

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 156/97

New Delhi, this the 13th day of February, 2001

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

1. Telecommunication Engineering
Service Association (India)
through its General Secretary
Shri S. Basu, aged about 51 yrs.
S/o Shri P.B. Basu
R/o 160, Sec-III, R.K. Puram
New Delhi - 110 022

2. S. Bhattacharya,
Assistant Director (L)
Department of Telecom
Aged about 37 years
S/o Late Shri S.K. Bhattacharya
A-65, Chittaranjan park,
New Delhi 110019

Applicants

(None present)

V E R S U S

Secretary, Ministry of
Telecommunications and Ex-officio
Chairman, Telecom Commission
Sanchar Bhawan, Sardar Patel Bhavan
New Delhi.

...Respondent

(None present)

O R D E R (ORAL)

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE-CHAIRMAN (J)

None has appeared for the parties even on the second call. This case has been listed at serial No. I in today's cause list. Earlier the OA was listed on 5-2-2001, when none had appeared for the parties. Accordingly, it was ordered that the case should remain on daily board for the next one week and be listed for hearing on 13-2-2001. As none has appeared again for the parties, the OA is liable to be dismissed for default and non-prosecution.

2. The main relief prayed for by the applicant is that a direction should be given to the respondents to grant productivity linked bonus to

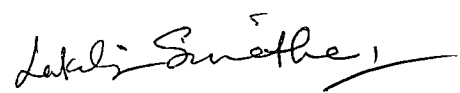
Group "A" and "B" employees as in the case of Group "C" and group "D" employees of the Department. The respondents in their reply have submitted that the decision which has been assailed in the present OA is not arbitrary or illegal or discriminatory and also that the removal of ceiling was decided by the respondents after careful consideration and they have also submitted that they had decided to grant bonus to Group "C" and "D" employees, as they belong to the lower section of the employees. They have also referred to the fact that the Vth Central Pay Commission has examined the matter in detail and they have made certain observations in their report. They have stated that the Pay Commission had also recommended that payment of bonus should be restricted to those employees who are categorised as auxiliary and supporting staff and are in receipt of emoluments not exceeding Rs.4500/- (rupees four thousand and five hundred) per month in the revised scale of pay.

3. In the rejoinder filed by the applicants, they have stated that they have reiterated their submissions in the OA. Their contention is that productivity linked bonus is allowed as a reward to the employees of the Department for their contribution in increasing the production and the profits of the Department and, therefore, all employees of the organisation are equally responsible in productivity. While this may be so, at the same time, considering the facts and circumstances of the case we are unable to fault the criteria adopted by the respondents in giving the bonus only to group "C" and group "D" employees, to justify ^{any} interference in the matter.

4. In the facts and circumstances of the case, we find no merit in this application, apart from the fact that it could have also been dismissed for default and non-prosecution. OA is accordingly dismissed. No order as to costs.

VO


(Govindan S. Tampi)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)

/vikas/