

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

original Applications Nos. 490 and 507 of 2000

Jabalpur, this the 7th day of April 2004

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

(1) Original Application No. 490 of 2000

1. Raghunandan Singh S/o Gourishankar, Ticket No.7050, Electrician Gr.II, Tube Makin Plant, Telecom Factory, Richhai, Jabalpur.
2. Raj Kumar Soni S/o R.S. Soni, Ticket No. 7061, Electrician Gr.II, Tube making Plant, Telecom Factory, Richhai, Jabalpur.
3. Shiv Kumar Kori S/o Shankar Lal Kori T.No. 2308, Electrician Grade II, Tube making Plant, Telecom Factory Richhai, Jabalpur.

APPLICANTS

(By Advocate - Shri M.R. Chandra)

VERSUS

1. The Union of India, Through Secretarial Deptt. of Tele-Communications, Sanchar Bhawan, New Delhi.
2. The Chief General Manager, Telecom Factory Richhai, Jabalpur.
3. Asstt: Director, General (TFS) Department of Telecommunications Sanchar Bhawan, New Delhi.
4. Umashankar, Ticket No. 3394, M/C Operator Cum Setter (Gen.) Telecom. Factory, Richhai, Jabalpur

RESPONDENTS

(By Advocate - Shri Pankaj Dubey on behalf of
Shri B.da.Silva for official respondents

(2) Original Application No. 507 of 2000

Vijou Kumar Sharma, T.No.5118,
Mill-Wright Gr.II(Skilled),
Galvanising Plant, Telecom
Factory, Richhai, Jabalpur

APPLICANT

(By Advocate - Shri M.R. Chandra)



VERSUS

1. The Union of India, Through Secretarial
Dept. of Tele-Communication,
Sanchar Bhawan, New Delhi.

2. The Chief General Manager, Tel. Factory
Richhai, Jabalpur(482010)

3. Asstt: Director General(TFS)
Dept. of Telecommunications
Sanchar Bhawan, New Delhi.

4. Umashankar, T.No.3394,
M/C Operator Cum Setter(Gen.)
Telecom Factory, Richhai,
Distt: & P.O. Jabalpur(482010)

RESPONDENTS

(By Advocate - Shri Pankaj Dubey on behalf of
Shri B.da.Silva for official respondents)

O R D E R

By M.P. Singh, Vice Chairman -

Since the issue involved in both the OAs is common and the facts and the grounds raised are identical, for being the sake of convenience these OAs are being/ of by this common order.

2. The applicants in OA No.490 of 2000 are seeking the following main relief :-

"(ii) to issue appropriate direction to prepare a common seniority list of all types of skilled staff jointly to assess and ascertain seniority among themselves and thereafter award the Grade of Rs.1200/1800 on the basis of combined seniority."

3. The applicant in OA No. 507 of 2000 is seeking the following main relief:-

"(ii) To issue appropriate direction for preparation of common integrated seniority list of all skilled staff according to length of seniority for further upgradation to the senior grade of Rs.1200/1800 as per length of service and put the applicant to the higher grade according to his seniority from the date his junior has been upgraded."



4. The brief facts of both the cases are that the applicants in OA 490/2000 were working in Tube Making Plant of Telecom Factory, Jabalpur as Electrician Grade-II in Skilled category, whereas the applicant in OA 507/2000 was working in the Galvanising Plant of Telecom Factory, Jabalpur as Millwright Fitter Grade-II (Skilled), As per Govt. of India, Ministry of Communication, letter dated 17.7.1997 the second central trade review committee made recommendations about restructuring of the industrial cadre in telecom factories by increasing the existing 20% number of posts in skilled (senior) grade of Rs.1200-1800 to 30% upgradation of the post in skilled grade in the respective shops. The contention of the applicants is that the respondents have promoted their juniors ignoring their claims. The respondents in their reply have stated that in respect of the skilled trade for which one gradation list is maintained for whole of the factory, the upgradation will be made with reference to the total posts in that trade in the factory. Where the gradation lists are maintained on shopwise/sectionwise, the upgradation will be made on the basis of each trade.

5. The contention of the applicants is that for implementation of the scheme of enhanced upgradation of 30% among existing skilled staff of Tube Making Plant, the authorities had assured its implementation on shopwise among all types of skilled staff working in the Tube Making Plant by drawing of common seniority list for all trades e.g. Millwright, Machine Operator cum Setter(General), Crane Driver etc vide letter dated 3.2.1999. According to the applicants 30% upgradation was not effectuated among all skilled staff working in the Tube Making Plant by drawing a combined seniority list and one Shri Uma Shankar, skilled staff of Tube Making Plant, junior to the applicants, had been allowed skilled (senior) grade of Rs.1200-1800. The

respondents in their reply have stated that the said Shri Umashankar, respondent no.4 in OA 490/2000 was in the grade of Machine Operator-cum-Setter(General) whereas the applicants are in the trade of Electrician Gr.II. Since the seniority of the worker working in different trades cannot be compared, the contention of the applicants that junior have been allowed skilled senior grade cannot be sustained.

6. During the arguments, the learned counsel for the applicants has submitted that the upgradation should be made shopwise and not tradewise as contended by the respondents.

7. We have given careful consideration to the arguments advanced by both the sides. We find that the applicants have been working in different sections and in different trades and, therefore, they cannot claim the benefits at par with i.e. respondent no.4 in O.A.490/2000 the person who is working in different sections and in different trades. The benefit of 30% upgradation is to be given according to seniority of the trade. The respondents have specifically stated that the upgradation has been done on the basis of seniority on tradewise. The seniority cannot be combined with different trades. The respondents have specifically stated that the seniority was maintained tradewise. Therefore, the contention of the applicants that respondent no.4 is junior to the applicants and has been granted the benefit of higher upgradation, is not tenable and accordingly rejected.

8. In the result, for the reasons stated above, these Original Applications are bereft of merits and are accordingly dismissed. No costs.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman