. No. 2001/5/90-Estt. (D), dated the 4th December, 1992.

In other words, to the extent direct recruits are not available, the promotees will be bunched together at the bottom of the seniority list below the last position up to which it is possible to determine seniority, on the basis of rotation of quotas with reference to the actual number of direct recruits who become available. The unfilled direct recruitment quota vacancies would, however, be carried forward and added to the corresponding direct recruitment vacancies of the next year (and to subsequent years where necessary) for taking action for direct recruitment for the total number according to the usual practice. Thereafter in that year while seniority will be determined between direct recruits and promotees, to the extent of the number of vacancies for direct recruits and promotees as determined according to the quota for *that year*, the additional direct recruits selected against the carried forward vacancies of the previous year would be placed *en bloc* below the last promotee (or direct recruit as the case may be), in the seniority list based on the rotation of vacancies for that year. The same principle holds good for determining seniority in the event of carry forward, if any, of direct recruitment or promotion quota vacancies (as the case may be) in the subsequent year.

Memorandum No. E - 42/Roctt/T.O./54

Dated at Jorhat the 7th Aug' 71.

On successful completion of practical training, the following Telephone Operator trainees are hereby appointed as temporary Jorhat Telephone Operator on a monthly pay of Rs. 110/- in the scale of pay of Rs. 110-4-150-5-175-ED-6-205-EB-7-240 plus x usual allowances as admissible under rules. The dates of effect and stations of posting are indicated below against each.

Sl. No.	Name	Date of appointment	Station of Posting
1.	Sri. Kousar Mahendra Kumar Singh	1-7-71	Imphal Xgo.
2.	" Koithellakram Tribhakar Singh	1-7-71	"
3.	Kousar Hingombam Iokapasha Devi	1-7-71	"
4.	Sri Hingthoujam Habelamar Singh	1-7-71	"
5.	" Thokchon Jayanta Kumar Singh	1-7-71	"
6.	" Hyangbam Tenshou Singh	1-7-71	"
7.	Smt. Sorokhaibari Gerati Devi	1-7-71	"
8.	Sri Mitun Ramesh Singh	1-7-71	"
9.	Mukari Lalchram Suchitra Devi	1-7-71	"
10.	Sri Nagabham Mandababu Singh	1-7-71	"

The terms and conditions of appointments are as follows.

- (1) The appointment is purely temporary and will not confer any title to permanent employment.
- (2) The appointment may be terminated at any time on one month's notice to be given by the appointing authority without assigning any reason thereof.
- (3) The appointment carries with it the liability to serve in any part of Jorhat Engg. Division and in special circumstances in any part of India. The appointment shall also be liable for field service within India in times of war & National Emergency.
- (4) The service conditions will be governed by the relevant rules and orders in force from time to time.

P.S.

(P.S. Gopalan)

7.8.71

Divisional Engineer Telegraphs,
Jorhat Division, Jorhat.

Copy to :-

- (1) The P.H.G. Shillong. (2) The Chief Accounts Officer, 4 to 13 of concerned O/O the P.H.G. Shillong. (3) The S.D.O. Telegraphs, Imphal.
- (4) to (23) P/Files. (24) H.C. (355) Section O/O the D.E. Telegraphs, Jorhat Division (25) E - 21/CI/TO.
- (26) E - 15/TO/TFR (27) The JEA O/O the D.E.T. Jorhat Divn.
- (28) Increment Register.
- (29) R/R.
- (30) E - 45/Center/T.O
- (31) Syuro.

P.S.

(P.S. Gopalan)

7.8.71

Divisional Engineer Telegraphs,
Jorhat Division, Jorhat.

Government of India
Ministry of Communications
Department of Telecommunications
(Telecom Commission.)
New Delhi-110-001.

No. 27-4/87-TE-II(1)

Dated, the 16 October, 1990

To

All Heads of Telecom Circles,
Metro Districts/Maintenance Regions/
Project Circles.

Sub:- Biennial Cadre Reviews.

For some time past the Staff unions have been pressing for acceptance of their demand for Second-Time Bound promotion on completion of 26 years of service in the basic grade. After careful consideration, it has been decided that this concept is not acceptable.

