

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 229 of 1996

Friday, this the 14th day of March, 1997

CORAM

HON'BLE MR. A M SIVADAS, JUDICIAL MEMBER

Samad N.C.
Junior Telecom Officer (Transmission),
Telephone Exchange, Amini,
Lakshadweep
Residing at Puthiyakulap House,
PO Amini - 682 552
Lakshadweep. .. Applicant

(By Advocate Mr. Sasidharan Chempazhanthiyil)

Versus

1. General Manager, Telecom, Ernakulam.
2. Chief General Manager, Telecom, Kerala Circle, Thiruvananthapuram.
3. Director General, Telecommunications, New Delhi. .. Respondents

(By Advocate Mr. Varghese P Thomas, ACGSC)

The application having been heard on 14-3-1997, the Tribunal on the same day delivered the following:

O R D E R

The applicant seeks to quash A-7, to declare that he is entitled to have his first increment in the pay scale attached to the post of Junior Telecom Officer drawn on 1-5-1991 when his junior Smt. S. Shobha belonging to the direct recruitment quota of 1989 drew

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her first increment, to direct the respondents to take steps to draw and disburse the applicant his first increment on that basis, and to declare that appointing direct recruits as Junior Telecom Officers earlier than the senior departmental candidates of the same recruitment year without reference to the placements in the circle gradation list is irregular.

2. The applicant is working as Junior Telecom Officer under the 1st respondent attached to the Telephone Exchange, Amini Island. He is a departmental candidate promoted to the JTO cadre in the recruitment year 1989. On completion of the training successfully, he was promoted to the post of JTO on 4-10-1993. According to the applicant, he is senior to several of the direct recruits of the year 1989 who drew their first increment earlier than the applicant. For example, Smt. S. Shobha, a direct recruit of the year 1989, drew her next increment at the stage of Rs.1700/- on 1-5-1991 in the pay scale of Rs.1640-2900, whereas the applicant drew his next increment in the JTO cadre much later.

3. According to the respondents, Smt. S. Shobha drew her first increment earlier than the applicant not only because of counting the training period for increment but due to her earlier appointment than the applicant also. Smt. Shobha was appointed as JTO on 24-12-1990 on completion of training, whereas the applicant was appointed as JTO only later.

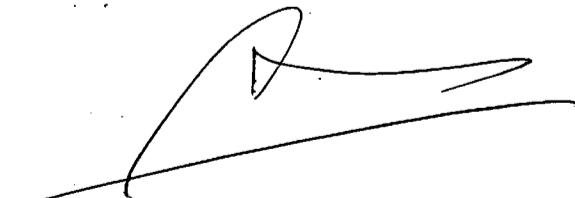
4. Learned counsel appearing for the applicant drew my attention to the memo No.L.C.II_AP/9-28/95 dated 19-6-1996 issued from the Office of the Chief General Manager, Telecom, Kerala Circle, Trivandrum, where-by the grievance of persons like the applicant was considered and redressed. Learned counsel appearing for the respondents has no dispute with regard to the said memo.

5. Learned counsel for the applicant submitted that it is suffice to permit the applicant to submit a representation before the 3rd respondent for redressal of his grievance in the light of the said memo. Learned counsel for respondents has no objection for permitting the applicant to submit a representation to the 3rd respondent.

6. Hence, the applicant is permitted to submit a representation through proper channel to the 3rd respondent setting out his grievance in detail with reference to the memo referred to above, within a period of two weeks from today. If such a representation is submitted, the 3rd respondent shall consider the same in the light of the memo referred to above and dispose of the same on merits within a period of three months from the date of its receipt.

7. Application is disposed of as above. No costs.

Dated the 14th of March, 1997



A.M. SIVADAS
JUDICIAL MEMBER

LIST OF ANNEXURE

1. Annexure A 7: True copy of letter No. EK/A/ESTT/200-2/GENL/72 dated 26.10.1995 sent on behalf of 1st respondent to the applicant.

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