

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.57/2001

Monday this the 15th day of January, 2001

CORAM

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

1. K.Krishnan Namboothiri, S/o P.G.Krishnan Namboothiri, Junior Telecom Officer, Telephone Exchange, Mannar, Alappuzha residing at Palathinkara Illom, Kuttamperoor PO, Alapuzha.
2. V.Baiju S/o Vincent, J.T.O E10B Exchange, Pathanamthitta, residing at Kuzhivila, Chemmakkad PO, Perinad Kollam.
3. Pinky S.John, W/o Philipose Omman, Junior Telecom Officer, E.10B Telephone Bhavan, Pathanamthitta-689645 Hill View, Thyfaud,? Pathanamthitta.
4. K.S.Unni, S/o U.Kumara Pillai, Junior Telecom Officer, Telecom Training Centrel, Kaimanom, Trivandrum.40 residing at TC 40/1003 Nayakodu, Sreevaraham, Trivandrum.9.Applicants

(By Advocate Mr. M.R.Rajendran Nair/by Mr.MR Hariraj)

V.

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

(By Advocate Mr.Govindh K Bharathan (rep)

The application having been heard on 15.1.2001, the Tribunal on the same day delivered the following:

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O R D E R

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

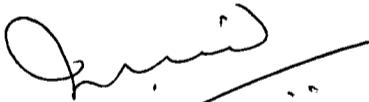
The applicants were appointed as Junior Telecom Officers by direct recruitment in the year 1992. In the gradation list of J.T.Os published in November, 1998 they had been assigned seniority on the basis of the existing principles as per the recruitment rules of the year 1990. Their present grievance is that the impugned order dated 11.4.2000 (Annexure.A1) has been issued purporting to revise the seniority position to their detriment. Their names have been shown in the provisional seniority list appended to the impugned order Annexure.A1. Projecting their grievances with regard to the alteration in the seniority position proposed, the applicants have made representations to the second respondent. Annexure.A3 is a copy of representation made by the 1st applicant. It is stated by the counsel that the other applicants have also made similar representations. Finding that despite the fact that more than six months have elapsed after the representation was made no reply to their representation has been issued, the applicants have filed this application to set aside Annexure.A1 and for a direction to the respondents to recast the seniority in the cadre of Junior Telecom Officers in accordance with the law and reckoning the ratio between direct recruits and promotees as 2:1 till Recruitment Year 1996 and to reckon the seniority in accordance with the length of continuous service as Junior Telecom Officers between direct recruit Junior Telecom Officers.

contd....

2. When the application came up for hearing today, learned counsel for the applicants states that it is sufficient if the second respondent is directed to consider the Annexure.A3 representation and similar representations made by the other applicants and to give the applicants appropriate orders within a reasonable time. Learned counsel appearing for the respondents also states that the application may be disposed of at this stage in the manner suggested by the counsel for the applicants.

3. In the result, in the light of the submission of the learned counsel on either side, the application is disposed of with a direction to the second respondent to consider the Annexure.A3 representation submitted by the 1st applicant and similar representations made by the other applicants and to give the applicants appropriate replies within a period of three months from the date of receipt of a copy of this order. There is no order as to costs.

Dated this the 15th day of January, 2001


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

S.

List of annexures referred to:

Annexure.A1: True copy of the memo No.STA/2-20/98-2000 dated 11.4.2000 issued by the 3rd respondent.

Annexure.A3: A true copy of the representation submitted by the 1st applicant dated 12.6.2000.

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