

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.550/2002

Tuesday this, the 6th day of August, 2002

CORAM:

HON'BLE SRI A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE SRI T.N.T.NAYAR, ADMINISTRATIVE MEMBER

1. K. Venugopalan I,
aged 57 years,
S/o. A. Kochukrishna Menon,
TTA, Trunk Exchange, Trichur.
2. M.M. Lazar,
aged 57 years, S/o. M.L. Mathew,
TTA, Trunk Exchange, Trichur.
3. C.V. Mohan,
aged 42 years, S/o. C.L. Varunny,
TTA, E-10-B Exchange,
Chembukavu, Trichur.
4. K. Prabhakaran Nair,
age 56 years, S/o. C.P. Kunhunnir Kartha,
TTA, OCB Exchange, Trichur.
5. K. Gopinathan,
age 50 years, S/o. K.A. Kochunni,
TTA, S.Ess Exchange, Guruvayoor,
P.O. Chavakkad, Trichur District.
6. V.R. Velu,
age 54 years, S/o. V.S. Raman,
TTA, E-10B Exchange, Chembukavu,
Trichur.
7. T.M. Mani,
age 56 years, S/o. M.G.Achuthan Marar,
TTA, E-10B Exchange, Chembukavu,
Trichur.
8. P.M. Mallika,
age 43 years, W/o. V.K. Padmanabhan,
TTA, Telephone Exchange,
Varandarappilly, Trichur.
9. K.R. Jayanthi,
age 45 years, W/o. T.V. Mohandas,
TTA (Tolox), Telephone Exchange,
Trichur.
10. T.A. Krishnan,
age 53 years, S/o. T.I. Ayyappan,
TTA, E-10B Exchange, Kunnankulam,
Trichur.
11. C.K.Mohanan,
age 50 years, S/o. Kunhivelappan,
TTA, Telephone Exchange,
Perinhanam, Trichur.

12. P.K. Purushothaman,
age 56 years, S/o. Achuthan,
TTA (Outdoor), North West,
Alappuzha.
13. Anwar A.,
age 57 years, S/o. Abdul Rahim,
TTA, Power Room, Telebhavan,
Alappuzha.
14. P.K. Vijayan,
age 54 years, S/o. P.K.Kunhappan,
TTA, Outdoor, South West,
Alappuzha.
15. Pennamma Radhakrishnan,
age 56 years, D/o. Kunhappy,
TTA, Indoor, Kaichoondy Exchange,
Alappuzha.
16. Mariamma T. Abraham,
age 55 years, D/o. T. George,
TTA, Trunk Exchange,
Alappuzha.
17. Baby Lukose,
age 55 years, W/o. K.M.Lukose,
TTA, Telephone Exchange,
Manarcadu, Kottayam.
18. P.K. Kuriakose,
age 54 years,
S/o. Cherian Korulla,
TTA, Telephone Exchange,
RLU Kanhikuzhy, Kottayam.
19. P.S. Sadanandan,
age 56 years, S/o. P.A. Sankaran,
TTA, Telephone Exchange,
Puthuppally, Kottayam.
20. J. Sivasankara Pillai,
age 57 years, S/o. Janardhanan Pillai,
TTA, Telephone Exchange,
Vellayittambalam, Kollam.
21. D. Balanandan,
age 53 years, S/o. Damodaran,
TTA, Uliyakkavil Exchange,
Office of the SDE (External East),
Kollam.
22. V. Prasannasagaran,
age 53 years, S/o. Vidyasagaran,
TTA, CTO, Kollam.
23. K. Sreedharan Pillai,
age 53 years, S/o. Krishna Pillai,
TTA, Telephone Exchange,
Parippalli, Kollam.
24. K.A.Rajan,
age 43 years, S/o. Ayyappan Pillai,
TTA, C-Dot, Installation,
Kollam.

25. E.N. Santhakumari,
age 42 years, S/o. Narayanan,
TTA, CTO, Kollam.
26. Sainulabdeen M.,
age 56 years,
S/o. Malik Muhammed,
TTA, Office of the SDE,
OCB Installation, Kollam.
27. M. Krishna Pillai,
age 55 years, S/o. Maharaj Pillai,
TTA, Telephone Exchange,
Edamon (SDOT) Punalur.
28. N. Surosh Babu,
age 42 years, S/o. Neelakantan,
TTA, CTO, Kollam.
29. S. Rema Bhai,
age 50 years, S/o. Sivadasan,
TTA, Telephone Exchange,
Chathannur, Kollam.
30. N. Pankajakshan,
age 58 years, S/o. Nanoo,
TTA, Telephone Exchange,
Chathannoor, Kollam.
31. M. Abubaker Kunju,
age 55 years, S/o. Mydeenkunju,
Office of the SDE, T&D, MDF,
Chinnakada, Kollam.
32. A. Abdul Azeez, S/o. Appavu Hawthier, age 56,
T.T.A., Telephone Exchange, Kottarakkara.

(By Advocate Sri P.P.Jnanasekharan) ... Applicants

vs.

1. Union of India,
represented by the Secretary,
Ministry of Communications,
New Delhi.
2. The Chairman and Managing Director,
Telecommunications, BSNL,
Sanchar Bhavan, Asoka Road,
New Delhi.
3. The Chief General Manager,
Telecommunications, BSNL,
Kerala Circle,
Thiruvananthapuram. .. Respondents

(By Advocate Mr.C.Rajendran, SCGSC)

.4.

The application having been heard on 6.8.2002, the Tribunal on the same day delivered the following :

ORDER

HON'BLE SHRI A.V. HARIDASAN, VICE CHAIRMAN

The applicants, who are Telecom Technical Assistants(TTAs) working in the various Telephone Exchanges under the 3rd respondent, participated in the 2nd qualifying Screening Test for promotion to the cadre of JTOs held on 30.4.2000. The case of the applicants is that persons similarly situated like them have been awarded grace marks and that some persons who took part in the Screening Test have filed OA 616/2000 which was disposed of with the following directions :-

"The official respondents are directed to consider A5 representation and any other representation(s) which the applicants herein may like to file within a period not exceeding 30 days from the date of receipt of copy of this order. After due consideration of all the relevant facts the official respondents shall pass appropriate orders thereon regarding grant of grace marks as indicated above or any other relief as the competent authority deems it fit to grant within a period of two months from the last date for receipt of representation from the applicants."

and that they are also entitled to the same treatment. Applicants' pray for a declaration that the A6 judgement is applicable to them for grant of similar relief.

2. When the matter came for hearing today, the learned counsel for the applicants states that the application can now be disposed of permitting the applicants to make representation to the 3rd respondent and directing the 3rd respondent to consider

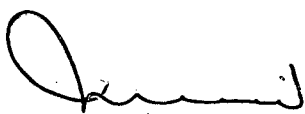


the representations keeping in view the benefits given to the applicants in OA 616/2000 and to extend to the applicants the benefits if they are similarly situated.

3. Shri C. Rajendran, SCGSC appearing for the respondents have no objection with the disposal of the application with such a direction.

4. In the light of the submission made by the counsel on either side, the application is disposed of permitting the applicants to make representation to the 3rd respondent within a week and directing the 3rd respondent to consider the representations in the light of the judgement in OA 616/2000 and to extend the applicants the same benefits as given to the applicants in OA 616/2000, if they are also similarly situated in all respects as the applicants in that case and to give appropriate orders to the applicants within one month from the date of receipt of the representations. No costs.

Dated the 6th August, 2002.



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of the communication No.12-14/94-DE dated 19.9.1994 issued by the 2nd respondent to all concerned.
2. A-2: True copy of the Letter No.Rectt/30-6/99 dated 8.3.2000 issued by the 3rd respondent.
3. A-3: True copy of the question paper for 2nd Qualifying Screening Test for promotion to the cadre of JTOs (35%) for P1/AEA/TA/WO/TTA 2000.
4. A-4: True copy of the representation dated 10.5.2000 issued by Rashtriya Telecommunication Employees Union (India) Group C to the 3rd respondent.
5. A-5: True copy of the representation dated 7.7.2000 submitted by the NUTE (FNTO) to the 3rd respondent.
6. A-6: True copy of the Order dated 11.4.2000 in OA No.616/2000.
7. A-7: True copy of the relevant extract of the Recruitment Rules 1996.
8. A-8: True copy of the relevant extract of the Recruitment Rules, 1999.

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29.8.02