

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 583 of 1999

Monday, this the 6th day of August, 2001

CORAM

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

1. M.M. Alexander,
Sub Divisional Engineer,
Microwave Station, Alappuzha-688001
2. D. Ponnappan,
Sub Divisional Engineer, Transmission Maintenance,
O/o. the Assistant General Manager (Planning),
Telephone Bhavan, Alappuzha.
3. K.S. Joseph,
Sub Divisional Engineer,
O/o. the General Manager, Telecom, Alappuzha.
4. T.P. Babu,
Sub Divisional Engineer, (T/I) OFC,
2nd Floor, CTO Building, Alappuzha.
5. K.C. Joseph,
Sub Divisional Engineer,
E-10 B Maintenance, O/o. the Divisional
Engineer (Internal), Telephone Bhavan, Alappuzha.
6. D. Sivaprasad,
Sub Divisional Engineer (Phones),
Mavelikkara, Alappuzha.
7. A. Mehal Begam,
Sub Divisional Engineer (Internal),
Kayamkulam, Alappuzha.Applicants

[By Advocate Ms. K. Indu]

Versus

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

[By Advocate Mr. C. Rajendran, SCGSC]

The application having been heard on 6-8-2001, the
Tribunal on the same day delivered the following:

O R D E R .

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

Applicants seek the following reliefs:-

- "i) to direct the respondents to effect the promotion of the applicants in TES Group "B" cadre, with retrospective effect basing on the year of recruitment as found by the Supreme Court in Annexure A1.
- ii) to declare that the eligibility list for promotion to the Telecom Engineering Service Groups is to be prepared on the basis of year of recruitment/appointment of Junior Telecom Officers and to direct the respondents to review and regulate Telecom Engineering Service Group-B promotions made till date on the basis of year of recruitment of Junior Telecom Officers in view of Supreme Court decision in Annexure A1.
- iii) to direct the respondents to consider the applicants for promotion to Telecom Engineering Service Group-B reckoning their eligibility from the date of their recruitment/appointment as Junior Telecom Officers and to promote them as Telecom Engineering Service Group-B with effect from the date of promotion of their immediate junior.
- iv) grant such other relief as may be prayed for and the tribunal may deem fit to grant, and
- v) grant the costs of this Original Application."

2. When the OA was taken up, learned counsel on both sides submitted that the issue in this OA has been concluded by the findings of the Apex Court in Union of India vs. Madras Telephone SC&SI Social Welfare Association [AIR 2000 SC 1717]. The learned counsel appearing for the respondents further submitted that in the light of the directions contained in the said judgement, a final seniority list has been prepared and promotions are being effected and that the applicants' case for promotion with retrospective effect based on the year of

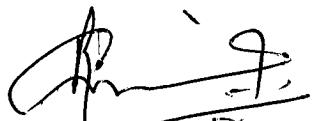


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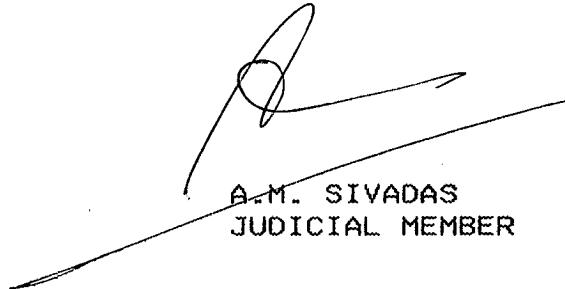
recruitment will be considered and necessary orders will be passed within six months from today.

3. The submission of the learned counsel for respondents is recorded and the Original Application is closed. No costs.

Monday, this the 6th day of August, 2001



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.M. SIVADAS
JUDICIAL MEMBER

ak.

List of Annexure referred to in this order:

1. A1 True copy of the Order in Civil Appeal No. 4339/96 dated 13-2-97 of the Hon'ble Supreme Court of India, Civil Appellate Jurisdiction, New Delhi.