

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

C.A. 842/96.

Dt. of Decision : 26-2-98.

1. D. Bapuji
2. S.H. Murali
3. V.L. Srinivasa Rao
4. J.Ch.V. Ramana
5. T. Venkata Rao
6. D. Eswar Kumar
7. K. Surya Rao

..Applicants.

Vs

1. The Chief General Manager, Telecom,
A.P. Circle, Hyderabad.
2. The General Manager, Visakhapatnam
Telecom District, Visakhapatnam.
3. The Director General, Dept. of
Telecommunication, New Delhi.
4. The Superintendent, Telegraph Traffic,
Visakhapatnam.

..Respondents.

Counsel for the applicants : Mr. K. Venkateswara Rao
Counsel for the respondents : Mr. N. R. Devaraj, Sr. 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.N.R.Devaraj, learned counsel for the respondents.

2. There are 7 applicants in this OA. They are working as Senior Telegraph Masters under CTO Visakhapatnam. Their contention is that the CTO has been under staff. They submit that the ^{approved} ~~justified~~ sanction for the SFT Visakhapatnam is T.T.S.Gropp-B Officers-1, J.T.O.-7 and Telegraphists-10. There are no JTOs posted at present ^{and} even the Group-B officer is not station. They are doing the duties of JTOs also in addition to their duties as Sr.Telegraph Masters. Hence, they should be remunerated suitably for discharging the duties of JTOs in addition to their own duty as Sr.Telegraph Masters.

3. The applicants have submitted ^{representations} /for the above relief addressed to R-1. Their representations are at folio Page-5 to 11. But it is stated that those representations are not replied yet.

4. This OA is filed for a declaration that the applicants are entitled to the scale of pay of Rs.1640-2900/- attached to the post of JTO as the applicants were actually discharging the duties applicable to that post from the dates on which they have been performing the duties of the said posts with all consequential benefits such as arrears of pay and allowances and other attendant benefits. They hold the view that the action of the respondents in not granting them the said scale of pay of Rs.1640-2900/- while extracting the duties and responsibilities attached to the post of JTO is illegal, arbitrary and discriminatory etc.

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5. A reply has been filed in this OA. It is stated that in page-2 of the reply that three posts of JTOs were sanctioned in 1994. Thereafter out of two, one ^{JTO} JET is officiating as Group-B elsewhere. But nowhere it is clearly stated in the reply ~~that~~ the strength of JTOs as on 12-4-96 when the application was filed. The respondents also submit that the duties of JTOs are entirely different from that of the Telegraphic Master. The Telegraphic Masters are meant for operational duties for receiving the message and ^{distributing} ~~discharging~~ them where as the ~~JTOs~~ had to perform the administrative duties in addition to supervising the functional duties of the Telegraphic Master. Hence, the applicants in no way competent to discharge the duties of the JTOs. When ^{the applicants say} ~~they say~~ that they are discharging the duties of ~~JTO~~ they should provide sufficient proof to say so. As they have not provided any sufficient proof the respondents submit that there is no truth in the submission and hence they cannot be promoted or even given the charge duty allowances for discharging the duties of JTO.

6. The applicants have not enclosed any document to prove that they are asked to discharge the duties of the JTOs. They could have at least ^{indicated} ~~stated that~~ the duties performed by them during their day to day work ~~which~~ are to be executed by the JTOs. The OA does not indicate any such details. The Tribunal has no manpower ^{to} ~~to~~ examine what the applicants submit is correct or not. Moreover, it is not for the Tribunal to look into such aspects; it is for the departmental authorities to examine the issue ⁱⁿ ~~in~~ ^{depth} and decide what further action ^{has} ~~to~~ be taken. When the applicants

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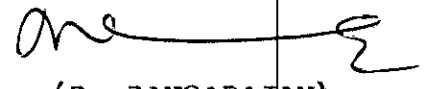
-4-

have submitted a representations, the respondents should have disposed them of by a speaking order indicating how the duties of JTOs, if necessary, were executed and whether the applicants ~~were~~ ^{were} asked to perform such duties entrusted to JTO. As the representations are not yet disposed of we are of the opinion that R-1 should dispose of their representations expeditiously taking due note of the contentions raised in this OA as well as the observations made by us as above.

7. The OA is disposed of directing as above. No costs.

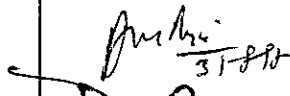

(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)

26.8.98


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 26th August, 1998.
(Dictated in the Open Court)

spr


31-8-98
D.R.

DA.842/96

Copy to:-

1. The Chief General Manager, Telecom, A.P.Circle, Hyderabad.
2. The General Manager, Visakhapatnam Telecom District, Visakhapatnam.
3. The Director General, Dept. of Telecommunication, New Delhi.
4. The Superintendent, Telegraph Traffic, Visakhapatnam.
5. One copy to Mr. K.Venkateswara Rao, Advocate, CAT., Hyd.
6. One copy to Mr. N.R.Devaraj, Sr.CGSC., CAT., Hyd.
7. One copy to D.R.(A), CAT., Hyd.
8. One duplicate copy.

GRT

3/9/98
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II COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M(D)

DATED: 26/8/98

ORDER/JUDGMENT

M.A/R.A/C.P.#3

in

C.A. NO.

842/98

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

