

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA 28/94.

Dt. of Order: 25-3-94.

1. S.N.C.R.N.Acharya	8. Mir Ahmed Ali
2. K.Narasimhulu	9. M.Soloman
3. Smt.A.Prahhavathi	
4. SK.Sultan Ahmed	
5. A.Varaprasada Rao	
6. Ch.Bhagavandas	
7. G.V.RamanakarApplicants

Vs.

1. The Chairman Telecom. Commission,
Sanchar Bhavan, 20, Ashoka Road,
New Delhi-110 001.
2. The Chief General Manager,
Telecommunications, AP Circle,
Door Sanchar Bhavan, Abids, Hyd-1.
3. Smt.Darshan Kumari
4. Shri B.Madhavaiah
5. Shri Syed Younus Mohammad
6. Shri A. E.

.....Respondents

Counsel for the Applicants : Shri K.S.R.Anjanayulu

Counsel for the Respondents : Shri K.Bhaskara Rao,
Addl.CGSC

CORAM:

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

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

.....2.

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Judgement

(As per Hon. Mr. A.B. Gorthi, Member (Administration))

Heard Sri K.S.R. Anjaneyulu, learned counsel for the applicant and Sri K. Bhaskara Ro, learned counsel for the respondents.

2. The applicants who were working in the scale of pay of Rs.11400-2300 against the existing vacancies in LSG cadre and were discharging Supervisory duties have filed this application for a direction to the respondents to modify the BCR Scheme so as to protect the interests of the applicants herein for promoting them from Grade II to Grade III; to consider the applicants for Grade III in the pay scale of Rs.11600-2660 without insisting on their completing minimum prescribed service in the basic grade and to give all consequential reliefs.

3. Similarly situated employees had approached the Bangalore Bench of the Tribunal in OA.403/92 and it was disposed of on 2-9-1993. Accordingly the applicants herein also will be entitled to the same reliefs as were given to the applicants in OA.403/92 on the file of the Bangalore Bench.

4. The OA is allowed with the following directions to the respondents : -

i) In implementing the BCR scheme, the case of the applicants who are senior in Grade II, ~~by virtue of their promotion against 1/3rd merit quota~~, compared to the other officials like R-3 to R-6 to Grade II under OTBP Scheme, should be considered for promotion to Grade III in scale of Rs.11600-2660 in their turn as per their seniority, whenever their erstwhile juniors in Grade II are considered for promotion to Grade III by virtue of their having completed 26 years of service in the basic grade, without insisting on the applicants completing the minimum prescribed years of service in the basic grade. All other conditions of BCR scheme except the length of service will however, be applicable while considering their promotion to Grade III.

ii) Consequently, in case the applicants are found suitable for such promotion, they shall be promoted to

: 4 :

1. The Chairman, Telecom, Commission, Sanchar Bhawan 20, Ashoka road, New Delhi-001.
2. The Chief General Manager, Telecommunications, A.P.Circle, Deor Sanchar Bhawan, Abids, Hyd-1.
3. One copy to Sri. K.S.R.Anjaneyulu, advocate, CAT, Hyd.
4. One copy to Sri. K.Bhaskara Rao, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rem/-

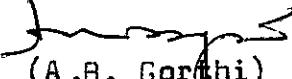
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8/1/86

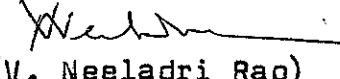
Grade III with effect from the date their erstwhile juniors were promoted from Grade II to Grade III with all consequential benefits including seniority and arrears of pay and allowances from such dates. They should also be put on supervisory duties depending on their seniority.

- iii) The BCR scheme should be modified suitably to protect the interest of the officials like the applicants for their promotion from Grade II to Grade III.
- iv) The above directions shall be complied within a period of four months from the date of receipt of a copy of this order.

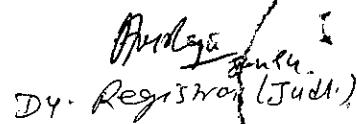
5. As the applicants in the present OA were promoted to Grade II on the basis of seniority-cum-fitness basis, learned counsel for the applicant has drawn our attention to a decision of the Bangalore Bench of the Tribunal in OA.341/93. In that case, the Tribunal gave similar relief to the applicants as was given to the applicants in OA.403/92. Consequently, the applicants herein also will be entitled to the same reliefs as has been given by the Tribunal in OA.403/92 as extracted above.

6. The OA is allowed accordingly. No costs.


(A.B. Gorathi)
Member (Admn)


(V. Neeladri Rao)
Vice-Chairman

Dated : March 25, 1994
Dictated in the Open Court


D.Y. Registration (Juddh)

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COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

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

AND

THE HON'BLE MR.TC CHANDRASEKHAR REDDY
MEMBER(JUDL).

AND

THE HON'BLE MR.R.RANGARAJAN : M(ADMN)

Dated: 25/3/1994

ORDER/JUDGMENT

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

O.A.No.

in
28794

T.A.No.

(w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

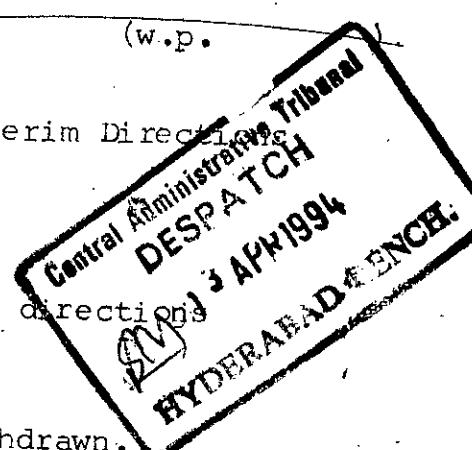
Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.



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