

90

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated: 9 FEB 1995

APPLICATION NO: 106 and 360 to 468 of 1995.

APPLICANTS:- Sri.N.Seetharamu and(109) Others.

V/S.

RESPONDENTS:- Chief General Manager, Karnataka Telecom Circle,  
Bangalore six others.,

To

1. Sri.M.B,Nargund, Advocate, No.799, Third Main Road,  
Rajajinagar, Bangalore-560 010. Fourth Block.
2. Sri.G.Shanthappa, Addl Central Govt.Stng.Counsel,  
High Court Building, 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 16-01-1995.

Issued on  
10/02/95

91  
b.

for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

qm\*

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION Nos. 106 & 360 TO 468/95

MONDAY, THIS THE 16TH DAY OF JANUARY, 1995

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

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

1. N. Seetharamu,  
S/o Narayanaswamy,  
Aged 40 years,  
Technician, S.D.E. Centre,  
Mysore.
2. N.D. Sundara,  
S/o N.K. Devaiah,  
Aged 36 years, Technician,  
C.T.O., Mysore.
3. Basavaraju,  
S/o. Nanjappa,  
Aged 39 years, Technician,  
S/R U-I, Telephone Exchange,  
Mysore.
4. H.G. Shivanna, S/o. Giriappa,  
aged 39 years, Technician,  
S/R U-I, Telephone Exchange, Mysore.
5. B.L. Subrahmanyam, S/o Late B.S. Lakshmi-  
narasimha Jois, aged 48 years, Technical  
Supervisor, S.R. Unit II Telephone  
Exchange, Mysore.
6. P. Ramesh, S/o R. Parameshwaraiah,  
aged 39 years, Technician, O/o Sub-  
Divisional Engineer, Bannimantap Area, Mysore.
7. T.B. Subramanya, S/o D. Basavaiah,  
aged 39 years, Technical Supervisor,  
Telephone Exchange, Mysore.
8. H. Vedamurthy, S/o Veerashappa,  
aged 46 years, Technical Supervisor,  
Telephone Workshop, S.D.O. Phones, Mysore.
9. Appaji, S/o Sannalingappa,  
aged 36 years, T.T.A. Power Room E.10B,  
Gokulam, Mysore.
10. Anto Venny S/o A. Venny,  
aged 44 years, Technician P/R  
E.10B.Exge. Gokulam, Mysore.
11. H.G. Manjunatha Prasad S/o H.V. Godindiah,  
aged 33 years, T.T.A. O/o A.E. Installation  
Mysore.

...

Applicants



12. S.N. Narasimhaswamy, S/o R. Narayana Rao, aged 46 years, Technician (B.S.), Switch Room Unit II, Telephone Exchange, Mysore.

13. M. Nagendraiah, S/o R. Mannar Krishnaiah, aged 45 years, T.T.A. R.T.T.C. Mysore.

14. R.K. Mujumdar S/o K.L. Mujumdar, aged 27 years, Technical Supervisor, Carr/P.C.M. Telephone Ex. Mysore.

15. Balasubramanya, S/o B.P. Srinivasa Murthy, aged 37 years, Technician SFK, Telephone Exchange, Mysore.

16. Mohammed Rafi H. S/o Mohammed Hussain, aged 34 years, Technician, Telephone Exchange, Nazarbad, Mysore.

17. Mohamed Hidayath Ulla S/o K. Mohamed Budan, aged 40 years, Technical Supervisor, S.P.K. Telephone Exchange, Mysore.

18. Vidya Sagar, S/o late K.C. Mariswamy, aged 50 years, Technician, S.R. Unit I, Mysore.

19. M.R. Sreenivasa, S/o RangaJetty, aged 35 years, T.T.A. TMG, Telephone Exchange, Mysore.

20. N. Nirmalakumari, W/o R.V. Diwakara, aged 33 years, Technician S/R Unit II, Telephone Exchange, Mysore.

21. B.M. Jagadeesh Murthy, S/o Late B. Mylar Rao, aged 39 years, Technician, Unit II, Telephone Exchange, Mysore.

22. K. Swarna Latha, W/o N.A. Ravindranath, aged 38 years, Technical Supervisor, O/o the D.E. Internal, Mysore.

23. P.K. Vijayendra, S/o P.R. Krishna Murthy, aged 47 years, Technician Telex I/D, Telephone Exchange, Mysore.

24. K.P. Nanjunde Gowda, S/o Puttanangaiah, aged 40 years, Technician, C.T.O., Mysore.

25. S. Subbarao, S/o M. Srinivasa Rao, aged 53 years, S.T.S. Instructor, R.T.T.C. Kuvempunagar, Mysore.

26. P. Shankar, S/o Sri Perumal, aged 50 years, R.T.T.C. Mysore.

27. M. Kuppu Swamy, S/o Mari, aged 48 years, Chief Technical Supervisor, O/o Director, R.T.T.C., Mysore.

... Applicants

28. K.R. Prasad, S/o K.S. Ramaswamy,  
aged 34 years, T.T.A., Telephone  
Exchange, Mysore.

29. V. Gopinath, S/o Venkataiah,  
aged 47 years, Technical Supervisor,  
T.D. Telephone Exchange, Mysore.

30. P. Shiva Kumar, S/o Prasanna,  
aged 36 years, Technician,  
Telephone Exchange, Mysore.

31. M.N. Krishne Urs, S/o late M.S. Nanjaraja Urs,  
aged 36 years, Technician, Telephone Exchange,  
Mysore.

32. M. Mahadevaiah, S/o Subbaiah,  
aged 38 years, Technician, Telex O/o  
Telephone Exchange, Harding Circle, Mysore.

33. M.M. Sheshanna Swamy S/o Bommimalaiah,  
aged 37 years, Technician, Telephone  
Exchange, Bannur, Mysore.

34. Shivarudraiah, S/o Anandaiah,  
aged 38 years, Technician, Telephone  
Exchange, Gokulam, Mysore.

35. B.N. Gangadhara, S/o B.N. Neele Gowda,  
aged 32 years, Technician, Installation  
E-108 Exchange, Gokulam, Mysore.

36. P. Ramachandra, S/o Puttappa,  
aged 33 years, Technician Installation,  
E-108 Exchange, Mysore.

37. B.V. Lokesh, S/o B.G. Venkobaraao,  
aged 37 years, Technician P.R.,  
Telephone Exchange, Mysore.

38. K. Sardapasha, S/o M. Moula Sabeb,  
aged 44 years, Technician, O/o  
S.D.D.P. Nazarbad Mysore.

40. A. Suresh, S/o L. Ananda ramaiah,  
aged 34 years, T.T.A./TTE Balavadi,  
Telephone Exchange, Belawadi, Mysore.

41. P.M. Naik, S/o P.J. Naik,  
aged 43 years, S.T.S. Senior Technical  
Supervisor, P.R. Telephone Exchange, Mysore.

42. L.T. Ramesh, S/o late L. Thirumalachar,  
aged 41 years, T.T.A. Gokulam Telephone  
Exchange, Mysore.

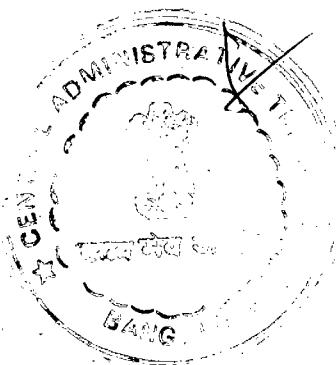
43. S.V. Vedantha Narasimhan, S/o S. Venugopal,  
aged 34 years, T.T.A. Kollegal Telephone  
Exchange, Mysore.

44. B.S. Shivamadevappa, S/o K. Shivaiah,  
aged 36 years, Technician/S.D.E.T.  
Telephone Exchange, Kollegal, Mysore. ... Applicants

45. G.S. Doreswamy, S/o Siddanayara, aged 36 years, Technician, Switch Room II Telephone Exchange, Mysore.
46. B. Govinda Setty, S/o U. Begur Setty, aged 44 years, Telephone Exchange, Mysore.
47. S. Rangaiah, S/o Sannarengaiyah, aged 54 years, Technical Supervisor, C-DOT, Exchange, Mysore.
48. S. Manjula, S/o S.N. Badarinarayana, aged 34 years, Technician, Telephone Exchange, Mysore.
49. N. Prabhakar, S/o late K. Narasimhulu, aged 37 years, Technician, Telephone Exchange, Kadakola, Mysore.
50. Srinivasa Murthy S/o Ramanath Prasad, Technical Supervisor, P.R. Telephone Exchange, Mysore.
51. S.R. Srinivasan S/o S.T. Ramaswamy, aged 38 years, T.T.A., O/o S.D.E.Central, Mysore.
52. K.G. Raju, S/o Ganganna, aged 47 years, TCHS. S-D.E. External JLP. Mysore.
53. C.S. Venkateshan S/o C.V. Srinivasan, aged 42 years, T.T.A. S.F.K. Tel.Exg. Mysore.
54. S.G. Venkatesh, S/o late S.H. Gundu Rao, aged 46 years, Senior Technical Supervisor, S/R UI. Telephone, Exchange, Mysore.
55. N. LingaRaju, S/o K. Nanjaiah, aged 48 years, T.S.O. S.R. Unit I, Telephone Exchange, Mysore.
56. M. Subrahmany, S/o Madaiah, aged 46 years, T.T.A. O/o the S.D.E. Buildings, D.E.(Internal), Mysore.
57. S. Nagesha, S/o Shivanna, aged 40 years, Technician, Telephone Exchange, Tiptur.
58. S.K. Manjurekhar, S/o H.S. Krishna Murthy, aged 36 years, Technician, Telephone Exchange, Tiptur.
59. N. Krishna Murthy, S/o Ningappa, aged 33 years, Technical Assistant, Telephone Exchange, Tiptur.

... Applicants

60. H.K. Lakshmana, S/o H.R. Kariyappa, aged 36 years, Technician, Telephone Exchange, Huliyar.
61. B.S. Shankarappa, S/o Siddegowda, aged 41 years, Technician, Telephone Exchange, Tipbur.
62. T.P. Nijalingappa, S/o T.S. Panchaksharaiyah, aged 35 years, T.T.A. O/o A.E. C.DOT.II, Tumkur Exchange.
63. H.R. Ramachandra, S/o L. Ranganna, aged 40 years, Technician, Trunk Exchange, Tumkur.
64. K.V.N. Gupta, S/o K.V. Ratnam, aged 49 years, T.T.A. Telephone Exchange, Gubbi, Tumkur.
65. M.G. Prakash S/o N. Gangadharashetty, aged 35 years, T.T.A. Telephone Exchange, Turuvekere, Tumkur Dist.
66. T.R. Basavarajappa, S/o D. Rudrappa, aged 33 years, T.T.A., O/o S.D.O. Phones, Tumkur.
67. S. Putteerappa S/o Sannamudda Gowda, aged 38 years, Technician, O/o SDOT, Tumkur.
68. M. Ekbal, S/o M.M. Khaleel, aged 38 years, Technician, Telephone Exchange, Kunigal, Tumkur Dist.
69. D.S. Shivananda S/o Siddappa, aged 32 years, T.T.A. Telephone Exchange, Kunigal, Tumkur Dist.
70. Ravindra S. Kulkarni, S/o Sheshagiri Rao, aged 38 years, Technician, O/o The S.D.O.T., Tumkur.
71. S. Revanna, S/o Siddamalleappa, aged 35 years, T.T.A. Telephone Exge., Madhugiri, Tumkur Dist.
72. H.R. Suresha, S/o H.V. Ramachandra Rao, aged 38 years, Technician, O/o S.D.O Phones, Tumkur.
73. D. Somashekaraiah, S/o Doddaveerappa, aged 41 years, Technician, C-DOT. Telephone Exge. Tumkur.
74. B.C. Nagaraju, S/o Chikkanna, aged 31 years, Telephone Exchange, Gubbi, Tumkur Dist.
75. J.M. Annappa Rao, S/o J. Murthy Rao, aged 35 years, Technician, Turuvekere, Tumkur Dist.
76. G.N. Raju, S/o K.C. Govindashetty, aged 39 years, Technician, Telephone Exchange, Pavagada, Tumkur Dist. ... Applicants



96

77. Hanumantha Raya, S/o Naresseyappa, aged 31 years, Technician, Telephone Exchange, Pavagada.
78. H.C. Sreedhara Murthy, S/o H.N. Chikkanna, aged 32 years, T.T.A. Telephone Exchange, Hirshally, Tumkur Dist.
79. V. Narayanaiah, S/o Venkataramappa, aged 49 years, T.T.A. Telephone Exchange, Koratagere, Tumkur Dist.
80. Nagaraju, S/o Hobalaiah, aged 34 years, Technician, Telephone Exchange, Koratagere, Tumkur Dist.
81. R. Pandappa, S/o Yemme Rangappa, aged 39 years, Technician, Telephone Exchange, Sira, Tumkur Dist.
82. T.N. Nagendra Rao, S/o T. Nagaraja Rao, aged 39 years, Technician, C-DOT Exchange, Tumkur.
83. M. Kulasekaran, S/o Muniswamy, aged 56 years, Technical Supervisor, C-DOT Exchange, Tumkur.
84. Lakshminarasappa, S/o Ugranarasappa, aged 35 years, Technician, C-DOT Exchange, Tumkur.
85. H.B. Aswathanarayana S/o G. Bettaswamy Gowda, aged 36 years, Technician, C-DOT Exchange, Tumkur.
86. H.J. Indiramma, D/o H.N. Janardhan, Technician, C-DOT Exchange, Tumkur.
87. M.A. Narayana Murthy, S/o M.N. Anantharamaiah, aged 34 years, T.T.A. Telephone Exchange, Mandya District.
88. Suvarnamurthy, S/o Narasimha Murthy, aged 35 years, Technician, Telephone Exchange, Mandya.
89. Usha Anil, W/o N. Anil Kumar, aged 34 years, Technician, D/o SDE(P) I/D, Mandya.
90. M.S. Shashikala, W/o S. Ramesh, aged 34 years, Technician, D/o SDE(P) I/D, Mandya.
91. M.D. Chandrappa, S/o Deve Gowda, aged 35 years, T.T.A. Telephone Exchange, Srirangapatna, Mandya District.
92. S. Siddaiah, S/o Siddaiah, aged 34 years, Technician, Telephone Exchange, Shivally, Mandya District.

