

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.As. 426/99, 427/99, 422/99, 479/99, 483/99, 534/99,
544/99, 641/99, 673/99 and 687/99.

Friday, this the 3rd day of August, 2001.

CORAM

HON'BLE MR A.M. SIVADAS, JUDICIAL MEMBER
HON'BLE MR G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

O.A.426/99

1. Jaya C.K., W/o V. Sivakumar,
Senior T.O.A, O/o the SDE, T&C, Kollam,
2. Mini C.S., W/o N. Sundaresan,
Senior T.O.A,
O/o the SDE, T&C, Kollam. Applicants

[By Advocate Mr M.R. Rajendran Nair]

Vs.

1. Union of India represented
by the Secretary to Govt. of India,
Ministry of Communications,
New Delhi.
2. Chairman, Telecom Commission, New Delhi.
3. Chief General Manager, Telecom,
Kerala Circle, Trivandrum.
4. Vijayamohandas K.G., Telecom Technical Assistant,
O/o the Sub Divisional Engineer,
Stored Programme Control Telex,
Telephone Exchange Building, Ernakulam.
5. V. Baiju, S/o K. Vasudevan,
Telephone Technical Assistant,
O/o the Sub Divisional Engineer,
PCM Installation, K.V. Avenue Building,
Ayyappankavu.
6. Bharath Sanchar Nigam Limited,
represented by the Chief General Manager,
Telecom, Kerala Circle,
Trivandrum. Respondents

[Mr C. Rajendran, SCGSC for R 1-3 & 6]

[Mr.O.V. Radhakrishnan for R-4]

[Mr K.P. Dandapani for R-5]

O.A.427/99

P.K. Karthikeyan, S/o Govindan Nair,
Working as Technical Supervisor,
Telephone Exchange, Kollangode,
Palakkad District.

Applicant

[By Advocate Mr M.R. Rajendran Nair]

Vs.

1. The General Manager, Telecom, Palakkad.
2. The Chief General Manager, Telecom, Kerala Circle, Trivandrum.
3. Union of India represented the by Secretary to the Government of India, Ministry of Communications, New Delhi.
4. Lakshmi Narayanan. C, Telecom Technical Assistant, O/o the Sub Divisional Engineering Maintenance, E-10 B. Exchange, Panampilly Nagar, Cochin-36.
5. V. Baiju, S/o K. Vasudevan, Telecom Technical Assistant, O/o the Sub Divisional Engineer, PCM Installation, K.C. Avenue Building, Ayyappankavu.
6. Bharat Sanchar Nigam Limited, represented by the Chief General Manager, Telecom, Kerala Circle, Trivandrum.

Respondents.

[By Advocate Mr C. Rajendran, SCGSC for R 1-3 and 6]
[Mr O.V. Radhakrishnan for R-4]
[Mr K.P. Dandapanai for R-5]

O.A.422/92

1. T. Suresh Babu, S/o Vasu Nair, Senior Telecom Operating Assistant, Phones, O/o the General Manager (Telecom), Calicut.
2. A.K. Narayanan, S/o N.K. Manaran Chettiar, Senior Telecom Operating Assistant (Phones), Telephone Exchange, Kodenchery, Calicut.
3. T. Abdul Majeed, S/o Ibrahim, Senior Telecom Operating Assistant (General), O/o the General Manager (Telecom), Calicut.
4. K.N. Manoj, S/o K. Narayanan, Senior Telecom Operating Assistant (Phones), O/o the General Manager (Telecom), Calicut.

Applicants.

[By Advocate Mr T.C. Govindaswamy]

Vs.

1. Union of India represented by the Secretary to the Government of India, Ministry of Communications, Department of Telecommunications, New Delhi.
2. The Chairman, Telecom Commission, New Delhi.
3. The Chief General Manager (Telecom), Kerala Circle, Trivandrum.
4. K. Shivanandan Asari, Telecom Technical Assistant, OCB Telephone Exchange, Thiruvananthapuram-1

5. John Thomas,
Telecom Technical Assistant,
Telephone Exchange,
Panampilly Nagar, Ernakulam.

6. V. Baiju, S/o K. Vasudevan,
Telecom Technical Assistant,
O/o the Sub Divisional Engineer,
PCM Installation, K.C. Avenue Building,
Ayyappankavu. Respondents

[By Advocate Mr K. Kesavankutty for R 1-3]
[Mr O.V. Radhakrishnan for R 4 & 5]
[Mr K.P. Dandapani for R-6]

Q.A.472/92

1. T.K. Omaha, W/o K. Radhakrishnan,
Senior Telecom Operating Assistant (Phones),
O/o the Sub Divisional Engineer/Phones, Perumbavoor.

2. A.P. Viswanathan, S/o A. Prabhakaran,
Senior Telecom Operating Assistant/Phones,
O/o the Sub Divisional Engineer/Telecom/Angamali.

3. P. Girija, W/o T.N.G. Kaimal,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer,
External II, Alwaye.

4. N.C. Saramma, W/o M. Mathew,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer,
External II, Alwaye.

5. N. Nalini, W/o P. Prabhakaran Nair,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer/Phones, Perumbavoor.

6. K. Lathika Kumari, W/o K.N. Somasekharan Nair,
Senior Telecom Operating Assistant/Phones,
O/o the Sub Divisional Engineer/Phones, Perumbavoor.

7. Shirley Thomas, W/o Thomas,
Senior Telecom Operating Assistant (Phones)
O/o the Junior Telecom Officer/External,
Ashram Road, Kaladi.

8. C.T. Annies, W/o Joseph,
Senior Telecom Operating Assistant (Phones),
O/o the Sub Divisional Engineer, Kalady.

9. Rosamma John, W/o Jacob Kurian,
Senior Telecom Operating Assistant,
Central Telegraph Office, Kottayam.

10. Meena Chacko, W/o K.L. Saju,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer, Coaxial Maintenance,
Ernakulam.

11. Ambika Devi, W/o C.N. Parameswara Warrier,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Officer, Telecom, Perumbavoor.

12. P.N. Saralamma, W/o Ajithkumar,
Senior Telecom Operating Assistant (Phones),
O/o the Sub Divisional Engineer, Phones
(Commercial), Pala.
13. Jansamma Baby,
W/o Baby Joseph,
Senior Telecom Operating Assistant (Traffic),
Telegraph Office, Palai.
14. Prasanna Rajan, W/o P.S. Rajan Babu,
Senior Telecom Operating Assistant (General),
O/o the Principal General Manager, Telecom
District, Eranakulam.
15. Annies Poly, W/o K.J. Poly,
Senior Telecom Operating Assistant (General),
O/o the Principal General Manager, Telecom District,
Ernakulam.
16. Mollykutty Thomas, W/o Benny C.Cheeranchira,
Senior Telecom Operating Assistant (Telegraph)
Telegraph Office, Changancherry. Applicants

[By Advocate Mr T.C. Govindaswamy]

Vs.

1. Union of India represented by
the Secretary to the Government of India,
Ministry of Communications,
Department of Telecommunications, New Delhi.
2. The Chairman,
Telecom Commission, New Delhi.
3. The Chief General Manager (Telecom),
Kerala Circle, Trivandrum. Respondents

[By Advocate Mr C. Rajendran, SCGSC]

O.A.483/22

1. M.P. Gracy, W/o Gee Verghese,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer, Phones, Perumbavoor.
2. Geetha Muraleedharan, W/o Muralidharan,
Senior Telecom Operating Assistant,
O/o the Sub Divisional Engineer/External II/Alwaye.
3. K. Radhakrishnan, S/o Late V. Kumara Kaimal,
Senior Telecom Operating Assistant (Phones),
Telephone Exchange, Perumbavoor.
4. Ponnamma Thankan, W/o P.K. Thankan,
Senior Telecom Operating Assistant (Traffic),
Central Telegraph Office, Kottayam.
5. P. Muthusamy, S/o Perumal,
Senior Telecom Operating Assistant (Telegraph),
Central Telegraph Office, Kottayam.
6. Prasantha P.P, W/o K.C. Jayaraj,
Senior Telecom Operating Assistant (Telegraph),
Central Telegraph Office, Kottayam.

7. N. Sujatha Kamath, W/o S.N. Kamath,
Senior Telecom Operating Assistant (General),
O/o of the Sub Divisional Engineer/External/Telephones,
Mattancherry.
8. M. Ambika, W/o D.G. Ashok Kumar,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer/Cables/Mattancherry.
9. Zeina Francis Durom, W/o Francis Durom,
Senior Telecom Operating Assistant/General,
Central Telegraph Office/Kochi/Mattancherry.
10. Mini V.P., W/o Mopasang Valath,
Senior Telecom Operating Assistant,
Central Telegraph Office, Kottayam.
11. Anitha Ramachandran, W/o Ramachandran,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Officer/Telecom, Perumbavoor.
12. Sudha E.V., W/o K.V. Vasudevan,
Senior Telecom Operating Assistant,
O/o the Sub Divisional Officer, Telecom, Perumbavoor.
13. M. Ajaykumar, S/o C.N. Madhava Panicker,
Senior Telecom Operating Assistant (Traffic),
Central Telegraph Office, Kochi-16.
14. Ananda Chandran, S/o Damodaran Nair,
Senior Telecom Operating Assistant (Phones),
O/o the Sub Divisional Engineer/Phones, Pala.
15. Mini. S, W/o M.G. Sajeev,
Senior Telecom Operating Assistant (Telegraph),
Telegraph Office, Pala.
16. Paul M.J., S/o Joseph. K,
Senior Telecom Operating Assistant (Phones),
O/o the Sub Divisional Engineer, External-I,
Telephone Exchange Building, Aluva.
17. V.P. Rajan, S/o Late K.N. Padmanabha Pillai,
Senior Telecom Operating Assistant (Phones),
O/o the Divisional Engineer/Phones,
Aluva Applicants.

[By Advocate Mr T.C. Govindaswamy]

Vs.

1. Union of India represented by
the Secretary to the Government of India,
Ministry of Communications,
Department of Telecommunications, New Delhi.
2. The Chairman,
Telecom Commission,
New Delhi.
3. The Chief General Manager (Telecom),
Kerala Circle, Trivandrum.

Respondents

[By Advocate Mr C. Rajendran, Sr.CGSC]

O.A.No.534/99

1. A. Baby John, S/o V. Augustion,
Senior TOA (O),
O/o the General Manager,
Telecom District, Kollam.
2. P. Sreekumari, D/o G. Balakrishna Pillai,
SS (O), O/o the General Manager,
Telecom Distrrtict, Kollam.
3. A. Treessamma, D/o P. Antony,
Senior TOA (Gen1), O/o the General Manager,
Telecom District, Kollam.
4. S. Ambily, D/o B. Sadasivan Pillai,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
5. N. Gopinathan Pillai, S/o R. Narayana Pillai,
Senior TOA(P), O/o the Sub Divisional Engineer,
Phones, Punalur.
6. K. Deena, D/o N. Krishnan,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
7. C. Prabhakumari, D/o S. Chandrasekharan,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
8. K.G. Sreekuari, D/o K.P. Kumara Pillai,
SS(O), O/o the General Manager,
Telecom District, Kollam.
9. A. Sasilekha Thankahi, D/o K. Bhaskaran,
Senior TOA(G), O/o the General Manager,
Telecom District, Kollam.
10. S. Geetha Devi, D/o N. Sivarama Kurup,
OSR, TOA (G), O/o the General Manager,
Telecom District, Kollam.
11. A.J. Leela, D/o Janardhanan.K,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
12. K. Jayalakshmi, D/o R.V. Krishnan,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
13. Sheeba Benjamin, D/o Mathew P.T.,
Senior TOA(G), O/o the General Manager,
Telecom District, Kollam.
14. N. Navakumari, D/o G. Narayanan,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
15. Valsala S. Nair, D/o K.S. Parameswaran Pillai,
Senior TOA, O/o the General Manager,
Telecom District, Kollam.

16. Rassiaa Beegum, D/o Abdul Hakkim,
Senior TOA(G), O/o the General Manager,
Telecom District, Kollam.
17. M. Vavachi, ,D/o Velutha Kunju,
Senior TOA(G), O/o the General Manager,
Telecom District, Kollam.
18. S. Murugan, S/o T. Sankaralingam,
Senior TOA (P), O/o the General Manager
Telecom District, Kollam.
19. Janet Sudha, D/o John Scaria
Senior TOA(P), O/o the General Manager
Telecom District,Kollam.
20. G.Anandavally, D/o A. Narayanan,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
21. R. Balachandran, S/o P. Ramakrishnan Nair,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
22. Lathika Kumari, D/o Thankappan Nair,
Senior TOA(G), O/o the Telecom District,
Kollam.
23. K.R. Ganga, D/o R. Sankara Pillai,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
24. P.N. Mohandas, S/o Narayanan Nair,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
25. Ganga.D, D/o V. Divakaran,
Senior TOA (G), O/o the General Manager,
Telecom District, Kollam.
26. N. Sathyan, S/o A. Nanoo,
Senior TOA(P), O/o the Sub Divisional Engineer,
T&C, Kollam.
27. M.R. Ramachandran, S/o K. Raman,
Senior TOA (G), O/o the Sub Divisional Engineer,
Phones, Oachira.
28. S. Jalaja Kumari, D/o T.P. Sivaraman Nair,
Senior TOA (P), O/o the Sub Divisional Engineer,
Phones, Oachira./
29. V. Venu, S/o V. Velayudhan Nair,
Senior TOA (P), O/o the SDEE T&C, Kollam.
30. V. Gopinathan, S/o V.S. Velupillai,
Senior TOA (P), O/o the Sub Divisional Engineer,
External- I, Kollam.
31. Joji Mathew Abraham, S/o Abraham Joshew,
Senior TOA(G), O/o the Sub Divisional Engineer,
Phones (West), Kollam.
32. G. Aravindakshan Pillai, S/o V. Gopala Pillai,
Senior TOA (G), O/o the Sub Divisional Officer,
Telecom, Kollam.

33. K. Jyothi Kumar, S/o K. Kunjiraman Pillai, Senior TOA (G), O/o the Sub Divisional Engineer, Central, Kollam.
34. G.L. Lali, D/o Gopalan, Senior TOA (G), O/o the General Manager, Telecom District, Kollam.
35. O. Sheela, D/o R. Thulaseedharan Pillai, Senior TOA (G), O/o the General Manager, Telecom District, Kollam.
36. R. Seethalekshmy, D/o M. Ramashenoy, SS (O), O/o the General Manager, Telecom District, Kollam.
37. Ruby Jose, D/o T. Varghese, Senior TOA (G), O/o the General Manager, Telecom District, Kollam.
38. V. Chandrakala, D/o Venketesh Naik, Senior TOA (G), O/o the General Manager, Telecom District, Kollam.
39. T.V. Usha, D/o T.V. Veeraraghava Acchariar, Senior TOA (P), O/o the General Manager, Telecom District, Kollam.
40. P. Rema Devi, D/o K. Raghavan Pillai, Senior TOA (G), O/o the General Manager, Telecom District, Kollam.
41. Accamma Wilson, D/o J. Cheriyam, Senior TOA (P), Office of the DT, Kundara, Kollam.
42. K. Sunanda, D/o R. Kuttappan, Senior TOA (G), O/o the General Manager, Telecom District, Kollam.
43. Laly T. Thomas, D/o T.J. Thomas, Senior TOA (G), O/o the Sub Divisional Engineer, Commercial, Adoor.
44. C. Dileep Kumar, S/o S. Chellappan Nair, Senior TOA (G), O/o the Sub Divisional Engineer, External East-II, Kollam.
45. K. Baburajan, S/o A. Kochukunju, Senior TOA (G), O/o the General Manager, Telecom District, Kollam.
46. Suma R. Nair, D/o Karunakaran Pillai, Senior TOA, O/o the General Manager, Telecom District, Kollam.

Applicants
(Applicants 2 to 46 are represented by their authorized
representative, the first applicant Shri A. Baby John)

[By Advocate Mr Shafik Abdul Khadir]

vs.

1. The Chairman, Telecom Commission,
Sanchar Bhavan, New Delhi.

2. The Chief General Manager, Telecom, Kerala Circle, Trivandrum.
3. Union of India represented by the Secretary, Ministry of Communications, New Delhi.

[By Advocate Mr. C. Rajendran, Sr.CGSC]

O.A.No.544/99

1. Babu Kuttiyil, S/o Late Chandran Kuttiyil, Senior T.O.A. (P), O/o the Divisional Engineer Phones II, Thrissur.
2. Antony K.K., S/o K.P. Kochappu, Senior T.O.A (P), E 10 B, Telephone Exchange, Thrissur.
3. Anantha Narayanan T.V, S/o K.N. Venkita Raman, Senior T.O.A (P), O/o the Sub Divisional Engineer, Computer, GMT, Thrissur-20.
4. Prameela P, D/o P. Devaki Amma, Senior T.O.A (P), E 10 B, Telephone Exchange, Thrissur.
5. Lekha T.M, D/o Thkkooth Kalarickal Late T.R. Muralidharan, Senior T.O.A (P), O/O the General Manager, Telecom, Thrissur.
6. Ajit P, S/o Late P.V. Padmanabhan, Senior T.O.A (P), O/o the JTO (OCB-RSU), Prinjanam.
7. Santha P, D/o Late K. Balakrishnan Nair, Senior T.O.A (G), O/o the SDOT, Thrissur.
8. Reena Francis, D/o K.C. Francis, Senior T.O.A (P), O/o the DE OCB (M TCE), Thrissur.
9. Usha C, D/o U. Nelakanda Menon, Senior T.O.A.(P), O/o the SDE OCB (Mtce), Thrissur.
10. Paul F. Chethalan, S/o M.J. Francis, Senior T.O.A (P), O/o the SDE Trunks, Thrissur.
11. Jayashree Prabhakaran, D/o K. Govindan Nair, Senior T.O.A (G), O/o the General Manager, Telecom, Thrissur.
12. Mariamma M.J, D/o M.P. Joseph, Senior T.O.A (G), O/o the General Manager, Telecom, Thrissur.
13. Sylaja M, D/o Raman Nair, Senior T.O.A (G), O/o the General Manager, Telecom, Thrissur.

14. K.B. Sreeranjani, D/o K. Bhaskara Menon,
Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
15. Sathya Lakshmi.C, D/o P.K. Rajagopalan Nair,
Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
16. Rajithamani, D/o K. Subramanian,
Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
17. K.S. Prasanna, D/o K. Sankaran,
Senior T.O.A (P),
O/o the General Manager, Telecom, Thrissur.
18. Girija K.A, D/o Late V. Ayappan,
Senior T.O.A.,
O/o the General Manager, Telecom, Thrissur.
19. Vasantha Gopalakrishnan,
D/o Late S. Raghavan Eliyidom, Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
20. Rema.C, D/o Late N. Chidambaran,
Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
21. Annie George, W/o A.D. George,
Senior T.O.A.(G),
O/o the General Manager, Telecom, Thrissur.
22. Vimala K.N, W/o P.S. Parameswaran Namboodiri,
Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
23. Gouri M.K., D/o M.K. Vasudevan Namboodiri,
Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
24. Tina Roy, D/o Late T.O. Jose,
Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
25. Antony C.V, S/o Late C.K. varkey,
Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
26. Radhabai P.A., D/o P.A. Appu,
Senior T.O.A (P),
O/o the General Manager, Telecom, Thrissur.
27. Sreedevi M.Menon, D/o Late O.G. Menon,
Senior T.O.A (G),
O/o the General Manager, Telecom, Thrissur.
28. Juliet Samuel.P, D/o P.M. Samuel,
T.O.A, O/o the Sub Divisional Office,
Telecom, Kandassankadavu.
29. Sumathy M.K, W/o P.K. Santheesh Babu,
Senior T.O.A (G), O/o the Sub Divisional Officer,
Telecom, Kandassankadavu.

30. Jacob.V.J, S/o V.C. Jose,
Senior T.O.A (P), O/o the JTO R-U,
Pavathur Under SDE RLU, Guruvayur.
31. Sudha P, W/o Nandakumar.K,
Senior T.O.A. (P), Telephone Exchange,
Kandassankadavu.
32. Lila K.S., D/o K.K. Sidharthan,
Senior T.O.A (P),
Telephone Exchange, Pariyaram.
33. Girija T, D/o P. Appukuttan Nair,
Senior T.O.A (P), O/o the Commercial Officer III,
General Manager, Telecom, Thrissur.
34. Edward John, S/o A.J. James,
Senior T.O.A (P), Thrissur Trunks,
Telephone Exchange, Thrissur.
35. Savithry P.R, D/o P.R. Raman,
Senior T.O.A.(P), Telephone Exchange (RLU),
Punnayurkulam.
36. Sreeja M.R., D/o M.V. Raman,
Senior T.O.A (P), RLU,
Telephone Exchange, Alagappa Nagar.
37. Usha K. Nair, D/o K. Krishnan Kutty Nair,
Senior T.O.A (G), O/o the Sub Divisional Engineer
Phones (External), Ayyanthole, Kanattukara, Thrissur.
38. Sathidevi E.R, D/o E.P. Raman Namboodhiri,
Senior T.O.A (P), O/o the Sub Divisional Engineer,
(Headquarters), Telecom, Irinjalakuda.
39. Jose A.A., S/o A.K. Aantony,
Senior T.O.A (P), Telephone Exchange,
Pazhayannoor.
40. Kanchana K.B., D/o K.N. Balan,
Senior T.O.A (P), Telephone Exchange,
Vellangalloor.
41. Mary M.C., W/o Sebastian C.A.,
Senior T.O.A (G), O/o the Sub Divisional Officer,
Telecom, Kandassankadavu.
42. Remani V.K., W/o Sreedharan P.R,
Senior T.O.A (G),)/o the General Manager,
Telecom, Thrissur.
43. Sreejith N.B., S/o Late Bhaskaran M.M,
Senior T.O.A (T), O/of the I.T.I, I/C,
Central Telegraph Office,
Irinjalakuda.
44. A.M. Girija, D/o A. Madhusudhana Panicker,
Senior T.O.A (T), O/o the J.T.O, I/C,
Central Telegraphe Office, Irinjalakuda.
45. Ajithkumar K, S/o K.V. Sekhara Menon,
Senior T.O.A (T), O/o the J.T.O, I/C,
Central Telegraph Office, Irinjalakuda.

46. K.M. Subhadra, D/o N. Vijayakumar,
Senior T.O.A (T), O/o the J.T.O. I/C,
Central Telegraph Office, Irinjalakuda.

47. Baby V.K, W/o C.K. Manoharan,
Senior T.O.A (T), O/of the J.T.O, I/C,
Central Telegraph Office, Irinjalakuda.

48. Sujatha P.B., D/o P.K.B. Nambissan,
Senior T.O.A (G), O/o the General Manager,
Telecom, Thrissur.

49. Usha K, D/o K.K. Prabhakaran,
Senior T.O.A (G), O/o the Genral Manager,
Telecom, Thrissur.

50. Nirmala Devi, W/o Balakrishnan.P,
Senior T.O.A. (G), O/o the General Manager,
Telecom, Thrissur.

51. Elizabeth Wilson, W/o Wilson Mathew,
Senior T.O.A (P), O/o the General Manager,
Telecom, Thrissur.

52. Devadas Nair.C, S/o N.P. Krishnankutty Nair,
Senior T.O.A, O/o the General Manager,
Telecom, Thrissur.

Applicants

[By Advocate Mr Shafik M.A.]

Vs.

1. The Chairman,
Telecom Commission, New Delhi.

2. The Chief General Manager, Telecom,
Kerala Circle, Trivandrum.

3. Union of India represented by
the Secretary,
Ministry of Communications, New Delhi.

Respondents

[By Advocate Mr C. Rajendran, Sr.CGSC]

O.A.No.641/92

1. P.T. Joseph, S/o P.V. Thomas,
Senior T.O.A (P),
O/o the Sub Divisional Engineer (Indoor),
Telephone Bhavan, Cherthala.

2. C.A. Girija Kumari, D/o K. Krishnan Nair,
Senior T.O.A (G),
O/o the Sub Divisional Engineer (P),
Thycattusser.

3. R. Lathakumari, D/o N. Ramakrishna Panicker,
Senior T.O.A (P),
O/o the SDOT, Aroor.

4. K.S. Omana, D/o K.R. Papppunni Nair,
Senior T.O.A (P),
O/o the Junior Telecom Officer (Indoor), Aroor.

5. S. Vijayamma, D/o K.C. Bhaskaran,
Senior T.O.A (G), O/o the Sub Divisional Engineer (P),
Cherthala.
6. T. Sumangala, D/o Arumughan,
Senior T.O.A (P),
O/o the Sub Divisional Engineer (P),
Cherthala.
7. M. Sreekala Panicker, D/o K.S. Mukunda Panicker,
Senior T.O.A (P), Trunk Exchange,
Alappuzha.
8. Lalitha V.R, D/o K. Kunjiraman,
Senior T.O.A (P), Trunk Exchange,
Alappuzha.
9. Prasanna Kumari.S,
D/o V. Balakrishna Pillai,
Senior T.O.A (P),
O/o the D E (Telecom), Kayamkulam.
10. M. Nagalekshmi, D/o S. Madhava Menon,
Senior T.O.A (P), O/o the Sub Divisional Engineer (P),
Ambalappuzha.
11. Omana Mathew, D/o Mathew,
Senior T.O.A (P), O/o the Sub Divisional
Engineer (Cables), Kayamkulam.
12. Aleyamma Ulahannan, D/o Ulahannan,
Senior T.O.A (P), Trunk Exchange, Alappuzha.
13. M.O. S ibi, S/o M.M. Antony,
Senior T.O.A. (P), Trunk Exchange, Alappuzha.
14. A.S. Ajayakumar, S/o K.N. Sreedharan Nair,
Senior T.O.A (P), Trunk Exchange, Alappuzha.
15. Lysamma Mathew, D/o Francis Mathew,
Senior T.O.A (P), Trunk Exchange, Alappuzha.
16. Devika Rani.V, D/o P.S. Sankar,
Senior T.O.A (P), Trunk Exchange, Alappuzha.
17. P.Sudharsanan, S/o K.S. Purushan,
Senior T.O.A (G),
O/o the General Manager, Telecom, Alappuzha.
18. Balakrishnan Nair.P, S/o K.P. Parameswaran Pillai,
Senior T.O.A (G), O/o the SDO (P), South Alappuzha.
19. N . Saraswathi Antherjanam, W/o P.N. Vasudevan
Namaboothiri, Senior T.O.A (P), O/o the Divisional
Engineer (Internal), Alappuzha.
20. Baby Suseela, W/o Natesan K.N,
Senior T.O.A (P), O/o the Divisional Engineer
(Internal), Alappuzha.
21. Renuka Devi.R, D/o D. Parameswaran Nair,
Senior T.O.A (G), O/o the General Manager,
Telecom, Alappuzha.

22. Sujatha M.S, D/o Somanathan M.A,
Senior T.O.A. (G), O/o the General Manager,
Telecom, Alappuzha.
23. M.J. Jayasree Kunjamma, D/o S. Nanappan Nair,
Senior T.O.A (P), O/o the General Manager,
Telecom, Alappuzha.
24. R. Girijadevi, D/o Raghavan Nair,
Senior T.O.A (G), O/o the General Manager,
Telecom, Alappuzha.
25. P. Ushadevi, D/o Govindankutty Nair S.K.,
Senior T.O.A (P), E-10B MDF,
Telephone Bhavan, Alappuzha.
26. S. Sasikala, D/o Narayana Pillai P.K.,
Senior T.O.A (P), E-10B MDF,
Telephone Bhavan, Alappuzha.

Applicants

(Applicants 2 to 26 represented by their authorized
agent, the 1st applicant P.T. Joseph)

[By Advocate Mr C.S.G. Nair].

Vs.

1. The Chairman,
Telecom Commission,
Sanchar Bhavan, New Delhi.
2. The Chief General Manager, Telecom,
Kerala Circle, Trivandrum.
3. Union of India represented by
the Secretary,
Ministry of Communications, New Delhi.

Respondents

[By Advocate Mr C. Rajendran, Sr.CGSC]

O.A.No.673/99

1. Vijayalakshmi P, W/o Narayanan Nair,
Senior Telecom Operating Assistant (G),
O/o the Sub Divisional Engineer (Phones),
External, Parur.
2. Ajithakumari S.R, W/o K. Balachandran,
Senior Telecom Operating Assistant (G),
O/o the Sub Divisional Engineer (Admn.),
Telecom, Kochi-31.
3. J. Geetha Devi Amma, W/o P. Sreekumar,
Senior Telecom Operating Assistant (G),
O/o the TRA-5A, O/o the General Manager, Telecom,
Convent Junction, Kochi.
4. V.S. Anandavally Amma, W/o M.C. Sreedharan Panickkar,
Senior Telecom Operating Assistant (G),
O/o the PGMT, Catholic Centre, Kochi-31.
5. Christy Paul, W/o Jiju Mathew,
Senior Telecom Operating Assistant, TRA-3, Kochi.

6. Rosamma Xavier, W/o Xavier Paul,
Senior Telecom Operating Assistant,
O/o the Sub Divisional Engineer (Phones),
External, Panampilly Nagar, Kochi-36.
7. V.J. Jasmin, W/o C.S. Gilbert,
Senior Telecom Operating Assistant,
O/o the PGMT, Ernakulam.
8. Marys A.M., W/o K.S. Paulose,
Senior Telecom Operating Assistant,
Office of the PGMT, Ernakulam.

Applicants

(Applicants 2 to 8 represented by their authorized agent, the 1st applicant)

[By Advocate Mr. M.R. Rajendran Nair]

Vs.

1. Union of India represented
by the Secretary to the Government of India,
Ministry of Communications, New Delhi.
2. Chairman, Telecom Commission, New Delhi.
3. Chief General Manager, Telecom, Kerala Circle,
Trivandrum.

Respondents

[By Advocate Mr C. Rajendran, Senior CGSC]

O.A.687/22

1. K.S. Peethambaran Nair,
Senior Telecom Operating Assistant (Phones),
O/o the Sub Divisional Engineer, Telecom,
Palace Road, Aluva.
2. J. Sheela Devi,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer, External,
Ernakulam.
3. V.S. Nirmala Kumari,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer, External,
Angamali.
4. N.K. Valsala,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer, Phones,
Kalady.
5. Venu. M,
Senior Telecom Operating Assistant (General),
O/o the Director, Maintenance,
Southern Telecom Sub Region, Ernakulam.
6. A.K. Darvin,
Senior Telecom Operating Assistant (General),
O/o the Director Maintenance,
Southern Telecom Sub Region, Ernakulam

7. P.B. Beena,
Senior Telecom Operating Assistant (General),
O/o the Director Maintenance,
Southern Telecom Sub Region, Ernakulam.
8. Sherly Varghese,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer (Phones),
Kothamangalam.
9. A.V. Koyakutty,
Senior Telecom Operating Assistant (Phones),
O/o the Sub Divisional Engineer (Commercial) Phones,
Telephone Exchange, Aluva.
10. Santhamma Purushan,
Senior Telecom Operating Assistant (Telegraph),
Telecom Centre, Perumbavoor.
11. Etty D'Silva,
Senior Telecom Operating Assistant,
Central Telegraph Office, Mattancherry,
Presently on deputation at Telegraph Office,
Willingdon Island, Kochi.
12. Shaji Thomas,
Senior Telecom Operating Assistant (General),
O/o the Sub Divisional Engineer Cables Central,
Panampilly Nagar, Kochi.
13. M.B. Geetha,
Senior Telecom Operating Assistant (Phones),
O/o the Sub Divisional Officer, Telephones,
Mulanthuruthy.
14. Pushpalatha M.S,
Senior Telecom Operating Assistant (Phones),
Telephone Exchange, Vytila.
15. Ushadevi K.G,
Senior Telecom Operating Assistant (Phones),
Telephone Exchange, Ayyappankavu.

Applicants

[By Advocate Mr T.C. Govindaswamy]

Vs.

1. Union of India represented by
the Secretary to the Government of India,
Ministry of Communications,
Department of Telecommunication, New Delhi.
2. The Chairman,
Telecom Commission,
New Delhi.
3. The Chief General Manager (Telecom),
Kerala Circle, Trivandrum.

Respondents

[By Advocate Mr C. Rajendran, Sr. CGSC]

The applications having been heard on 3.8.2001, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

Since the issue involved is identical in all these OAs, all these OAs were heard together and are disposed of by this common order.

2. Applicants in O.A.426/99 seek the following reliefs:

"(i) To declare that the provisions in column No.12 of schedules to Junior Telecom Officers Recruitment Rule 1996, to the extent it excludes Senior Telecom Office Assistants with prescribed qualification for direct recruitment as Junior Telecom Officers, from the feeder category of Junior Telecom Officers for appointment by transfer/promotion is ultravires Article 14 & 16 of the Constitution of India;

(ii) To direct the respondents to consider the applicants for appointment by transfer/promotion as Junior Telecom Officers against the whole 50% vacancies of Junior Telecom Officers, along with others eligible without discrimination.

(iii) Grant such other reliefs as may be prayed for and the Court may deem fit to grant, and

(iv) Grant the cost of this Original Application."

3. Applicant in O.A. 427/99 seeks the following reliefs:

"(i) To quash Annexure A1,

(ii) To declare that the provisions in column No.12 of the schedule to Junior Telecom Officers Recruitment Rules, 1996, to the extent it excludes Technical Supervisors, from the feeder category of Junior Telecom Officers for appointment by transfer/promotion is ultravires Article 14 & 16 of the Constitution of India;

(iii) To direct the respondents to consider the applicant for appointment by transfer/promotion as Junior Telecom Officers against the whole 50% vacancies of Junior Telecom Officers, along with others eligible without discrimination.

