

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 495 of 2000

Jabalpur, this the 24th day of March, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

Kavi Karun Prakash Dhingra,
alias Lakhanlal Yadav,
aged 54 years, S/o Shri
G.L. Yadav, r/o 65-H,
Mahakoushal Nagar, behind
Sarswati Shishu Mandri,
Adhartal, Jabalpur (M.P.)

APPLICANT

(By Advocate - Shri S. Paul)

VERSUS

1. Union of India, through
its Secretary,
Ministry of Communication,
Sanchar Bhavan,
New Delhi.
2. Chief General Manager (Telecom),
M.P. Circle,
Bhopal (M.P.)
3. General Manager (Telecom),
G.M.T.D., District Jabalpur,
Jabalpur (M.P.)
4. Divisional Engineering (Administration),
Office of G.M.T.D.,
Jabalpur (M.P.)

RESPONDENTS

(By Advocate - Shri P. Shankaran)

ORDER (ORAL)

By M.P. Singh, Vice Chairman -

By filing this OA, the applicant has sought, the following main reliefs:-

"(ii) Upon holding that the applicant is entitled to get 26 years BCR promotion from 7.10.92. Command the respondents to consider the case of the applicant for promotion/giving him 26 years BCR promotion w.e.f. 7.10.1992 with all consequential benefits;

(iii) Direct the respondents to provide the benefit of FR 22(1)(a)(1)/FR 22(c) from 1.1.1995 and pay him (the date of increment);

(iv) Accordingly, direct the respondents to fix the pay of the applicant under FR 22(c) w.e.f. 1.1.1995 and pay him the arrears/difference of wages along with interest on delayed payment till the realisation of the payment.


MSH

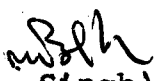
2. The admitted facts of the case are that the applicant was initially appointed as Telephone Operator on 7.10.1966 in the pay scale of Rs. 110-240. He was promoted as Repeater Station Assistant (now known as Transmission Assistant) w.e.f. 15.1.1976 in the pay scale of Rs. 380-560. As per the scheme introduced by the Telecom Department, he was eligible for two promotion under OTBP and BCR. The applicant has been granted OTBP promotion. As regard the BCR promotion, the applicant is seeking this promotion w.e.f. 7.10.92, when he had completed 26 years service.

3. Heard the learned counsel for the parties.

4. The contention of the learned counsel for the applicant is that he had given his option on 14.10.92 that he could be given benefit of pay scale fixation in basic cadre of Telephone operator. The learned counsel for the respondents has ^{on the other hand} also stated that the applicant has earlier never represented against the delay in the grant of BCR promotion. He has now only submitted representation for fixing his pay under OTBP/BCR promotion.

5. In the facts and circumstances, we deem it appropriate to dispose of this OA by directing the applicant to submit a detailed representation to the respondents within 2 months from the date of receipt of copy of this order. If the applicant complies with this order, the respondents are directed to consider his representation and take a decision within 3 months from the date of receipt of copy of this order by passing a detailed and reasoned order. We do so accordingly. The OA is disposed of in the above terms. No costs.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman