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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK.

Original Application No.210 of 1988

Date of decision : November 16, 1989.

Gyana Ranjan Das, aged about 38 years,
son of Paramananda Das, at present working
as Gr.II Stenographer, attached to Director,
Telecom, Orissa, At/P.O./District-Sambalpur.

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Applicant.

Versus

1. Union of India, represented by its
Secretary, Department of Communication,
New Delhi.
2. Director General, Telecommunication,
Government of India, Sanchar Bhavan,
New Delhi.
3. General Manager, Telecommunication,
Orissa, At, P.O. Bhubaneswar, Dist-Puri,

...

Respondents.

For the applicants ...

M/s. Devanand Misra
Deepak Misra,
R.N. Naik,
A. Deo, Advocates.

For the respondents ...

Mr. Tahali Dalai,
Additional Standing Counsel (Central)

C O R A M:

THE HON'BLE MR. B. R. PATEL, VICE-CHAIRMAN

A N D

THE HON'BLE MR. N. SENGUPTA, MEMBER (JUDICIAL)

1. Whether reporters of local papers may be allowed to
see the judgment ? Yes.
2. To be referred to the Reporters or not ? No
3. Whether Their Lordships wish to see the fair copy of
the judgment ? Yes.

J U D G M E N T

B.R.PATEL, VICE-CHAIRMAN, The applicant was a Grade III Selection Grade Stenographer working in the Office of the Telecommunication Department and attached to the Office of Director, Telecommunication Orissa, Sambalpur. He alleges that he was promoted to the rank of Grade II Stenographer on 11.1.1988 and this post of Grade II Stenographer is a functional post. He has alleged that the benefit of increments admissible to him under F.R.22 C has not been given to him and further that his representation to Respondent No.3, General Manager, Telecommunication, Orissa Circle, Bhubaneswar on 25.1.1988 has not found favour with the authorities. Making these allegations the applicant has prayed for a direction to give him the benefit of F.R.22 C in the revised Scales of pay as recommended by the 4th Central Pay Commission.

2. The respondents in their counter have alleged that the applicant has made misstatements of facts inasmuch as his pay was fixed in the revised scales of pay under F.R.22 C with effect from 11.1.1988 and his grievance in this regard is not genuine. They have further alleged that as the applicant was promoted on ad hoc basis, he has been given more pay than he is entitled to and for this they have ^{placed} ~~sought~~ reliance on Annexure-R/2 which shows that on 11.1.1988, on promotion the pay of the applicant was fixed at Rs.1600/- and on 1.5.1988 he was allowed to draw pay of Rs.1680/-. They have also taken the ground that as the applicant was promoted on ad hoc basis ^{as} a Grade II Stenographer and has not yet been regularly appointed, the provisions relating to

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exercise of option with regard to date of increments would not be available to him.

3. We have heard learned counsel for the applicant and Mr. Tahali Dalai, learned Additional Standing Counsel (Central) at length and perused the ^{records} ~~annexures~~. There is no dispute that while working as Selection Grade III Stenographer the applicant was getting the pay of Rs.1560/-. There is also no dispute that Grade II stenographer is functional post. ~~So~~ There can be no doubt that it involves higher responsibilities. Accordingly, F.R.22 C comes into play and according to its provisions, the initial pay for Grade II Stenographer has to be fixed. We, therefore, direct that on promotion of the applicant to the post of Grade II Stenographer, his pay should be fixed in the scale of pay of Rs.1400-2300/- under F.R.22 C, as on 11.1.1988.

4. This application is accordingly disposed of leaving the parties to bear their own costs.

N. SENGUPTA, MEMBER (J),

I agree.



[Signature]
.....
Vice-Chairman

[Signature] 16.11.89
.....
Member (Judicial)

Central Administrative Tribunal,
Cuttack Bench, Cuttack.
November 16, 1989/Saranggi.