

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT. HYDERABAD

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C.A. 408/93.

Dt. of Decision : 04-11-96.

1. N.V.S.Sastry
2. Ch.Salaiah
3. VV Sasankan
4. R.Prasad Rao
5. CVS Sarma
6. V.Subba Rao

.. Applicants.

Vs

1. The Union of India, Rep.by its  
Secretary to the Govt.of India,  
Ministry of Finance,  
New Delhi.
2. The Director General,  
Dept. of Telecommunication,  
New Delhi.
3. The Chief General Manager,  
Telecommunication, AP Circle,  
Hyderabad.

.. Respondents.

Counsel for the Applicants : Mr. K.Venkateswara Rao

Counsel for the Respondents : Mr. V.Bhimanna, Addl.CGSC.

CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

ORDER

ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.))

Heard Mr.K.Venkateswara Rao, learned counsel for the applicants and Mr.V.Bhimanna, learned counsel for the respondents.

2. There are six applicants in this OA. They are working as Head Clerk under R-3. It is stated for the applicants that all of them were having the same scale of pay as that of Junior Engineers in the Civil Wing of the P&T right from the days of introduction of 2nd Pay Commission, 3rd Pay Commission and 4th Pay Commission which was accepted w.e.f., 1-1-86. Later the pay scale of the Junior Engineers of the Civil Wing was revised in terms of the office order No.6-8/87-CSE dated 9-5-91 (Annexure-I). The applicants in this OA submit that as their pay scale earlier was equivalent to that of the Junior Engineers. Their pay scale also should be revised on par with the pay scale of Junior Engineers as per the Annexure-I circular. It appears that they have not filed any representation to the respondents in this connection so far.


3. This OA is filed praying for a declaration that the applicants herein are entitled for higher scale of pay of Rs. 1640-2900/- applicable to the Junior Engineers of the P&T Civil Wing with all consequential benefits.


4. A reply has been filed in this connection. In page-4 of the reply it is stated that the applicants have not exhausted the available channels before filing the application. It is further stated that the applicants never approached the department on the above issue. Only recently, the department has received certain representations. In view of what is stated above, the respondents submit that the application is liable to be rejected for not availing of the channels open to them to redress their grievances.

5. After introduction of the 4th Pay Commission and also after the introduction of the revised pay scales of the Junior Engineers as per Annexure-I lot of water had flown. The 5th Pay Commission has already been commissioned to look into the pay structure of the Central Government Employees. The 5th Pay Commission report is yet to be submitted. In that context it will not be in order if some direction is given in this connection. <sup>If some</sup> ~~As such~~ <sup>is given the same</sup> direction may not be possible to be implemented in the face <sup>of the</sup> expected submission of the 5th Pay Commission Report.

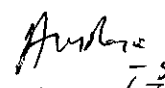
6. In view of what is stated above, it is preferable that the applicants, ~~should~~ <sup>or</sup> if so advised, may file suitable representations to the 5th Pay Commission authorities for considering their pay scales on par with Junior Engineers of the Civil Wing of the P&T department. They can also submit a similar representation to the respondent authorities for consideration of their case. If such ~~if~~ representations are received, the respondent authorities may take necessary action either by disposing it of on their own or referring the same to the 5th Pay Commission.

7. With the above observations, the OA is disposed of.  
No costs.

  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL.) 4.11.96

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

Dated : The 04th <sup>NOVEMBER</sup> Sep. 1996.  
(Dictated in the Open Court)

  
Dy. Registrar (S) 57146

SPR

C-C Today

5/11/96  
8/11/96

URGENT

HA-408793

Typed By  
Compared by

Checked By  
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 4/11/96

ORDER/JUDGEMENT

R.A./C.P./M.A. NO.

O.A. NO.

in  
408793

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal प्रेषण/DESPATCH - 7 NOV 1996 हैदराबाद ब्याचपीठ HYDERABAD BENCH
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