

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

ORDER SHEET

APPLICATION No. of
Applicant(s): Respondent(s) :
Advocate for
Applicant(s) : Respondent (s) :

Notes of the registry	Orders of the Tribunal
	<p><u>OA No. 290/00357/2015</u> <u>Vikram Chavra vs UOI & Ors</u> <u>Date of Order : 04.09.2015</u></p> <p>Mr. J.K. Mishra, present, for the applicant.</p> <p>DB not formed.</p> <p>Matter relates to holding of DPC for the cadre of Senior Time Scale (STS) from Junior Time Scale (JTS) in Indian Telecom Services Group A. Issue notices to the respondents by dasti.</p> <p>Heard on IR. Counsel for the applicant submitted that as per Annexure-A/8 dated 3rd June, 2014, seniority list of Junior Time Scale (JTS) officers of Indian Telecommunication Services Group A of the Department of Telecommunications was issued in which name of the applicant appears at serial No.131. Counsel for the applicant submitted that though as per the aforesaid seniority list Annexure-A/8 the applicant has been shown as Direct Recruit for vacancy year of 2010-2011 but as per requisitions sent to UPSC as at Annex. A/3, A/4 and A/5 the vacancies pertain to the year 2009-2010 and therefore the applicant should have been accorded higher seniority treating his vacancy year as 2009-2010. In this regard, the applicant also filed a representation dated 22.12.2014 (Annexure-A/1) which was forwarded vide letter dated 22.12.2014 (Annexure-A/2) to Director (Staff), Deptt of Telecommunication, New Delhi on the same date but no decision has been taken on the same. Counsel for the applicant further submitted that now the department is going to hold the DPC shortly and in case the seniority of the applicant is not rectified then he will suffer irreparable loss and prayed that as an interim measure the respondents may be restrained from conducting the DPC or at least the applicant may be considered provisionally in the forthcoming DPC.</p>

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Considered the aforesaid contentions and perused the record. It is seen that in the seniority list issued on 3rd June 2014 (Annex. A/8), the applicant has been placed at serial No.131 as a Direct Recruit and the vacancy year has been shown as 2010-2011 while in the OA the applicant has claimed the vacancy year should be treated as 2009-2010 as the vacancies were occurring after 31.03.2009 as may be seen from the requisitions sent to UPSC at Annex. A/3, A/4 & A/5. It is further seen that while issuing the seniority list dated 3rd June, 2014 (Annex. A/8) objections were invited upto 30th June, 2014. The applicant however filed his objections/representation only on 22.12.2014 and which was forwarded to Director (Staff), Deptt. of Telecommunication on the same day vide Annexure-A/2. In view of the above position, it would be appropriate to consider giving any interim directions regarding not holding of DPC without revising seniority of JTS cadre or provisionally considering the applicant for DPC, only after service of notices on respondents and an initial response from them. However as the applicant has filed a representation dated 22.12.2014 (Annexure-A/1) regarding his seniority which has also been forwarded on the same day vide Annex. A/2 and more than eight months have elapsed, it is considered sufficient at this stage to direct the respondents that they consider the representation dated 22nd December, 2014 (Annex. A/1) of the applicant as per law.

Counsel for applicant is directed to ensure service of notice on respondents before next date of hearing.

As matter pertains to Jaipur Bench, office is directed to send the file to the Jaipur Bench as per the procedure in force.

Put up the matter on 17.09.2015 before the Jaipur Bench.


[Meenakshi Hooja]
Administrative Member