2. However, with a view to provide relief from stagnation in the grade, Government have accepted the need for a biennial cadre review i.e. (once in two years) under which posts could be upgraded on the basis of functional justification. The following instructions are accordingly issued:-

(i) Biennial cadre reviews will be applicable for only those cadres in Groups CED for which scheme of 'One Time Bound Promotion' on completion of 16 years of service in the basic grade is already in existence.

ii) This Scheme of 'Biennial Cadre Reviews' will be applicable only to those regular employees who were in service as on 1-1-90 and not later entrants.

iii) Biennial Cadre Reviews will be conducted in respect of the eligible cadres at the level of circles who control these cadres.

iv) At the time of review the number of officials who have completed/would be completing 26 years of service in the basic grades (including time spent in higher scales/OTBP) will be ascertained. The persons will be screened by the duly constituted Review Committee to assess the performance and determine their suitability for advancement.

v) In the Biennial Reviews, suitable number of posts will be created upgradation based on functional justification.

vi) Creation of posts by upgradation will be in the scales

Contd...2/-

indicated below:-

Basic scale of the cadre	Scale after OTBP after 16 years of service in basic grade.	Scale after Biennial Cadre Review on completion of 26 years of more.
--------------------------	--	--

750-940	800-1150	950-1400
825-1200	950-1400	1200-1800
975-1540	1320-2040	1400-2600
975-1660	1400-2300	1600-2660 (10% of the posts in the pay scale of 1600-2660 will be in the pay scale of 2000-3200)
1320-2040	1400-2600	1640-2900 (10% of the posts in the pay scale of Rs. 1640-2900 will be in the pay scale of Rs. 2000-3200)

vii) Pay of the officials after Biennial Cadre Reviews will be fixed under the provisions of FR 22-C, as amended from time to time.

viii) Necessary posts will be created by upgradation under the powers of CGs in consultation with their accredited finance.

ix) The first Biennial Cadre Review for eligible cadres/officials may be conducted immediately covering the period upto 30-6-92, to ascertain the eligible officials who have completed/will be completing 26 years of service or more as on the crucial dates, namely, the date of the review, 1-1-91, 1-7-91 and 1-1-92. The number of posts needed to provide for the promotion of the eligible persons will be determined and will be sanctioned/activated in 4 instalments the first immediately, the second on 1-1-91, the third on 1-7-91 and the fourth on 1-1-92. With these posts, it should be possible to provide for promotion of those employees who have completed 26 years of service or more on the above crucial dates, subject to their otherwise being found fit. The criterion for promotion will be seniority, subject to selection.

Order implementing the first instalment of cadre review should be issued before 30-11-90.

In the second cadre review, which will cover the period from 1-7-92 to 30-6-94, which should be completed before 1-7-92, the required number of posts needed to be released in half-yearly instalments on 1-7-92, 1-1-93, 1-7-93 and 1-1-94 to cater for promotion of those who would have completed 26 years of service on the 4 crucial dates, will be ascertained and sanctions released in appropriate instalments so that the promotions of eligible personnel could be notified on due dates.

(9) (25) (10-3)

Supervisory allowance now admissible to OTBP cadres will be abolished in all cadres covered under this scheme w.e.f. 1-12-90.

xi) Creation of posts by upgradation under the Biennial Cadre Review will be by matching savings to the extent of 1 % cut on basic cadre and 5 % cut on supervisory cadre. These cuts (under Biennial cadre rev-ew) are in addition to the existing cuts of 5 % in basic cadres and 15 % in supervisory cadres under the OTBP Scheme.

This issues with the concurrence of Finance Advice vide their U.O.No. 3044/90-FA-13 dated 16-10-90.

Yours faithfully,

(COOPAL DASS) 16.10.90
Director (TE)

Copy to:

1. All officers of the rank of DDGs and above.
2. All recognised unions/Associations/Federations.
3. Secretary, Staff Side, Departmental JCM.
4. Guard file.

(K.S. BHATIA)
Section Officer (TE-II)

Corr.-7

राष्ट्रीय डाक-तार विभाग/INDIAN P. & T. DEPARTMENT

कार्यालय/Office of the

Divisional Engineer Telegraphs.

Mamgar Division Imphal-735081

To,

The G.M. Telecom,

N.E. Circle, Shillong - 793001.

No. EST/TC-4/GL/12 dt. Imphal, the 17-12-76.

Sub:- Circle Seniority list
of Telephone Operators.

A copy each of the draft
Circle Seniority list of (1) Senior Super-
visors (2) Junior Supervisors and (3)
Telephone Operator, received alongwith
your letter No. STB/GL/TC dt. 24.11.76 ✓
is returned herewith after filling in
the blank items relating to the official
working under this Division for your
Kind disposal.

Encl - As above.

Divisional Engineer Telegraphs.

NGIPCBE-S-64 PSD/CAT/75-24.1.76-9,000 Pds.

Mamgar Division Imphal-735081

Is it a Circle
List?

(27)

: 29 :

1	2	3	4	5	6	7	8	9	10
591.	Shri Sadhan Ch. Deb	OC	2-7-47	24-4-67	1-3-72				
592.	" Bhokan Ch. Bhattacharya	OC	20-11-47	11-5-67	1-3-72				
593.	" Subhil Kr. Talukdar	OC	13-6-46	12-5-67	1-3-72				
594.	" Parash Ch. Saikia	SE	1-3-41	23-6-65/	1-3-72				
				23-5-67					
595.	" Padma Ram Das	SC	1-9-43	24-5-67	1-3-72				
596.	" Govinda Ram Chitry	ST	23-1-47	29-5-67	1-3-72				
597.	" Pratulla Borkakati	ST	1-7-43	29-5-67	1-3-72				
598.	" Rajendra Nath Bora	ST	1-2-41	7-6-67	1-3-72				
599.	" Teken Ch. Baro	ST	23-7-47	11-6-67	1-3-72				
600.	" Kowal Aza	SC	6-9-47	15-6-67	1-3-72				
601.	" Pradoswar Dasgupta	ST	1-4-45	2-7-67	1-3-72				
602.	" R.C. Prasad Sah	OC	6-7-47	16-7-67	1-3-72				
603.	" Holi Majumdar	OC	1-1-48	16-7-67	1-3-72				
604.	" Lokeswar Handique	OC	1-3-48	17-7-67	1-3-72				
605.	" Sadhan Ch. Das	SC	31-12-43	29-2-68	1-3-72				
606.	" Balan Prasad Roy	SC	12-2-44	29-2-63	1-3-72				
607.	" Ramniwas Prasad	SC	1-1-48	1-3-68	1-3-72				
608.	" Jharanidhar Barman I	OC	1-9-44	2-3-68	1-3-72				
609.	" Joyram Saikia	OC	1-1-43	2-3-63	1-3-72				
610.	" G. Jendra Ch. Roy Medini	OC	1-7-46	2-3-63	1-3-72				

P.T.O. (38)...



DEPARTMENT OF TELECOMMUNICATIONS
Office of the Chief General Manager, N.E. Telecom Circle,
Shillong-793 001

121

1615

31 DEC 1999

No. STB/GI/JS/10/84/33

Dated at Shillong, the 24th December, 1999

To

✓ The General Manager Telecom District
Imphal

Sub: - Clarification regarding fixation of Divisional Seniority for
promotion to Grade-IV against 10% posts under BCR Scheme. ✓

Ref: - Yr. Letter No. E-47/BCR/Rlg/79 dated 21-12-99

With reference to above, it is intimated that for fixation of Divisional seniority, the seniority to be fixed according to the position in the Merit List on the basis of which the recruitment was made.

Since 10% BCR posts are SSA cadre now, the Divisional Seniority is to be taken into consideration.

Secretary

Switching Area

(G. N. Chyne)

Asstt. General Manager (Adm.)
O/o. the Chief General Manager,
N.E. Telecom Circle,
Shillong-793 001

S.D.C. (Adm.)

12/12/99
25/12/99

By Chaitanya

13

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(59)

No. 1-1/95 -N C G
GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS
(N C G SECTION)

Date: Feb. 1995

185/23.2.95

27 FEB 1995

To

All Heads of Telecom. Circles
All Heads of Telephone Districts
All Heads of other administrative offices

The Chairman-cum-Managing Director,
M.T.N.L., New Delhi

The Chief General Managers
M.T.N.L., Bombay/New Delhi

Subj: Composition of DPC for 10% posts under ECR posts-
reg. clarification

Sir,

I am directed to refer to this office letter No. 1-21/92-NCG dated 30th November 1992 on the above noted subject. Consequent upon the issuance of this office letter No. 1-21/92-NCG dated 19th Jan. 1994 declaring all Grade IV posts under ECR scheme as SSA cadres, it has been decided to revise the composition of DPC for promotion from Grade III to Grade IV posts (10% of ECR posts) as under:

1. One ITS officer of JAS level in Circle office/SSA.....Chairman
2. One Senior Time Scale officer from Circle office/SSA.....Member
3. One Senior Time Scale officer from neighbouring SSA.....Member

Out of two S/S officers, one should be from SC/ST community.

Yours faithfully,

(J.P. Srivastava)
Asstt. Director General (SC)

P.T.O

R
BCR Rules file

PA
17/4/97

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE CHIEF GENERAL MANAGER H.E. TELECOM CIRCLE
SHILLONG - 793001

No. STBX/ACR/ALO.

Dated at Shillong the 03-12-99

To

The CNTD/Imphal

Sub:-

Clarification on promotion of 10% ECR to
eligible ECR's.

Ref:-

Your letter No-157/ECR/Prom/157 dtd 27.9.99

With reference to the above cited reference
and subject, it is to intimate you the following points
as per your requirements [1. No. 1 to 3.

1. Grade IV is SSA Cadre.
2. The date of effect is from the date of assumption of
charge as the promotion are functional.
3. Case can be considered in based on the seniority
of the basic grade.

The pending cases are to be completed by
31.12.99 as per RJC minutes.

(S.N. CHYNE)
Asstt. General Manager (Admin.)
O/o the Chief General Manager H.E.
Telecom Circle, Shillong - 793001.

Graduation List of Telephone Operators as on 1-7-78.
Manipur Engineering Division.

ANNEXURE-R5(B)

Name of the T.Os.	Qualification.	Community.	Date of birth.	Date of entry in the Govt. service.	Date of substantive entry in the cadre.	Percentage of marks obtained.	Pay drawn now.	Date of next increment.	Remarks	
1	2	3	4	5	6	7	8	9	10	11
Shri S. Monloon	HSIC	ST	21-3-49	25-8-65	1-3-69	69.9	332/-	1-3-78		
Md. A.H. Ahmed	HSIC	OC	1-12-49	15-8-70	31-5-75	59.6	305/-	1-7-78		
Shri K. Mohendra Pr. Singh	HSIC	CC	1-12-48	1-7-71	31-10-75	59.4	305/-	1-7-78		
" K. Leibakmachia Singh	HSIC	CC	1-12-49	1-7-71	31-10-75	58.6	305/-	1-7-78		
5. SS/Mti. K. Ibempishak Devi	BSc	OC	1-9-50	1-7-71	31-10-75	58.4	305/-	1-7-78		
6. Shri H. Baba Kumar Singh	HSIC	OC	1-3-51	1-7-71	31-10-75	57.7	305/-	1-7-78		
7. " Th. Jayanta Kumar Singh	PUC	OC	1-3-47	1-7-71	31-10-75	57.8	305/-	1-7-78		
8. " M. Tomchou Singh	BA	OC	10-1-50	1-7-71	31-10-75	53.6	305/-	1-7-78		
9. " M. Ramesh Singh	HSIC	OC	1-7-49	1-7-71	31-10-75	52.6	305/-	1-7-78		
10. Mrs. L. Suchitra Devi	BSc	OC	1-3-47	1-7-71	31-10-75	52.6	305/-	1-7-78		
11. Shri H. Mandababu Singh	HSIC	OC	1-8-49	1-7-71	31-10-75	52.9	305/-	1-7-78		
12. Mrs. P. Bizodini Devi	BA	OC	1-3-49	1-9-71	31-10-75	52.0	305/-	1-9-78		
13. Mrs. Enasakhi Devi	BA	OC	1-3-48	1-9-71	31-10-75	51.9	305/-	1-9-78		
14. Mrs. Th. Chandrasakhi Devi	BA	OC	1-1-49	1-9-71	31-10-75	48.6	305/-	1-9-78		
15. Shri K. Narayan Singh	HSIC	OC	1-1-47	1-9-71	31-10-75	48.3	305/-	1-9-78		
16. " KH. Basudeva Singh	PUC	OC	1-3-51	1-9-71	31-10-75	43.3	305/-	1-9-78		
17. Mrs. Racha Rani Devi	HSIC	OC	13-3-50	1-9-71	31-10-75	43.0	305/-	1-9-78		
18. Mrs. Th. Hemalata Devi	HSIC	OC	1-3-48	1-9-71	31-10-75	42.6	305/-	1-9-78		
19. Shri Th. Bhelendra Singh	HSIC	OC	1-3-50	1-9-71	31-10-75	42.2	305/-	1-12-78		
20. Mrs. N. Ibemhal Devi	BA	OC	1-3-49	16-12-71	16-12-76	43.7	305/-	1-12-78		
21. Shri Y. Enagya Chandra Singh	HSIC	OC	1-3-50	18-9-71	16-12-76	41.8	305/-	1-12-78		
22. " K. Kumar Singh	BA	OC	1-1-51	16-12-71	16-12-76	41.8	305/-	1-12-78		

