

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.1391/96.

Dt. of Decision: 1-1-98.

- 1.G.V.Ramana
- 2.S.S.Vara Prasad
- 3.M.Narasimha Murthy
- 4.T.Ajantha Moses
- 5.B.V.S.S.V.Narasimham

.. Applicants.

Vs

1. The General Manager, Telecom District, Visakhapatnam.
2. The Chief General Manager, Telecom, AP Circle, Hyderabad.
3. The Chairman, Telecom Commission, New Delhi.

.. Respondents.

Counsel for the applicants : Mr.K.Venkateswara Rao

Counsel for the respondents : Mr.V.Rajeswara Rao, Addl.CGSC.

CORAM:

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

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ORDER

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

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

2. There are 5 applicants in this OA. All of them are now working as TTAs. Originally they were appointed as Technicians prior to 1-1-86 and their training period was also over prior to 1-1-86. They appeared for the Departmental Competitive Examination for the post of Technician and they had passed the written and examination as well as interview. One year training was contemplated for successful candidates before appointing them in the post of Technician. They have completed one year period of training along with others. During the period of training for the post of Technician they were paid some stipend. After completion of one year training, the applicants were appointed as Technicians. It is stated that the applicants were selected for the post of Technician on regular basis and after selection for regular appointment they underwent training for a period of one year. It is stated that the period of training of the applicants was not counted for service in the post of Technician. The applicant No. 1 has submitted a representation praying for the benefit as prayed for in this OA by his representation dated 17-4-95 (Annexure-3). The representation of the applicant No. 2 is at Page-12. The third applicant's representation is at Page-13. The representation of the 4th applicant is at Page-14. The representation of the 5th applicant is at Page-15. All of them represented their cases to R-2. It is stated that these representations are not disposed of.

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3. This OA is filed to treat the training period as service for purpose of notional increments and for monetary benefit from 1-10-90 in terms of O.M.16-15/89.Est. Pay-I dated 22-10-1990.

4. The learned counsel for the applicants rely on the judgement of this Tribunal in OA.No.1346/94 and OA.94/96 decided on 7-11-94 and 7-2-96 respectively for the relief ~~prx~~ prayed for in this OA.

5. I have gone through both the judgements. The Bangalore Bench of the CAT by the judgement dated 26-3-93 in OA.156/92 held that the Technicians and other categories who were recruited prior to 1-1-86 and who had undergone training prior to 1-1-86 should also be given the benefit of treating the period of training as service for fixing the increments notionally and for giving the monetary benefit from 1-10-90 in terms of O.M. dated 22-10-90. Hence that judgement was followed by this Bench in OA.No.1423/93 delivered on 23-10-96. As per the judgements of this Tribunal in the above referred OA the respondents are directed to treat the period of training of the applicants therein as service for fixation of increments notionally and they should be given the monetary benefit from 1-10-90.

6. The learned counsel for the respondents submit that this OA is covered by the judgements of the Tribunal referred to above. But the judgements of this Tribunal in OA.1346/94 and 94/96 had been stayed by the Apex Court in C.A.No.23849/96 and that SLP is still pending.

7. In view of the above, the following direction is given:-

- (a) If the S.L.P., referred to above is allowed then this OA stands dismissed.

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(b) If the SLP is dismissed, then this OA stands allowed and the applicants are entitled for the similar reliefs as given in OA.No.1346/94 and OA.94/96.

(c) If any other orders are given by the Apex Court in the above referred SLP, they are equally applicable to the applicants in this OA.

8. With the above direction, the OA is disposed of, ~~at the admission stage itself.~~ No costs.



(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 02nd Jan. 1998.
(Dictated in the Open Court)



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Copy to:

1. The General Manager, Telecom District, Visakhapatnam.
2. The Chief General Manager, Telecom, A.P. Circle, Hyderabad.
3. The Chairman, Telecom Commission, New Delhi.
4. One copy to Mr. K. Venkateswara Rao, Advocate, CAT, Hyderabad.
5. One copy to Mr. V. Rajeswara Rao, Addl. CGSC, CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

YLKR

28/1/98

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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 PARAMESHWAR :
M(J)

DATED: 1/1/98

ORDER/JUDGMENT

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

in

O.A.NO. 1391/96

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

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| केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal प्रेषण / DESPATCH 19 JAN 1998 हैदराबाद ब्याचपीठ HYDERABAD BENCH |
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