

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/83/2021

HYDERABAD, this the 10th day of February, 2021



**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**

P. Eswar Rao, S/o. Ramana,
Aged about 61 years,
Occ: Retd. Telephone Mechanic, Gr. -C₀
(HR.No.198304175), R/o. H.No.1-2-94/2B,
Razikapeta, Near Black Bridge, Amalapuram,
East Godavari District, Andhra Pradesh.

...Applicant

(By Advocate : Mr. M. Bharat Shah)

Vs.

1. Union of India,
Bharat Sanchar Nigam Limited, A.P. Circle,
Vijayawada, Krishna District, Andhra Pradesh
Rep. by its Chief General Manager.
2. The General Manager,
Bharat Sanchar Nigam Limited,
Telecom District, Rajamahendravaram,
East Godavari District,
Andhra Pradesh ò 533 510.
3. The Accounts Officer (Pay),
O/o. General Manager,
Bharat Sanchar Nigam Limited, Telecom District,
Rajamahendravaram, East Godavari District,
Andhra Pradesh ò 533 510.
4. The Sub-Divisional Engineer (Phs),
Bharat Sanchar Nigam Limited, Amalapuram,
East Godavari District, Andhra Pradesh ò 533 201.

....Respondents

(By Advocate : Mrs. Manjula for Mrs. P. Sarada, SC for BSNL)

ORAL ORDER
(As per Hon'ble Mr. Ashish Kalia, Judicial Member)

Through Video Conferencing:



The OA is filed seeking the following relief:

to declare the action of respondents in not granting 3rd time bound upgradation of IDA pay scale to the applicant w.e.f. 01.10.2019 as illegal, arbitrary, contrary to the law laid down by this Honourable Tribunal and arbitrary, and also contrary to the Non-Executive Promotion Policy Guide Lines, dt. 23.03.2010 and consequently direct the respondents to grant 3rd time bound upgradation of IDA pay scale to the applicant w.e.f. 01.10.2019 with arrears and interest and to pass such further order or orders as are deemed fit and proper in the circumstances of the case.

2. The applicant joined as Casual labour. On 17.12.1999, he was promoted as Telephone Mechanic. The applicant has received the 1st financial upgradation after completion of four years of service. Thereafter, he got 2nd upgradation on completion of seven years of service. After completion of eight years of service, the applicant again represented to the department that he is entitled for 3rd financial upgradation w.e.f. 01.10.2019. The same has not been granted to him. The applicant retired on 31.05.2020. Prior to this, the applicant has made a representation on 12.01.2020 stating that he has not been granted financial upgradation despite of his eligibility. This representation till date is not disposed of.
3. On the other hand, learned counsel appearing for the respondents seeks one week's time for obtaining instructions.

4. Heard Sri M. Bharat Shah, learned counsel for the applicant and Smt. Manjula representing Smt P. Sarada, learned Standing Counsel for BSNL.

5. After hearing both sides, we are of this view that this matter can be decided at the admission stage itself with a direction to the respondents to dispose of the representation of the applicant with a speaking order within eight weeks from the date of receipt of this order. If the applicant is still aggrieved, he may re-approach this Tribunal.

6. With the above observation, the OA is disposed of. It is made clear that we have not gone into the merits of the case. No order as to costs.



(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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