

3
CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00148 of 2016
Cuttack this the 18th March 2016

CORAM
HON'BLE SHRI A.K. PATNAIK, MEMBER (J)

Jagdish Rout aged about 38 years, S/o Iswar Chandra Rout, At present working as JTO Transmission, Jeypore, Office of the GMTD, Koraput.

...Applicant

By the Advocate- M/s. B.B.Mohanty, B.Tripathy, B. Samantray

-VERSUS-

1- Union of India represented by the Secretary , Government of India, Ministry of Communication and Information Technology, Department of Telecommunication-42, Sanchar Bhawan, 20 Ashoka Road 1 New Delhi – 110001.

2- The Chairman cum M.D., BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi - 110001.

3- Chief General Manager BSNL, Odisha Circle, Room No. 110, 3rd Floor, BSNL Bhawan, Unit-2, Bhubaneswar- 751009.

4- Hrudananda Behera, JAO, Office of the Chief General Manager BSNL, Odisha Circle, Room No. 110, 1st Floor, BSNL Bhawan, Unit-2, Bhubaneswar- 751009.

...Respondents

By the Advocate : Mr. K.C.Kanungo (For R 1 to 3)

.....

ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. B.B.Mohanty, Ld. Counsel for the Applicant, and Mr. K.C.Kanungo, Ld. Counsel appearing for Respondent Nos. 1, 2 and 3 (BSNL), on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. Applicant, in this O.A., filed under Section 19 of the Administrative Tribunals Act, 1985, seek to assail the inaction on the part of the Respondents



in granting the benefit of Exercising option to come over to the revised IDA scale of pay from the date of promotion in the grade of JAO, by relaxing the provision available in para-3.6 of the Non-Executive Wage Revision order dated 07.05.2012 by changing the cut off date only for the JAOs by letter dated 24.07.2015 instead of extending the same benefit i.e. to move over to revised IDA Scale of pay as granted by letter dated 7.5.2010 to their regular counter parts working in JAO (Executive) working in Accounts cadre who are similarly situated like the applicant presently working in JTO (Executive) in technical cadre. Mr. Patnaik, Ld. Counsel for the applicant, submitted that the applicant further assails the inaction of the authorities in disposing of the applicant's representation dated 31.10.2015, which has been forwarded to the CMD, BSNL, New Delhi as well as to Chief General Manager, Telecommunication, Orissa Telecom Circle claiming opportunity to exercise revised option to make his scale of pay favourable to the applicant above his admitted junior in the Non-executive grade, viz. Hrudananda Behera, extending similar benefits of relaxation of cut off date 07.05.2010 as fixed under Non-executive pay revision order.

3. As we find that the applicant's representation dated 31.10.2015 is under consideration of Respondent No.3 and no response has been received by the applicant till date, I do not feel it proper to keep this matter pending. Accordingly, without going into the merit of the matter, I dispose of this O.A. at this admission stage with direction to the Respondent No. 3 to take a view on the representation of the applicant as forwarded to him, as per rules and



regulations in force, and pass a reasoned and speaking order within a period of two months under intimation to the applicant. Though, I have not gone into the merit of the matter and the points raised in the representation are kept open for the Respondent No.3 to consider, still then I direct Respondent No.3 that if after such consideration the applicant is found to be entitled to the benefits claimed by him then expeditious steps be taken within a further period of three months from the date of such consideration to extend those benefits to him. However, if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order.

4. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

5. On the prayer made by Mr. Mohanty, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2 and 3 by Speed Post for which he undertakes to file the postal requisites by 21.03.2016. Free copy of this order be given to Mr. K.C.Kanungo subject to filing of his power.


(A.K.PATNAIK)
MEMBER(Judl.)