Divisional graduation list of teachers
as on 31.7.90 ANNEXURE - R5(C)

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1. Name and qualification	2. Community	3. Date of birth	4. Date of entry in the Department	5. Date of entry in the present grade
1	2	3	4	5
1. S. Manlool	ST	1.1.49	25.8.65 25.8.65	(25.8.65) 25.8.65
2. Md. A.H. Ahmed, H.S.L.C	OC	1.2.49	15.8.70	15.8.70
3. Sri K. Mahendra Kumar Singh, H.S.L.C	OC	1.12.48	1.7.71	1.7.71
4. Sri K. Laibakmucha Singh, H.S.L.C	OC	1.12.49	1.7.71	1.7.71
5. Smt. N. Ibempishak Devi, Bsc.	OC	1.9.50	1.7.71	1.7.71
6. Smt. N. Naba Kumar Singh, H.S.L.C	OC	1.3.51	1.7.71	1.7.71
7. Sh. Jayanta Kumar Singh, Pu	OC	1.3.47	1.7.71	1.7.71
8. " M. Tanchohi Singh, BA	OC	10.1.50	1.7.71	1.7.71
9. " M. Romesh Singh, H.S.L.C	OC	1.7.49	1.7.71	1.7.71
10. Smt. L. Suchitra Devi, Bsc	OC	1.3.47	1.7.71	1.7.71
11. Smt. H. Nandababu Singh, H.S.L.C	OC	1.8.49	1.7.71	1.7.71
12. Smt. P. Prinsplini Devi, BA	OC	1.3.49	1.9.71(1.7.71)	1.9.71(1.7.71)

ANNEXURE - 26

(33)

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE CHIEF GENERAL MANAGER N.E. TELECOM CIRCLE
SHILLONG - 793001.

NO. EST/BE-504/Rlg/Pt-I

Dated at Shillong the 13-11-98.

The TDM - AGT/AZL/DMP/IMP/ITN/SH

The S.E. Telecom Civil Circle SH/SC

The E.E. Telecom Civil Encls - SH/DMP/ITN/SH

The E.E. Telecom Electrical En. - Shillong

The D.E. (Store) CTSD Guwahati

The ACAO (A&P) / ACAO (TA) / A.C. (TR) / A.O. (ICO) - C.O. Shillong.

The A.D.T. (HRD) C.O. Shillong.

Biennial Cadre Review - Procedure for promotion from Grade III to Grade IV regarding.

A copy of DOT/ND letter No. 1-3/98-NCE dt. 16-10-98. on the above mentioned subject is forwarded herewith for favour of information guidance and necessary action.

Enclo:- As above.

Asstt. Director Telecom (E)
C/C the C.G.M.T. Shillong - 1.

Copy of the DOT/ND letter No. dated and subject refer to above.

Sir,

The existing instructions issued vide this office letter No. 1-21/92-NCG dt. 6-11-92 regarding promotion under BCR scheme from Grade III to Grade IV inter alia envisage that promotion from Grade III to Grade IV would be provided on seniority-cum-fitness basis subject to obtaining a minium bench mark which is good except for SC/ST candidates in whose case it is only on seniority-cum-fitness basis.

On consideration, it has now been decided that promotion from Grade III to Grade IV under BCR scheme will be on basis of seniority-cum-fitness for all the eligible officials.

These orders shall be effective for promotions to be made hereafter. Cases already decided need not to reviewed.

sd/-

(J.B. JAIN)
Asstt. Director Gen. (STC)