(iv) Grant such other reliefs as may be prayed for and the Court may deem fit to grant; and

(v) Grant the cost of this Original Application.

4. Applicants in O.A.422/99 seek the following reliefs:

- (a) Declare that the denial of consideration for promotion to the applicants to the cadre of Junior Telecom Officers is highly arbitrary, discriminatory and unconstitutional,
- (b) Call for the records leading to the issue of Annexures A3 and A4 and quash the same to the extent they deny consideration to the applicants for promotion as Junior Telecom Officers on par with Telecom Technical Assistants,
- (c) Call for the records leading to the issue of Annexure A5 and quash the same to the extent it denies consideration to the Senior Telecom Operating Assistants for promotion to the post of Junior Telecom Officers against 35% quota,
- (d) Declare that the applicants are eligible to be considered for promotion as Junior Telecom Officers on par with Telecom Technical Assistants against 35% quota vacancies,
- (e) Direct the respondents to consider the applicants for promotion against 35% quota vacancies in the cadre of Junior Telecom Officers reflected in Annexure A5 and to grant the consequential benefits thereof,
- (f) Direct the respondents to consider the applicants for promotion as Junior Telecom Officers on par with Phone Inspectors/Transmission Assistants/Auto Exchange Assistants and Wireless Operators having the requisite qualification meant for direct recruitment and to grant the consequential benefits thereof; and
- (g) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case.

5. Applicants in O.A.479/99 seek the following reliefs:

- (a) Declare that the denial of consideration for promotion to the applicants to the cadre of Junior Telecom Officers is highly arbitrary, discriminatory and unconstitutional,
- (b) Call for the records leading to the issue of Annexure A3 and A4 and quash the same to the extent they deny consideration to the applicants for promotion as Junior Telecom Officers on par with Telecom Technical Assistants,
- (c) Call for the records leading to the issue of Annexure A5 and quash the same to the extent it denies consideration to the Senior Telecom Operating Assistants for promotion to the post of Junior Telecom Officers against 35% quota,
- (d) Declare that the applicants are eligible to be considered for promotion as Junior Telecom Officers on par with Telecom Technical Assistants against 35% quota vacancies,

(e) Direct the respondents to consider the applicants for promotion against 35% quota vacancies in the cadre of Junior Telecom Officers reflected in Annexure A5 and to grant the consequential benefits thereof,

(f) Direct the respondents to consider the applicants for promotion as Junior Telecom Officers on par with Phone Inspectors/Transmission Assistants/ Auto Exchange Assistants and Wireless Operators having the requisite qualification meant for direct recruitment and to grant the consequential benefits thereof; and

(g) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case.

6. Applicants in O.A.483/99 seek the following reliefs:

(a) Declare that the denial of consideration for promotion the applicants to the cadre of Junior Telecom Officers is highly arbitrary, discriminatory and unconstitutional,

(b) Call for the records leading to the issue of Annexures A3 and A4 and quash the same to the extent they deny consideration to the applicants for promotion as Junior Telecom Officers on par with Telecom Technical assistants,

(c) Call for the records leading to the issue of Annexure A5 and quash the same to the extent it denies consideration to the Senior Telecom Operating Assistants for promotion to the post of Junior Telecom Officers against 35% quota,

(d) Declare that the applicants are eligible to be considered for promotion as Junior Telecom Officers on par with Telecom Technical Assistants against 35% quota vacancies,

(e) Direct the respondents to consider the applicants for promotion against 35% quota vacancies in the cadre of Junior Telecom Officers reflected in Annexure A5 and to grant the consequential benefits thereof; and

(f) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case.

7. Applicants in O.A.534/99 seek the following reliefs:

(i) To call for the records relating to Annexures A1 to A3 and to declare that the denial of consideration for promotion to the applicants to the cadre of JTOs is highly arbitrary, discriminatory and unconstitutional,

(ii) To declare that the applicants are also entitled for consideration for promotion to JTOs in the 35% qualifying Screening Test meant for departmental candidates on par with TTAs,

(iii) To direct the respondents to consider those Sr.TOAs who are having the qualification prescribed for direct recruitment as a Walk-in Group and grant them promotion to the cadre of JTOs as has been done in the case of PIs/AEAs/WOs, etc.,

(iv) To issue such other appropriate orders or directions this Honourable Court may deem fit, just and proper in the circumstances of the case; and

(v) To grant the costs of this Original Application.

8. Applicants in O.A.544/99 seek the following reliefs:

"(i) To call for the records relating to Annexure A1 to A3 and to declare that the denial of consideration for promotion to the Applicants to the Cadre of JTOs is highly arbitrary, discriminatory and unconstitutional.

(ii) To declare that the applicants are also entitled for consideration for promotion as JTOs in the 35% qualifying Screening Test meant for Departmental candidates on par with TTAs.

(iii) To declare that the exclusion of Sr. TOSS from the Feeder category for promotion to the Cadre of JTOs from the 35% quota in Annexure A1 is illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India and to quash Annexure A1 consequent to the above declaration.

(iv) To direct the Respondents to consider those STOAs who are having the qualification prescribed for direct Recruitment as a Walk-in-Group and grant them promotion to the cadre of JTOs as has been done in the case of PIS/AEAs/WOS etc.

(v) To issue such other appropriate orders or directions this Hon'ble Court may deem fit just and proper in the circumstances of this case; and

(vi) To award costs of this Original Application."

9. Applicants in O.A.641/99 see the following reliefs:

"(i) To declare that exclusion of Senior Telecom Operating Assistants from the feeder category for promotion to the Cadre of Junior Telecom Officers from the 35% quota in Annexure A1 is illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India and to quash Annexure A1 consequent to the above declaration,

(ii) To call for the records relating to Annexure A1 to A3 and to declare that the denial of consideration for promotion to the Applicants to the Cadre of Junior Telecom Officers is highly arbitrary, discriminatory and unconstitutional,

(iii) To declare that the Applicants are also entitled for consideration for promotion as Junior Telecom Officers in the 35% qualifying Screening Test meant for Departmental candidates on par with Telecom Technical Assistants,

(iv) To direct the Respondents to consider those Senior Telecom Operating Assistants who are having the qualification prescribed for direct Recruitment as a Walk-in Group and grant them promotion to the Cadre of Junior Telecom Officers as has been done in the case of PIs/AEAs/WOs, etc,

(v) To issue such other appropriate orders or directions this Honourable Tribunal may deem fit, just and proper in the circumstances of the case; and

(vi) To award costs of this Original Application."

10. Applicants in O.A.673/99 seek the following reliefs:

(i) To declare that the provisions in column No.12 of Schedules to Junior Telecom Officers Recruitment Rules 1996, to the extent it excludes Senior Telecom Office Assistants with prescribed qualification for direct recruitment as Junior Telecom Officers, from the feeder category of Junior Telecom Officers for appointment by transfer/promotion is ultravires Article 14 and 16 of the Constitution of India,

(ii) To direct the respondents to consider the applicants for appointment by transfer/promotion as Junior Telecom Officers against the whole 50% vacancies of Junior Telecom Officers, along with others eligible without discrimination,

(iii) Grant such other reliefs as may be prayed for and the Court may deem fit to grant; and

(iv) Grant tea costs of this Original Application.

11. Applicants in O.A.687/99 seek the following reliefs:

(a) Declare that the denial of consideration for promotion to the applicants to the cadre of Junior Telecom Officers is highly arbitrary, discriminatory and unconstitutional,

(b) Call for the records leading to the issue of Annexures A3 and A4 and quash the same to the extent they deny consideration to the applicants for promotion as Junior Telecom Officers on par with Telecom Technical Assistants,

(c) Call for the records leading to the issue of Annexure A5 and quash the same to the extent it denies consideration to the Senior Telecom Operating Assistants for promotion to the post of Junior Telecom Officers against 35% quota,

(d) Declare that the applicants are eligible to be considered for promotion as Junior Telecom Officers on par with Telecom Technical Assistants against 35% quota vacancies,

(e) Direct the respondents to consider the applicants for promotion against 35% quota vacancies in the cadre of Junior Telecom Officers reflected in Annexure A5 and to grant the consequential benefits thereof,

(f) Direct the respondents to consider the applicants for promotion as Junior Telecom Officers on par with Phone Inspectors/Transmission Assistants/Auto Exchange Assistants and Wireless Operators having the requisite qualification meant for direct recruitment and to grant the consequential benefits thereof; and

(g) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case.

12. Respondents have filed detailed reply statements.

13. After having argued the matter at length by the learned counsel for the applicants, learned counsel appearing for the official respondents drew our attention to the order of the Bangalore Bench of this Tribunal in OA 235/99 (M.G.Balaji Rao & 3 others Vs. Secretary, Department of Telecommunications, New Delhi) and another. The Bangalore Bench of this Tribunal in OA 235/99 has stated thus:

"3. In O.A.15 of 1998 the applicants therein who also belong to Senior TOA Cadre, had sought for a direction that their cadre should also be included in the 35 per cent quota. That application was considered along with another O.A. No.73 of 1997. In O.A.No.73 of 1997 this Bench has discussed various aspects and has held that it is the prerogative of the Government to decide as to which cadres should be made the feeder cadre to a promotional post and as to what eligibility conditions should be imposed in respect of each cadre and that the Tribunal cannot interfere with that policy decision taken by the department nor can any direction of the nature sought for be given by the Tribunal. It was also pointed in the order in O.A.No.15 of 1998 that the recruitment rules for the various categories are different and that all those cadres cannot be treated as equal cadres for the purpose of promotion to the higher post. By the mere fact that prior to the new Rules, TTAs had also been included in the 15 per cent quota along with the cadre of senior TOA, the applicants cannot claim a right to be included in the same quota in which the TTAs have been included in the new Rules. In O.A. No.15 of 1998 we gave opportunity to the applicants therein to approach the department if

they have a claim to be included in 35 per cent promotional quota either under clause (a) or under clause (b) and that it would be for the department to consider their grievance and take such decision as is appropriate. Giving that liberty, the prayer sought for by the applicants in that application was refused. The view we have taken in the earlier case is that the cadre of Senior TOA and the other cadres having separate recruitment Rules, senior TOA cadre cannot claim parity with the other cadres. The fact that the strength of the Senior TOA cadre is more than the strength of the TTA cadre would not be relevant while determining the validity of the Rules."

14. We are in respectful agreement with the order of the Bangalore Bench of the Tribunal.

15. Learned counsel appearing for the applicants submitted that the applicants may be permitted to submit representations to the Secretary, Department of Telecommunication, New Delhi in respect of their grievance.

16. Accordingly, all these Original Applications are disposed granting liberty to the applicants to submit representations to the Secretary to the Government of India, Department of Telecommunications, New Delhi, if they are so advised. We hope that the Secretary, Department of Telecommunications will consider the representations of the applicants if received with all the seriousness those representations deserve. No costs.

Dated the 3rd of August, 2001.

Sd/-
(G.RAMAKRISHNAN)
ADMINISTRATIVE MEMBER

Sd/-
(A.M.SIVADAS)
JUDICIAL MEMBER

CERTIFIED TRUE COPY

Date

aa.

Deputy Registrar