

(20)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.

* * *

O.A. 601/90

Dt. of Decision: 21.12.93

P.S.D. Jayalakshmi

. . Applicant.

Vs

1. Dy. General Manager,
West Godavari Telecom District,
Eluru.
2. General Manager,
Telecommunications,
Andhra Circle,
A.P. Hyderabad.
3. Government of India,
Represented by Secretary,
Ministry of Finance,
(Department of Expenditure)
New Delhi.

. . Respondents.

Counsel for the Applicant : Mr. I. Dakshina Murthy

Counsel for the Respondents : Mr. N.V. Ramana, Addl. CGSC

CORAM:

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

THE HON'BLE SHRI T. CHANDRASEKHARA REDDY : MEMBER (JUDL.)

(24)

O.A.601/90

Date of Decision: 21-12-1993

ORDER

[As per Hon'ble Shri A.B. Gorthi, Member(A)]

By means of this application, the applicant claims pay on par with his batch-mates/juniors in the cadre of Telephone Operators.

2. The applicant joined service as a Telephone Operator on 28.6.67. Having rendered about 14 years service, she qualified in a competitive examination and was appointed as Transmission Assistant with effect from 18.7.82. On that date, her pay, as Transmission Assistant was fixed at Rs.392/- in the scale of Rs.380-560. With the introduction of One Time Bound Promotion, Telephone Operators who had completed 16 years of service were eligible to the scale of pay of Rs.425-640/-. Consequently, in 1983, when the applicant was drawing the salary with a basic ^{pay} of Rs.404/- p.m. as Transmission Assistant, her erstwhile colleague, who was working as Telephone Operator was placed at Rs.425/- in the scale of Rs.425-640/-. This anomaly persisted even with the ^{of} ~~implementation~~ of the recommendation of the 4th Pay Commission with effect from 1.1.1986. The applicant's pay was fixed on that date at Rs.1410/- in the scale of ^{who} Rs.1320-2040. The pay of her batch-mate was ^{who} working as Telephone Operator was fixed at Rs.1440/- with effect from 1.1.1986 in the scale of pay of Rs.1400-2300. Aggrieved by the same, she represented to the authorities concerned who rejected her complaint on the ground that she could not claim parity with that of Telephone operators who were given one Time Bound Promotion.

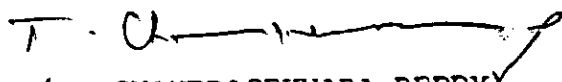
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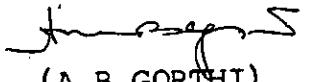
1. Dy. General Manager, West Godavari Telecom District, Eluru.
2. General Manager, Telecommunications, Andhra Circle, A.P.
3. Secretary, Ministry of Finance, Government of India, (Department of Expenditure), New Delhi.
4. One copy to Sri. I. Dakshina Murthy, advocate, 10-1-18/25 Shyamnagar, Hyd.
5. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

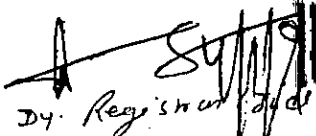
3. The following facts in this case are not under dispute. The applicant, having been promoted as Transmission Assistant has been given the pay of the post. The pay of her erstwhile colleague in the post of Telephone Operator was also correctly fixed giving her the benefit of One Time Bound Promotion. The question of any comparison between the pay of Transmission Assistant and that of a Telephone Operator who was given one time bound promotion cannot arise on the face of it. It does look incongruous and inequitable that a candidate having appeared for a competitive examination and having secured promotion to the higher post should be getting lesser emoluments than a candidate who did not secure any such promotion, but was given only a one time bound promotion under the relevant scheme. This however, is a matter which should be taken care of by the concerned authorities.

4. From the material before us, we find that the pay of the applicant has been correctly fixed in the appropriate scale. We do not find any violation of any rule as regards the fixation of the pay of the applicant. From this point of view, the application is liable to be dismissed and the same is hereby dismissed. There shall be no orders as to costs.


(T. CHANDRASEKHARA REDDY)
MEMBER (J.)


(A.B. GORTHI)
MEMBER (ADMN.)

Dated : The 21st December 93.
(Dictated in Open Court)


Dy. Registrar

O.A. 601/98

TYPED BY

COMPARED BY

CHECKED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE-CHAIRMAN.

AND

THE HON'BLE MR. A. B. GORTHI : MEMBER(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER(J)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER(A)

Dated: 21/12/1993

ORDER/JUDGMENT:

M.A/R.A/C.A.No.

O.A.No.

in
601/98

T.A.No.

(W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Rejected/Ordered.

No order as to costs.

pvm

