

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE- 560 038.

Dated: 3 Feb 1995

APPLICATION NO: 2027/94 and 2035 of 1994.

APPLICANTS:- Mr.V.Ramasubramanian and G.Ramaiah,
V/S.

RESPONDENTS:- Secretary, Deptt. of Telecommunications,
New Delhi and four others.,

T.

1. Sri. Harikrishna S. Holla,
Advocate, No. 34/3, II Floor,
Fifth Main, Gandhinagar,
Bangalore-560 009.
2. The Member (Finance),
Deptt. of Telecommunications,
Sanchar Bhavan, New Delhi-110001.
3. Sri. M. S. Padmarajaiah, Senior Central
Govt. Stng. Counsel, High Court Bldg,
Bangalore-560 001.


Subject:- Forwarding of copies of the Order passed by the
Central Administrative Tribunal, Bangalore.

--xx--

Please find enclosed herewith a copy of the ORDER/
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above
mentioned application(s) on 23-01-1995.

Issued on
3/2/95

g/c


DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION Nos.2027/94 AND 2035/94

MONDAY, THIS THE 23RD DAY OF JANUARY, 1995

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

SHRI T.V. RAMANAN .. MEMBER (A)

1. Mr. V. Ramasubramanian,
S/o Late M. Velupillai
aged about 40 years,
Working as Pay & Accounts Officer
(ITI Bills), Office of the Chief
Pay & Accounts Officer, ITI Bills,
Dept. of Telecom, Bangalore-560 016.

2. Mr. G. Ramaiah,
S/o Late Ganga Hanumaiah,
aged about 46 years,
Accounts Officer (Comp)
Vijayanagar Tele Exchange Building,
Bangalore - 560 020.

... Applicants

(By Advocate Shri H.K.S. Holla)

Vs.

1. Ministry of Communications through
Secretary,
Dept. of Telecommunications,
Sanchar Bhavan, New Delhi-110 001.

2. Dept. of Telecommunications
through Member (Finance),
Sanchar Bhavan,
New Delhi - 110 001.

3. Dept. of Personnel & Training through
Secretary, Govt. of India,
North Block, New Delhi - 110 001.

4. Dept. of Telecommunications, through
Asst. Director General (TE),
Sanchar Bhavan, New Delhi.

5. The Chief Pay & Accounts Officer (ITI Bills),
Dept. of Telecom, Doorvaninagar, Bangalore-16. ... Respondents

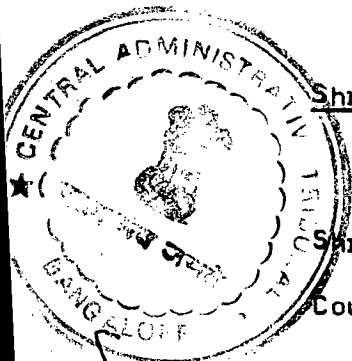
(By Advocate Shri M.S. Padmarajaiah,
Senior Central Govt. Stg. Counsel)

ORDER

Shri Justice P.K. Shyamsunder, Vice Chairman:

We have heard the learned counsel for the applicant and

Shri M.S. Padmarajaiah, the learned Senior Central Govt. Standing
Counsel, who also wanted some time to file objections. But, we



considered ~~it~~ not necessary to persist with this matter in the light of the decision of this Tribunal rendered in O.A. No.271/94 and 368/94 to 389/94, referred to by the applicants herein seeking for a direction to the Respondent No.1, to consider the applicants to step up their pay on par with that of their juniors.

2. What has transpired so far is that representations having been made to the department in that behalf, it would only be appropriate for the department to dispose off those representations and in that process, if the applicants were to get any relief, they will no longer feel aggrieved.

3. Under the circumstances, we think it appropriate to dispose of these applications with a direction to the respondents to dispose of the representations made by the applicants as per Annexures A-1 and A-2, dated 12.10.1994 and 4.10.1994, respectively. The said representations to be disposed of by Respondent No.2, Member Finance, Sanchar Bhavan, Dept. of Telecommunications, etc., etc., within two months from the date of receipt of a copy of this order.

