

27

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 363/97

Date of decision: 19th December, 1997.

Between:

1. Mt. Obulesham.
2. G. Prabhakar.
3. M.A. Azeem.
4. Md. Myaruddin.
5. G. Kumar.
6. U. Subba Rao.
7. P. Isaiah.
8. Ch. Somaiah.
9. K. Danaiah.
10. P. Solomon.
11. P. Jacob.
12. B. Prakash.
13. M. Sambasivareddy.
14. D. Emmanuel.

Applicants.

And

1. Union of India represented by the Secretary, Telecommunications, Sanchar Bhavan, Ashoka Road, New Delhi 110 001.
2. Chief General Manager, Telecom Circle, Andhra Pradesh, Hyderabad 500 001.
3. Telecom District Manager, Department of Telecommunications, Warangal District.

Counsel for the applicant : Mr. P. Prabhakar Reddy
Counsel for the respondents : Mr. V. Vinod Kumar

JUDGMENT.

(by Hon'ble Sri R. Rangarajan, Member (A))

None for the applicants. Sri V. Vinod Kumar for the Respondents.

There are 14 applicants in this O.A. Applicants 1, 2 to 4, 6 and 12 to 14 are working as Technicians and Applicants 5, 7 to 11 are working as Technical Supervisors in the office of the Respondents. Originally they were appointed as Linemen and Wiremen.



and Wiremen. They appeared for the Departmental Competitive Examination for the post of Technician and they have passed the written examination as well as the 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 salary in the scale of lineman. After completion of one year training, the applicants were appointed as Technicians. It is stated that the applicants are 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 service particulars of the applicants are given such as date of original appointment and post, date of appointment as technician and training period and the present designation at page 3 of the O.A. ^{are given}

This O.A., was filed to treat the training period as service for purpose of notional increments and for monetary benefit from 1-10-1990 in terms of O.M. #6-#6/89.Est. ~~Pay-I~~ Pay-I dated 22-10-1990.

The learned counsel for the applicants rely on the Judgment of this Tribunal in O.A.No.1346/94 and 94/96

decided on 7-11-1994 and 7-8-1996 respectively for allowing the relief prayed for in this O.A.

I have gone through both the judgments The Bangalore Bench of the Central Administrative Tribunal by the judgment dated 26-3-1993 in O.A.156/92 held that the technicians and other categories who were recruited prior to 1-1-1986 and who ~~had~~ undergone training prior to 1-1-1986 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 1-10-1990 in terms of O.M. dated 22-10-1990. Hence that judgment was followed by this Bench in O.A.Nos., 1423/93 delivered on 23-10-1996.

As per the judgments of this Tribunal in the above referred O.A., the respondents are directed to treat the period of training of the applicants as service for fixation of increments notionally and they should be given the monetary benefit from 1-10-1990.

The learned counsel for the respondents submits that this O.A., is covered by the judgment of the Tribunal referred to above, but the judgments of this Tribunal in O.A.1346/94 and 94/96 had been stayed by the Apex Court in C.A.No.23849/96 and that SLP., is still pending.

D

In view of the above, the following direction is given.

- a) If the S.L.P., referred to above is allowed then this O.A., stands dismissed.
- b) If the S.L.P., is dismissed, then this O.A., stands allowed and the applicants are entitled for the similar reliefs as given in O.A.No.1346/94 and 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 O.A.

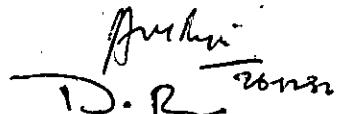
With the above direction, the O.A., is disposed of at the admission stage itself. No costs.


R. RANGARAJAN,
MEMBER (A)

Date: 19--9--1997.

Dictated in open Court.

sss.


D.R.

DA.363/97

Copy to:-

1. The Secretary, Telecommunications, Sanchar Bhavan, Ashoka Road, New Delhi.
2. The Chief General Manager, Telecom Circle, Andhra Pradesh, Hyderabad.
3. The Telecom District Manager, Department of Telecommunications, Warangal District.
4. One copy to Mr. P. Prabhakar Reddy, Advocate, CAT., Hyd.
5. One copy to Mr. V. Vinod Kumar, Addl. CGSC., CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate copy.

srr

19/12/97 (7)

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

THE HON'BLE SHRI B.S.JAI PARAMESWAR :
M(J)

Dated: 19/12/97

ORDER / JUDGMENT

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

in

O.A.NO. 363 /97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as Withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

SRR

II Court

