

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 496 of 1995

Friday, this the 28th day of February, 1997

CORAM

HON'BLE MR. A M SIVADAS, JUDICIAL MEMBER

1. K.K. Krishnan, S/o Kutty,
Junior Supervisor (O)
Telephone Exchange, Thodupuzha,
Residing at Kolappallil,
Post and Telegraph Quarters,
Thodupuzha.
2. P.C. Gopi, S/o Chandran,
Junior Supervisor (Operative),
Telephone Exchange, Thodupuzha,
Residing at Padinjare Purakkal
Moolamattom PO. .. Applicants

By Advocate Mr. MR Rajendran Nair

Versus

1. The Chief General Manager,
Telecom, Kerala Circle,
Trivandrum.
2. Union of India represented by
Secretary to Government of India,
New Delhi. .. Respondents

By Advocate Mr. S Radhakrishnan, ACGSC

The application having been heard on 28-2-1997, the
Tribunal on the same day delivered the following:

O R D E R

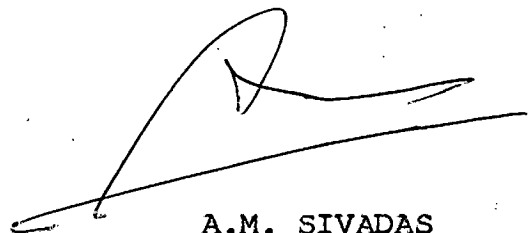
The applicants, aggrieved by the refusal of the
first respondent to step up their pay on par with that
of their junior Smt P.G. Vilasini Amma, seek to quash
A-1, to declare that they are entitled to get their pay
stepped up on par with that of their junior P.G. Vilasini
Amma, and to direct the respondents to fix their pay
accordingly with all consequential benefits including
arrears of pay.

contd..2.

2. Applicants 1 and 2 commenced service on 7-4-1966 and 19-12-1966 respectively as Telephone Operators. They are seniors to Smt P.G. Vilasini Amma who was appointed as Telephone Operator on 12-2-1968. The applicants were promoted to the lower selection grade in the pre-revised scale of Rs. 425-640 on completion of 16 years of service in the basic cadre under One Time Bound Promotion Scheme with effect from 30-11-1983. The category of lower selection grade is a Circle Cadre. When the applicants were promoted to the pre-revised scale of Rs. 425-640, they came to the Circle Cadre. Though Smt Vilasini Amma was also promoted to the lower selection grade with effect from 30-11-1983 on completion of 16 years of service, she was drawing lesser pay than the applicants. The pay of the applicants was fixed consequent on the revision of the pay scales at Rs.1440/- in the scale of Rs.1400-2300 with date of next increment on 1-11-1986 and 1-12-1986 respectively. The applicants were drawing pay of Rs.455/- in the pre-revised scale, while Smt P.G. Vilasini Amma was drawing only Rs.440/- in the pre-revised scale. The pay of Smt P.G. Vilasini Amma was fixed at Rs.1440/- in the revised scale on 1-1-1986 with date of next increment as 1-2-1986. As a result of the same from 1-2-1986 onwards Smt P.G. Vilasini Amma, who is junior to the applicants, started drawing higher pay than the applicants. The applicants aggrieved by the same submitted A-4 representation before the first respondent. A-4 was rejected and the applicants filed OA 730/94 before this Tribunal. That OA was disposed of, directing the applicants if they are so advised to file representations. Consequently, the applicants submitted representations and on the basis of which A-1 order was passed by the first respondent.

3. The respondents have filed a reply statement denying the averments in the OA and contending that the OA is devoid of merits and is to be dismissed.
4. Learned counsel appearing for the applicants submitted that it is suffice to permit the applicants to make a representation to the second respondent setting out their grievance. The learned counsel appearing for the respondents has no objection for permitting the applicants to submit a representation to the second respondent.
5. The applicants are permitted to submit a representation to the second respondent setting out their grievance in detail within a period of one month from today. If such a representation is submitted, the second respondent shall consider and dispose of the same by passing a speaking order thereon within four months from the date of its receipt.
6. Original Application is disposed of as aforesaid.
No costs.

Dated the 28th of February, 1997



A.M. SIVADAS
JUDICIAL MEMBER

List of Annexures:

1. Annexure A-1: True copy of the Order No. STA/42-497/94 dated 13/1/1995 issued by 1st respondent to the applicants.
2. Annexure A-4: True copy of the representation dated 25/1/1994 submitted by 1st applicant to the 1st respondent.