4. With the above observations, these applications stand disposed off finally.

Sci-
(T.V. RAMANAN)
MEMBER (A)

Sci-
(P.K.SHYAMSUNDAR)
VICE CHAIRMAN

psp.

TRUE COPY

12/3/95

CHANDRASEKHAR

Recd. by post
24/4/95
Add to file & note
25/4/95
So (100) 12
25/4/95
80B

Government of India
Ministry of Communications
Department of Telecommunications
PAT Section

No.: 50-122'95-PAT

Date : 7.4.95

To

The Chief Pay & Accounts Officer,
(ITI Bills)
Department of Telecommunications,
Bangalore- 560 016.

Subject: DA No. 2027/94 & 2035/94 filed by Shri V. Ramasubramaniam & Others before CAT Bangalore.

The Central Administrative Tribunal Bangalore Bench in its Judgement delivered on 3-2-95 in DA 2027/94 & 2035/94 filed by Shri V. Ramasubramaniam and G. Ramaiah respectively, had directed the Member(F) Department of Telecom. to dispose of the representations made by the applicants within 2 months from the date of receipt of a copy of this order. The copy of the order/Judgement has been received by this office on 10-2-95.

I am therefore directed to inform you that the representations of the applicants have been considered by Member(F) Department of Telecom. and following are his findings.

The representation dated 12-10-94 made by Shri V. Ramasubramaniam, Pay & Accounts Officer, Bangalore for Stepping up of pay on par with Shri Ratan Chand Chakraborty, Accounts Officer has been carefully considered. According to the representation Shri Chakraborty who is junior to Shri Ramasubramaniam was promoted as Accounts Officer w.e.f 27th June 1994 and his pay had been fixed at Rs. 2750/- with date of next increment on 1st August 1994 to the stage of Rs. 2825/-. The annexure attached to the representation also shows that on these two dates the pay of Shri Ramasubramaniam was Rs. 3050/- i.e. higher than the pay of Shri R.C. Chakraborty. Since Shri Ramasubramaniam is drawing higher pay than his junior Shri Chakraborty, there is no anomaly and no occasion for stepping up the pay of Shri Ramasubramaniam.


In his representation Shri Ramasubramaniam has compared his pay after excluding six increments with that of Shri Chakraborty

in order to make out case for Stepping up. There is no justification for excluding the six advance increments which Shri Ramasubramaniam has stated that he has been drawing from 3-8-87 onwards for making the hypothetical comparison. On the crucial dates i.e. 27th June 1994 and 1st August 1994 Shri Ramasubramaniam's pay was higher than that of his junior Shri Chakraborty and accordingly, his representation for stepping up of his pay cannot be acceded to.

The representation dated 4-10-94 made by Shri G. Ramaiah Accounts Officer, Bangalore for Stepping up of pay on par with Shri Rattan Chand Chakraborty Accounts Officer has also been considered carefully. According to the representation Shri Chakraborty who is junior to Shri Ramaiah was promoted as Accounts Officer w.e.f 27th June 1994 and his pay had been fixed at Rs.2750/- with date of next increment on 1st August 1994 to the stage of Rs.2825/-. The representation also shows that on these two dates the pay of Shri Ramaiah, which was fixed at Rs.2900/- on 7-5-92 was higher than the pay of Shri R.C.Chakraborty. Since Shri Ramaiah is drawing higher pay than his junior Shri Chakraborty, there is no anomaly and no occasion for stepping up the pay of Shri Ramaiah.

Shri G. Ramaiah in his representation has tried to compare his pay after excluding six increments with that of Shri Chakraborty in order to make out a case for stepping up. There is no justification for excluding the six advance increments which Shri Ramaiah has stated that he has been drawing from 7-5-92 onwards for making the hypothetical comparison. On the crucial date i.e. 28th June 1994 and thereafter Shri Ramaiah pay was higher than that of his junior Shri Chakraborty and, accordingly his representation for stepping up of his pay cannot be acceded to.

The applicants may be informed accordingly.


(Budh Prakash)
Asstt Director General(TE)

Copy to: The Registrar Hon,ble CAT Bangalore Bench w.r.t OA No. 2027/94 & 2035/94 for kind information.

