

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

.....

O.A. No. 300 of 1994.

Tuesday, this the 6th day of September, 1994.

HON'BLE SHRI P. SURYAPRAKASAM, JUDICIAL MEMBER

1. M. Sasikumar,
Assistant Superintendent, Telegraph Traffic
Central Telegraph Office, Cochin-16.
2. Jyothi Ramakrishnan,
-do- -do-
3. M. Muraleedharan,
ASTT, CTO, Cochin-16.
4. P. Vinodakumari P.,
ASTT, CTO., Cochin-16.
5. Bini Kuriachan,
Kanneth House, Pancode P.O.,
Vadavucode.
6. L. Bindu,
ASTT, CTO., Cochin-16.
7. M.S. Ajayan,
ASTT, CTO, Cochin-16.
8. Reena Antony,
ASTT, CTO, Cochin-16.
9. Jini Francis T.,
Tharakan House, Pannissery,
Near College Top, Koonamuchy,
Trichur.
10. Tina Theresa Thomas,
ASTT, CTO, Kottayam. .. Applicants

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. Union of India, rep. by
Secretary to Government,
Ministry of Communications,
New Delhi.
2. The Chief General Manger, Telecom,
Kerala Circle, Trivandrum.
3. The Chairman, Telecom, New Delhi. .. Respondents

(By Advocate Shri Kodoth Sreedharan, ACGSC)

.....2/-

O R D E R

P. SURYAPRAKASAM, JUDICIAL MEMBER

Applicants commenced service as Assistant Superintendent in the Telegraph Traffic with effect from 18.3.91. They were selected by direct recruitment against 1989 vacancies and they have undergone training for 9 months from 18.6.90 to 17.3.91 and on completion of the successful training they were appointed with effect from 18.3.91 in the scale of pay of Rs.1400-2600. The period of training was counted as duty and therefore, the pay of the applicants was fixed at Rs.1400/- as on 18.3.91, and the date of next increment was fixed on 1.6.91. The scale of Assistant Superintendent of Telegraph Traffic was revised as Rs.1640-2900 with effect from 1.4.91 and the pay of the applicant was fixed at Rs.1640/- with effect from 1.4.91 and the date of next increment raising the pay to Rs.1700 as on 1.6.91. On this basis, the date of next increment was fixed on 1.4.92. This was objected to on the basis of the judgement rendered by Supreme Court in Union of India and another Vs. Shyama Pada Sidhanta and others, 1991 16 ATC 942. In this case, the similar question arose and the court held that

"The combined effect of F.Rr. 23,22(a)(ii) and 26 (b)(i) seems to be that the respondents need not wait for twelve months from the date of fixation of their pay in the new scale for earning increment in the revised scale."

This has ^{not} been seriously challenged by the respondents and in fact the counsel for respondents agreed that the

case cited is squarely approach to the facts of the case. I am also of the same opinion. Therefore, the application is being allowed and the date of next increment being fixed on 1.6.91 (The first increment will be getting from 1.6.91) and as a necessary corollary consequential benefits be granted to the applicants.

2. Accordingly, the application is disposed of on the above directions. No costs.

Tuesday, this the 6th day of September, 1994.


P. SURYAPRAKASAM
JUDICIAL MEMBER