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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2782/2003

New Delhi this the 24th day of November, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri S.A. Singh, Member (A)

1. Shri S.S. Tara.
Retd. Junior Technician,
Dept. of Telecommunication,
Sanchar Bhawan, New Delhi.
R/O E-5/19, Krishna Nagar.
Delhi 110051
2. Bhagwan Das,
S/O Late Shri Nathoo Ram,
RZ-1/337, Jagdamba Vihar,
Jagdamba Chock, West Sagar Pur,
New Delhi.
3. S.K. Gupta,
S/O Late Shri Rameshwar Dass.
110, Howing Board Colony,
Rohtak.
4. Jhannu Ram
S/O Late Shri Chandgi Ram
AG-324, Shalimar Bagh, New Delhi.
5. Dharma Bir Maini.
S/O Late Shri Munshi Ram
T-1063, Bhagat Singh Nagar,
Near Filmisthan Cinema,
New Delhi.
6. Ram Rattan,
S/O Shri Dolat Ram,
225, Basti Nizamuddin New Delhi.
7. Mohd. Sidique.
S/O Shri Abdul Qadir,
W-303, Taj Enclave, Delhi.
8. M.L. Sharma,
S/O Late Udai Bhan Sharma,)
L-38/C, Saket, New Delhi.
9. Devinder Nath Mehta,
S/O Badri Nath Metha,
36, BDDA Flats, Shalipur,
New Delhi.
10. Amar Singh Sandhu.
S/O Shri Gurdit Singh,
105-C, DDA Flats, Gulabi Bagh,
New Delhi.
11. R.S. Tara,
S/O Late Y.R. Tara,
G-232, Preet Vihar, Delhi-92

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12. Pran Nath,
S/O Sh. Sita Ram
726-727, Laxmi Nagar, Delhi.

(By Advocate Shri B.S. Maine)

.. Applicants

VERSUS

Union of India: Through

1. The Secretary,
Dept. of Telecommunication,
Sanchar Bhawan, New Delhi.
2. The Chairman,
Dept. of Telecommunication,
Sanchar Bhawan, New Delhi.
3. The Addl. Director General (Admn.),
Dept. of Telecommunication,
Sanchar Bhawan, New Delhi.

.. Respondents

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J))

This application has been filed by 12 applicants who had earlier filed OA 410/1991, which had been disposed of by Tribunal's order dated 11.4.1997 (Ann.A.1). In this application, the applicants have prayed for a direction to the respondents to release the promotion of the applicants in Grade Rs. 2000-3200/6500-10500 under 10 % Biennial Cadre Review (BCR) to which, according to them, they are entitled as per the respondents' Scheme. In the previous order of the Tribunal dated 11.4.1997, a direction was given to the respondents to reconsider the claim of the applicants for extension of the benefit of One Time Bound Promotion (OTBP) Scheme to the applicants on the lines they have granted similar reliefs to Clerical/Ministerial staff. Shri B.S. Maine, learned counsel has submitted that the claim has since been given to the applicants but the claim of the applicants for consideration under the BCR Scheme has not been done by the

respondents till date, even though they appear to be considering the same. He has referred to certain correspondence of the respondents, copies placed at pages 47-48 of the paper book. From these letters, we note that the respondents are wanting the decision of the competent authority with regard to placing two posts of Technician Grade-IV pre-revised scale of Rs. 2000-3200 towards 10 % BCR and have also referred to the aforesaid order of the Tribunal dated 11.4.1997 in OA 410/1991 and subsequent order in CP 90/1998. We also note from these letters that more than six years have elapsed and the respondents are still in the process of doing so. The present application is a fall out of the previous order of the Tribunal and it appears from the annexures to OA, that the respondents are trying to implement the Tribunal's order but with some considerable delay.

2. Noting the above facts and the submissions of the learned counsel for the applicants, we consider it appropriate to dispose of this OA, even without issuing notice to the respondents, with the following directions:-

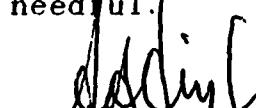
(i) Respondents shall consider the claim of the applicants for grant of promotion in the appropriate grade under 10 % BCR which already appears to be under their consideration, expeditiously and in any case within two months from the date of receipt of a copy of this order, with intimation to the applicants;

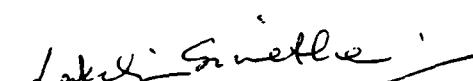
(ii) In case the respondents reject the claim of the

applicants they shall do so by passing a detail, reasoned and speaking order duly supported by the relevant Rules and instructions, in accordance with law which shall also be done within the aforesaid period, with intimation to the applicants;

(iii) Respondents shall also take into consideration the order of the Tribunal dated 11.4.1997 in OA 410/1991 and subsequent order passed in CP 90/98, together with the grounds taken by the applicants in the present OA while passing the aforesaid orders.

3. In view of the above, let a copy of this OA be sent alongwith this order to the respondents to do the needful.


(S.A. Singh)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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