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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.937/95

DATE OF ORDER : 05-01-1998.

Between :-

1. C.Saibaba	24.B.R.Narasimha
2. K.Manumantha Rao	25.P.S.R.Chandra Sekhara Rao
3. D.V.Rama Rao	26.Ch.S.S.V.Subrahmanyaswara Rao
4. R.Thippa Swamy	27.G.Vamana
5. S.V.S.Subrahmanyam	28.C.Srihari
6. K.Padmanabham	29.K.Pankaj Desai
7. G.Mathew	30.E.Swarnalatha
8. T.Arvind Kumar	31.S.Chandrakantha
9. K.Balakrishna	32.Y.Mohan Rao
10.Brij Bhushan Singh	33.A.Venkateswara Rao
11.N.Vijayalakshmi Devi	34.Chayadevi
12.S.Mahaboob Bisha	35.P.Prasada Rao
13.N.T.Satya Prasad	36.Naiyu S.A.Quadri
14.K.V.Siva Prasad	37.J.Venkata Rao
15.S.Wilson Kumar	38.Mrs.Meena Devid
16.T.Rajendra Prasad	39.Mrs.Shakuntala
17.G.Govinda Rajulu	40.K.Bapi Raju
18.N.Balasubramanyam	41.N.Bhuvaneswari
19.Ch.Venkateshwarlu	42.K.V.S.Moorthy
20.D.Vimala	43.M.A.Najeeb Khan
21.M.Mohan Rao	44.P.Sitharamamurthy
22.Udan Singh	45.G.Yamini Devi.
23.K.Vijaya Kumar Applicants

And

1. The Asst.Director General (TE),
M/o Communications, Dept. of Telecom,
Sanchar Bhavan, New Delhi.
2. The Chief General Manager,
Telecommunications, AP Circle,
Hyderabad.

.... Respondents

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Counsel for the Applicants : Shri V.Venkateshwar Rao

Counsel for the Respondents : Shri K.Ramulu, CGSC

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CORAM:

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

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri V.Venkateshwar Rao, counsel for the applicants.

None for the respondents.

2. There are 45 applicants in this O.A. They were initially appointed as LDCs and further promoted as UDCs according to rules. Respondent No.1 issued orders vide letter dt.9-9-92 for conversion of LDC/UDC to TOA pattern in the Circles/Metro Districts. By that time the applicants were already promoted as UDCs and were working in Rs.1200-2040 scale and since there was no equivalent scale/grade ~~was~~ available in TOA pattern, they were placed in the scale of Rs.1175-1660 with effect from September, 1992. It is stated that it had amounted to reduction from higher scale of pay to lower scale of pay. The applicants submit that if ^{Scale of} there is no equivalent pay, the applicants are entitled to fitment in higher scale i.e. Rs.1400-2300. The DOT has issued letter No.27-6/94-TE-II dt.19-7-94 to allow the left out UDCs ~~to~~ in Circles/Metro Districts to opt for the TOA pattern subject to the conditions laid down therein. The respondents created the Senior TOA posts in the scale of pay of Rs.1320-2040 by the letter dt. 19-7-94 and that scale was made applicable prospectively and the applicants gave options to come over to the scale of Rs.1320-2040 with effect from September, 1992 instead of 19-7-94. But no decision has been taken in this connection.

3. This O.A. is filed praying for a direction to the respondents to up grade the applicants as Senior TOAs in the scale of pay of Rs.1320-2040 with effect from September, 1992 as per letter No. 27-6/94-TE-II dt.19-7-94 issued by the Respondent No.1 with all consequential benefits such as seniority, arrears of pay and

allowances and promotions etc.,.

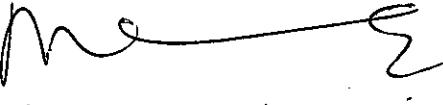
4. A reply has been filed in this O.A. In para-6 page-3 of the reply it is stated that "the DOT, New Delhi vide letter No.22-46/95-TE.II dt.20-10-95 is considering for applying the contents of letter dt.19-7-94 retrospectively as prayed for by the applicants in this O.A. and the same is likely to be settled shortly. To that effect they have also enclosed New Delhi letter No.22-46/95-TE.II dt.20-10-95.

5. Though the reply was filed on 30-1-96, it appears that no decision as extracted has been taken by the DOT so far. Hence it is premature at this juncture to pass any orders. The DOT should make the position clear in regard to application of the contents of letter dt.19-7-94 retrospectively from 9-9-92 within a period of three months from the date of receipt of a copy of this order.

6. If the applicants are going to be aggrieved by the orders to be passed by the respondents, they are free to adopt the legal proceedings as are available to them.

7. With the above direction, the O.A. is disposed of. No order as to costs.


(B.S.JAI PARAMESHWAR)
Member (J)
S-1-78


(R.RANGARAJAN)
Member (A)

Dated: 5th January, 1998.
Dictated in Open Court.

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Copy to:

1. The Asst. Director General (TE), M/O Communications, Dept. of Telecom, Sanchar Bhavan, New Delhi.
2. The Chief General Manager, Telecommunications, A.P. Circle, Hyderabad.
3. One copy to Mr. V. Venkateswara Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr. K. Ramulu, Addl. CGSC, CAT, Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One duplicate copy.

YLKR

31/1/98

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. B. RANGARAJAN : M(A)

AND

THE HON'BLE MR. B. S. JAI PHAMESHWAR :
M(B)

DATED: 5/1/98

ORDER/JUDGMENT

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

in

C.A.NO. 937/95

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

