

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.392/2000

Wednesday this the 12th day of June, 2002.

CORAM

HON'BLE MR.G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

1. K.K.Gopakumar
S/o Late Kuttan Nair
Telephone Revenue Inspector
O/o (TRCI), Johnson Building
Convent Road, Kochi.
Residing at Premalakshmy, B.T.S.Road
Edapally, Kochi.
2. Moly Thomas
W/o P.D.Thomas
Residing at Padayathil
VI/262, Panthackal, Padrapuram P.O.
3. N.Nalini
W/o P.Prabhakaran Nair
Residing at Nalini Bhavan
PMC X/276, Perumbavoor
Senior TOA (G), O/o SDE Phones, Perumbavoor.
4. K.P.Chinammalu
W/o K.U.Sreekumaran Unni
Sr.TOA, O/o PGMT, Ernakulam
Residing at 44/T20, Karthika, Kaloore, Cochin.
5. K.P.Chellappan
S/o Late Sri Pachu
Section Supervisor (Operative)
O/o SDE Phones, External (South)
Ernakulam.
6. Susheela John
W/o C.V.Thomas
Sr.TOA(G), O/o the Principal
General Manager, Telecom.
Residing at Ravi Vihar Building
CN-16, 39/4543 C, Plot No.3341
Panampilly Nagar, Kochi.
7. M.O.Sarakutty
W/o P.C.Paulose
Senior TOA (G)
O/o Sub Divisional Engineer
Telecom, Kolencherry.
Residing at Palathadathil House
Vadavucode P.O.
Ernakulam District.
8. Alic Pearl Augustine
W/o P.X Augustine
Sr.TOA, O/o PGMT
Ernakulam.
Residing at Puthussery House, Kumbalangi
Kochi.

9. Ramani Mathew
W/o K.C.Mathew
Sr.TOA, O/o PGMT, Catholic Centre
Kochi.
Residing at Kalarikkaparambil House
Irumbanam P.O.
Chithrapuzha.
 10. T.Sukumari
W/o K.Ayyappan Nair
Sr.TOA, O/o PGMT Ernakulam.
 11. K.S.Mukundan
S/o Late T.A.Sankaran
Sr.TOA, O/o PGMT
Kalathil Parambu Road, Kochi.
Residing at Qr.No.BL-5, P&T Quarters
Thevara, Kochi.
 12. P.K.Thankamany
W/o Chellappan
Sr.TOA, O/o PGMT, Kochi.
Residing at Manimandiram, Kumaranasan Road.
Kochi.
 13. T.K.Raghavan
S/o Kuttan
TOA, Telecom
Residing at Thombrakadu, Kodampilly
Kombanadu P.O.
 14. P. Sushama
W/o M.R.Tyagarajan
Sr.TOA, O/o PGMT
Ernakulam
 15. K.Umaimath
W/o Shahul Hameed
Sr.TOA (G), O/o PGMT
Ravivihar Building
Kochi.
 16. Sali Abraham
W/o P.S. Abraham
Sr.TOA (G), O/o PGMT, Kochi.
- Applicants.

(By advocate Mr.M.R.Rajendran Nair)

Vs.

1. The Chief General Manager, Telecom, Kerala Circle,
Trivandrum.
 2. Union of India rep.by Secretary,
Ministry of Communications
New Delhi.
 3. The Principal General manager, Telecom,
Ernakulam.
- Respondents.

(By advocate Mr.C.Rajendran, SCGSC)

The application having been heard on 12th June 2002, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE TRIBUNAL

Applicants in this OA, 16 in number, have filed this Original Application aggrieved by A-1 order rejecting their claim for stepping up of pay with reference to their junior one Smt. K.K.Sarasu. They sought the following reliefs through this OA:

- i. Quash Annexure A-1.
- ii. To declare that the applicants are entitled to have their pay stepped to that of their junior Smt.Sarasu and direct the respondents to step up the pay to the that of their junior Smt.Sarasu with all consequential benefits.
- iii. Grant such other reliefs as may be prayed for and the Court may deem fit to grant, and
- iv. Grant the cost of this OA.

2. Learned counsel for the applicants after arguing the case for some time submitted that this OA is squarely covered by the orders of this Bench in OA 8/98 dated 30th August, 2000 and the applicants would be satisfied if they are permitted to submit a detailed representation to the second respondent, Secretary, Ministry of Communications, New Delhi and the said respondent is given a direction to consider the same and pass appropriate orders in line with the orders of this Tribunal in the above said OA as well as the orders on the subject within a reasonable time. Learned counsel for the respondents submits that there is no objection to adopt such a course of action.



3. In the light of the above submissions, we permit the applicants to submit individual representations through proper channel to the Secretary, Ministry of Communications, New Delhi within one month from today. On receipt of such representations the second respondent shall consider the same and take a decision and communicate the same to the applicants within a period of four months from the date of receipt of the representations.

4. We dispose of this Original Application as above. There is no order as to costs.

Dated 12th June, 2002.



K.V. SACHIDANANDAN
JUDICIAL MEMBER



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER

aa.

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of the order No.AO(ESTT)/209/SUP/90-98/74 dated 6.4.1999 issued by the Assistant Chief Accounts Officer (Estt) Office of the Principal General Manager, Ernakulam.
2. A-2 : True copy of the letter No.1-3(22)/97 PAT dated 22.2.1999 issued by the Assistant Director General, (PAT) O/o the 2nd respondent.
3. A-3 : True copy of the chart showing the anomaly of the junior drawing more pay than the seniors.
4. A-4 : True copy of the chart showing the anomaly of junior drawing more pay than the seniors.

Respondents' Annexures:

1. R-1 : True copy of O.M.F.No.1(2)E-111/695 dated 23.3.95 of the Ministry of Finance and Department of Expenditure.
2. R-2 : True copy of order No.EO/ESTT/51 dated 24.10.95 issued by Accounts Officer, Estt. Office of the General Manager, Telecom, Ernakulam.
3. R-3 : True copy of order dated 26.2.99 No.AP/90-607/EKM/94 issued by Senior Accounts Officer for Chief General Manager, Telecom, Kerala Circle, Trivandrum.
4. R-4 : True copy of order AO ESTT/289/Sup/90-98/74 dtd 6.4.99 issued by Asst. Chief Accounts Officer-Estt., o/o PGMT, Ekm.
5. R-5 : A true copy of order No.GIOP & AR OM No.F-41 7/83-Estt (P-I) dated 31.3.84 issued by Comptroller & Auditor General.
6. R-6 : True copy of order No.GI MF OM F2 (78)-E (41) (A) 66 dated 4.2.66 issued by Government of India.
7. R-7 : True copy of order No.GI Dept. of Per. & Trg. OM No.4/792 ESTT (Pay-I) dated 4.11.93 issued by Government of India, Department 6 Per. & Trg.