93. Jayaraju, S/o. Hombalaiah,  
aged 39 years, Technician,  
Telephone Exchange, Keragodu,  
Mandya Dist.

94. G. Channaiah, S/o Ganda setty,  
aged 47 years, T.T.A. Telephone  
Exchange, Nagamangala, Mandya Dist.

95. Gopala Gowda, S/o Chenne Gowda,  
Aged 41 years, T.T.A., Telephone  
Exchange, Pandavapura, Mandya Dist.

96. S.N. Subbanna, S/o K.N. Nagaraj,  
aged 35 years, Technician, Cross Bar S/R.  
O/o SDE(P) I/D. Mandya.

97. N. Balarajamurthy, S/o Nagappa,  
aged 41 years, Technician, Telephone  
Exchange, K.M.Doddy, Maddur, Mandya Dist.

98. C.S. Gayathri S. Raghavendra Rao,  
aged 36 years, Technician, O/o AE(P)  
Cross Bar Indoor Exchange, Mandya.

99. Nanjundaswamy, S/o Komaraiah,  
aged 38 years, T.T.A. O/o S.D.E. Phones,  
Mandya.

100. R. Vibhakara Reddy, S/o K. Ranga Reddy,  
aged 37 years, Technician, O/O S.D.E.  
Phones, Outdoor, Mandya.

101. Venkatasubbaiah V. S/o C.S. Venkatachalaiah,  
aged 36 years, Technician, O/o S.D.E.P. Mandya.

102. S. Gopala Krishna Prasad, S/o H. Shankar Prasad,  
aged 38 years, Technician, O/o S.D.E.(I/D),  
Telephone Exchange, Mandya.

103. S.V. Lakshminarayana, S/o S. Venkatagiri,  
aged 35 years, T.T.A. O/o SDE(P) I/D. Mandya.

104. H.R. Nagendra, S/o H.N. Raghavendra Rao,  
aged 34 years, T.T.A. O/o S.D.E.(P), I/D, Mandya.

105. K. Ramegowda, S/o Kari Gowda,  
aged 47 years, Technical Supervisor,  
O/o SDE(P) I/D Mandya.

106. B. Mohan, S/o Balasundara,  
aged 33 years, T.T.A., Telephone  
Exchange, Srirangapatna, Mandya Dist.

107. K.C. Prakash, S/o Channa Bovi,  
aged 50 years, T.T.A. Telephone  
Exchange, Maddur, Mandya Dist.

... Applicants

98  
108. Manjunatha Kumar, S/o Venkataramaiah,  
aged 35 years, Technician, Telephone  
Exchange, K.R.Pet, Mandya Dist.

109. R.K. Dakshiyini, S/o M.S. Venkateshmurthy,  
Technical Supervisor, aged 42 years,  
SDEP I/D Mandya.

110. M. Jayaraj, S/o Mosef,  
aged 48 years, Senior Telecom  
Technical Supervisor, Indian Cross Bar  
Exchange, Ashoknagar, Mandya. . . .

Applicants

(By Advocate Shri M.B. Nargund)

Vs.

1. The Chief General Manager, Karnataka,  
Telecommunication Circle, Ulsoor, Bangalore.

2. The General Manager, Telephones,  
Mysore, Dist. Mysore.

3. Telephone District Manager,  
Tumkur, Dist. Tumkur

4. Telephone District Engineer,  
V.V.Road, Mandya, Dist. Mandya.

5. Union of India represented by its Secretary,  
Telecom Department, Sanchar Bhavan, New Delhi.

6. The Chairman, Telecom Commission,  
Sanchar Bhavan, New Delhi.

7. Secretary to the Department of Personnel,  
Public Grievances and Training, Govt. of  
India, (Dept. of Personnel & Training), New Delhi. . . . Respondents

(By Advocate Shri G. Shanthappa,  
Addl. Central Govt. Stg. Counsel)

ORDER

Shri Justice P.K. Shyamsundar, Vice Chairman:

We have heard both sides. The question for consideration  
herein is whether all these applicants numbering 110 are entitled  
to same benefits as was granted by this Tribunal in O.A. No.156/1992,  
disposed of on 6.3.1993.

2. It is urged by both sides that the position is similar to what was dealt with in the aforesaid O.A. and therefore it becomes apparent that we have to simply act in terms of what was done in the aforesaid O.A. Following the said O.A., we now pass the following order.

3. Respondents are directed to count the period of training undergone by the applicants as duty for the purpose of granting increments notionally and to extend the actual benefit of increment from 1.10.1990 onwards. The financial benefits flowing therefrom shall be extended and be made available to the applicants within three months from the date of receipt of a copy of this order.

4. We take this opportunity of directing the department to make similar order in all such cases which are to be regulated in terms of this order. It is unnecessary for everybody to come to the Court for relief. In fact, it is observed by the Supreme Court in the case of Inder Pal Yadav Vs. Union of India, reported in 1985 SCC(L&S) 526, that the rights of the parties are to be regulated in accordance with the rights so settled. We do hope, this will be the last set of litigation in which we are asked to adjudicate.



Sir

Sir

TRUE COPY

( T.V. RAMANAN )  
MEMBER (A)

( P.K.SHYAMSUNDAR )  
VICE CHAIRMAN

D. S. *9/12/95*  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore

MA 253/95

on 04/06/95 A 360-108725

103

Date	Office Notes	Orders of Tribunal
------	--------------	--------------------

1. - 2. - 3. - 4. - 5. - 6. -

PKS(VC)/TVR(MA)

02.06.95

Heard. Time to comply by three more months from the date of this order.

Sd/-

Sd/-

MEMBER(A)

VICE CHAIRMAN



*Alfrey* 12/6/95

Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore

In the Central Administrative Tribunal  
Bangalore Bench  
Bangalore

109

Original Application No. 106 & 360 to 468 of 1995

Sri. N. Seetharamudu 109/95 vs. Chief G.M. Telecom B'lore & ors

ORDER SHEET (Contd.)

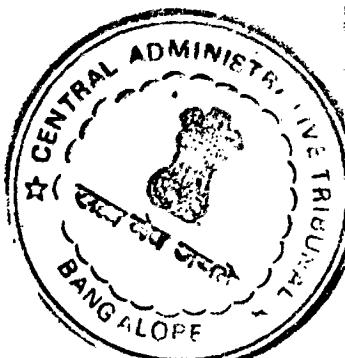
Date Office Notes Orders of Tribunal

PKS(VV)/VR(MA)

8.9.95

Heard both sides. We find no reasons to extend further time to Government for compliance of the directions of the Tribunal given in O.A. Nos. 106/95 & 360 to 468/95 disposed of on 16.1.95. We notice sufficient time has already been granted and no grounds have now been made out for further extension of time. M.A. No. 376/95 is hereby rejected.

The Standing Counsel asks leave on behalf of the Department to defer payment of the financial benefits flowing from our order till the matter is finally resolved. We are not able to decipher what final solution the Department is going to offer. Our order is final unless it is set aside by a superior court. We see no reason why the officials should not get the benefit of our orders in terms of money. Whatever



110

| Date | Office Notes | Orders of Tribunal  |
|------|--------------|---|
|      |              | <p>financial benefits are due, the Department should arrange to pay the same without any further delay. In the light of the above order, M.A.No.377/95 in O.A.Nos.106/95, &amp; 360 to O.A. 468/98 shall stand rejected.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">M(A) VC</p> <p style="text-align: center;"><b>TRUE COPY</b></p> <p style="text-align: right;">15/1/95</p> <p>Section Officer<br/>Central Administrative Tribunal<br/>Bangalore Bench<br/>Bangalore</p> |



13-7751

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

111

Second Floor,  
Commercial Complex,  
Indiranagar,  
BANGALORE - 560 030.

Contempt Petition No.89 of 1995 in

Dated: 6 NOV 1995

APPLICATION NO. 106 and 360 to 468 of 1995.

APPLICANTS: M. Bhuvaneswary,

V/S.

RESPONDENTS: Sri. J. Ranaujam, Chief General Manager,  
Telecom, Bangalore.

To

1. Sri. K. V. Suryanarayanaiah, Advocate,  
No. HL-587, Fort Area, Krishnarajapura,  
Bangalore-560 036.
2. Sri. M. Vasudeva Rao, Addl. C.G.S.C.  
High Court Bldg, Bangalore-560 001.

Subject:- Forwarding copies of the Orders passed by the  
Central Administrative Tribunal, Bangalore-38.

---xxx---

Please find enclosed herewith a copy of the Order/  
Stay Order/Interim Order, passed by this Tribunal in the above  
mentioned application(s) on 30-10-1995.

*Deputy Registrar*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

112

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

CONTEMPT PETITION NO.89/1995 IN  
O.A.NOS.106 & 360 TO 468/95

MONDAY THIS THE THIRIETH DAY OF OCTOBER, 1995

MR. JUSTICE P.K. SHYAMSUNDAR VICE CHAIRMAN

MR. T.V. RAMANAN, MEMBER (A)

M. Bhuvaneswary,  
Aged 37 years,  
Technician,  
O/o DET(QA), HTL Complex,  
Madras

Applicant

( By Advocate Shri K.V. )  
Suryanarayanaiah

v.

J. Ramanujam,  
Chief General Manager(Telecom),  
Karnataka Circle,  
Bangalore

Respondent

( By Addl.Central Govt. Standing )  
Counsel Shri M.V. Rao

ORDER

MR.JUSTICE P.K. SHYAMSUNDAR, VICE CHAIRMAN

Heard Shri K.V. Surayanaiah,  
learned counsel for the applicant and Shri M.V.  
Rao, learned Standing Counsel who took serious  
objection to the tenability of the contempt  
petition pointing out that the applicant who is  
now working in Madras cannot file a contempt  
petition before this Bench and complain of non-  
implementation of a judgment of this Tribunal in  
O.A.Nos.106 & 360 to 468/1995 dated 16.1.1995.



The controversy herein is that the period spent by the applicant on training be reckoned as spent on duty and following such reckoning, the financial benefits flowing therefrom should be made available to the applicant. We are told that the foregoing is the purport of the earlier decision of the Tribunal and in the case of Elias Ahmed & Ors v. Union of India & Ors (O.A. Nos. 451 & 548/91 dated 29.12.92) the Full Bench of this Tribunal said that the Department should take care to ensure that all persons are treated alike in that all the employees of the Department similarly situated should be dealt with in like fashion and all the benefits flowing therefrom should be made available to everyone who need not be driven to initiate separate proceedings and that instead of filing O.A., the suffering employees may initiate contempt proceedings. Accordingly, the applicant herein has initiated this contempt proceeding and asked us to take action for not treating the period spent by her on training as period spent on duty which appears to be the settled position in law. The learned Standing Counsel says that it could be done provided the applicant makes an application at Madras where the applicant is now working. Besides, it is said that the C.G.M. Quality Assurance who is authorised to look into these complaints should have been made a party and that applicant could

114

have made a representation to that authority in which event in all probability she could have had her grievance redressed. We are not inclined to take any serious note of the submissions made by the learned Standing Counsel. The applicant is said to be presently working in Madras on deputation but is still borne on the cadre of CGM Telecom District, Bangalore, Karnataka. If that be the position, she can certainly make an application before us. She can also without any exception make an application before the Madras Bench but that does not take away our jurisdiction in the matter. It cannot be said that we do not have any control over the subject matter in this controversy.

2. Be that as it may, we do not wish to go into all these needless buffeting about an employee who claims parity in the matter of treatment of reckoning her service spent on training as spent on duty. Whether it is here or in Madras, the outcome would be that she would be entitled to all the benefits. We do not propose to initiate proceedings for contempt as sought for by the applicant; instead we direct CGM, Karnataka Circle, Bangalore, to look into the grievance of the applicant and remedy it in accordance with law. We direct the CGM to take necessary action within three months from the date of receipt of a copy of this order. The CGM will take notice of the



115

- 4 -

decision of the Tribunal in O.A.S. referred to above and act according to the directions therein. With these observations, this contempt petition stands disposed of with no order as to costs.



Sd-

Sd-

MEMBER (A)

VICE CHAIRMAN

TRUE COPY

May 06/1995  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore