

RTI Appeal

RTI APPEAL DETAILS (आरटीआई अपील विवरण)

Appeal Registration Number (अपील पंजीकरण संख्या) :	DOTEL/A/2018/60046	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि) :	15/03/2018
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या):	DOTEL/R/2018/50127	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख) :	10/02/2018
Name (नाम) :	m sankar ram	Gender (लिंग) :	Male
Address (पता) :	plot no 125 haritha homes badangpet kanchanbaghhyderabad		
Pin code (पिन कोड) :	500058		
State (राज्य) :	Telangana	Country (देश) :	India
Phone Number (फोन नंबर) :	Details not provided	Mobile Number (मोबाईल नंबर) :	+91-9849582864
Email-ID (ईमेल-आईडी) :	srmusunuri@gmail.com		
Status (स्थिति) :	Rural	Educational Status (शैक्षणिक स्थिति) :	
Citizenship Status (नागरिकता) :	Indian	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) :	No
CPIO Approached (संपर्क सीपीआईओ) :	Details not provided		
CPIO's Order/Decision No.(सीपीआईओ का आदेश /	Details not provided		

263
3
20/18

Forwarded to
ACAO, SEA III
by Mr. M

20/18
ACAO SEA III

26/3/18

निर्णय संख्या) :

Ground for Appeal(अपील का आधार) : No Response Within the Time Limit

The First Appellate Authority,
Department of Telecommunications,
M/o Communications, Sanchar Bhawan, New Delhi

Sub: Request to furnish the following information under RTI Act 2005.

Sir/Madam,

The following information has been requested for under RTI, but no information has been received till dt.

Consequent on implementation of the Honourable CAT, Cuttack Bench order in OA NO.77/2012 US (SEA) had issued letter No.33-04/2016-SEA-III dated 16th June 2017 addressing CCA-Karnataka/Kerala/ Punjab/West Bengal to revert the UDCs wrongly absorbed as Sr. Accountant instead of Jr. Accountant.

In this connection, it is requested to furnish the following information under RTI Act 2005.

Text of RTI First Appeal (आरटीआई प्रथम अपील का पाठ) :

1. The action taken by the above four circles and the number and names of the UDCs who were reverted along with copies of reversion orders. If not, the reasons for non compliance of the orders of DoT by the above circles may kindly be furnished.

2. The reasons for omitting the other circles though there are so many UDCs were wrongly absorbed as Sr. Accountant and continuing till date.

3. O/o Pr.CCA, AP Circle had informed the Director(SEA) vide its letter No.Pr.CCA/APC/Hyd/Sr.List/2015-16 dated 22nd September 2016(copy enclosed) that there are 7 Sr. Accountants(namely:PS Chakravarthy, SO, Delhi Transco Ltd, A PSU, M R Prabhakara Reddy and V Malathi both Assistants of CSS, CM Sarma, CI (Steno E), AS Ravi Kumar and Kumar Sashikanth both are SI (Ministerial) equivalent to UDC(copy of Establishment manual enclosed) T R Shyamala, an Assistant in GCS and 3 Jr. Accountants B Bikkoji and S Ramnath Data Entry Opertors M Rajendra Kumar, Steno from other than analogous posts were wrongly appointed. The reasons for not reverting them to the post of Jr. Accountant in case of 7 wrongly appointed Sr. Accountants consequent up on issue of order dated 16th June 2017 of US(SEA). The action taken on the wrongly appointed JAs may also be furnished.

4. Not only in AP Circle, in Tamil Nadu circle also there are 19 ineligible candidates wrongly absorbed out of 22 Sr. Accountants. The reasons for not reverting those ineligible candidates as the orders are to be uniformly applied to all circles across India.

Hence it is requested to arrange to furnish the information at the earliest

Print

Save

Close

33-04/2010-SEA-III
Government of India
Ministry of Communication
Department of Telecommunications
Sanchar Bhawan, 20 Ashoka Road, New Delhi - 110001.

Dated 16th June, 2017

To

CCA - Karnataka/Kerala/Punjab/West Bengal

Sub: Implementation of the Hon'ble CAT, Cuttack Bench order dated 08/09/2016 in OA No. 77/2012 filed by Shri Bhabagrahi Biswal vs UOI and another before the Hon'ble CAT, Cuttack Bench.

The undersigned is directed to refer to this office Letter of Even No. dated 07/03/2017 where in compliance report in respect of UDCs who were wrongly absorbed as Sr. Accountants instead of Jr. Accountants was sought.

The matter has been reviewed and the Competent Authority has directed that UDCs absorbed as Sr. Accountants may be reverted to the post of Jr. Accountant with effect from the date of absorption as Sr. Accountant.

Compliance Report may be sent immediately.

Neha Singh
16/6/17
(Neha Singh)
Under Secretary (SEA)
011-23372251
sea.dotha@gmail.com

- 3. Visual Standards -As applicable for the post of HC (Min).
- 4. The candidates should not have knock-knee, flat foot, squint eye or colour blindness, which have rendered him unfit for the post.
- 5. Written examination and interview:-Same as applicable for the post of HC (Min).
- 6. Reservation of vacancies and relaxation in physical standards :- As applicable for the post of HC (Min).
- 7. Shorthand Speed Test (Hindi/English) -A passage of 800 words is provided. The candidates will be given one dictation test in English or Hindi at 80 wpm for ten minutes. The candidates who opt to take the test in English will be required to transcribe the matter in 65 minutes and the candidate who opt Hindi will be required to transcribe the matter in 75 minutes. Candidates will be required to transcribe their shorthand notes on typewriters. Candidates who make mistake upto 5 % (40 words) will be declared "Passed". Those who make mistakes above 5 % (40 words) will be declared "Failed".
- 8. Typing/Shorthand Speed:-Minimum speed of 40 wpm in English typewriting or 30 wpm in Hindi Typewriting. Shorthand speed for both Hindi/English shall be 80 WPM.
- 9. Other General Principles: - As applicable for the post of HC (Min).

9.11 Sub-Inspector (M)

- (i) Post of SI(M) in future will be filled up 100% by promotion amongst ASI(M) as per Recruitment Rules issued from time to time.
- (ii) Existing directly recruited ASI (M) will enjoy the same promotional advantages presently existing in the hierarchy of the stenographer cadre and non-combatants respectively.
- (iii) 70% vacancies will be filled by promotion from amongst the ASI (M)/non-combatant LDCs who have rendered not less than eight years regular service in the grade in the CRPF.
- (iv) 25% by selection through a departmental examination from amongst existing ASI(M)/non-combatant LDCs with not less than five years regular service in the grade in the CRPF, failing which by promotion.
- (v) 5% by transfer from amongst existing SI(Stenographers) in CRPF, who qualify a departmental examination, failing which by departmental examination and failing both by promotion.

Note:-The non-combatant personnel when appointed to this grade shall be designated as Upper Division Clerk in the scale of pay of Rs. 4000-100-6000.

9.12 Inspector (M)

All vacancies in this grade shall be filled by promotion from amongst the Sub-Inspectors (M)/non-combatant Upper Division Clerks who have rendered not less than five years regular service in their respective grade (s) in the CRPF.

Note:-The non-combatant personnel when appointed to this grade shall be designated as Head Clerk in the scale of pay of Rs. 5000-150-8000.

C.R.P.F. Ministerial staff

Some Historical things

The background leading to such anomaly would show that the non-gazetted ministerial posts in CRPF were combatised on optional basis by an order dated 28.02.1981. The Applicant did not give his option for combatisation. The non-combatised staff continued to be called LDC, UDC, Head Clerk and Office Superintendent Equivalent ranks on combatisation became Assistant Sub-Inspector (Ministerial), Sub-Inspector (Ministerial), Inspector (Ministerial) and Subedar Major (Ministerial), respectively. Thereafter the promotion from both combatised as well as non-combatised sides was to the post of Administrative/ Section Officer, Joint Assistant Director and Assistant Director. The OM dated 28.02.1981 issued by the first Respondent, Ministry of Home Affairs, also provided that the options once exercised would be final and those who did not opt for combatisation would continue in civil posts until superannuation. Consequent upon implementation of the fourth Central Pay Commission (IV CPC) recommendations the combatised ministerial staff were granted the rank pay at par with the executive cadre by the first Respondent's letters dated 11.06.1987 and 16.03.1988 with effect from 1.01.1986. This benefit was not given to the non-combatised ministerial staff. Because of this, a difference in pay of combatised and non-combatised staff emerged, which is demonstrated by the table given below. 5. The learned counsel for the Applicant has brought to our notice the memorandum submitted by the CRPF to the IV CPC, which inter alia, stated that the combatised as well as the non-combatised staff were performing the same duties. This is not being disputed by the Respondents. Relevant part of the memorandum is reproduced below. (v) Ministerial Staff (Non Combatised) 156 Ministerial hands did not opt for combatisation and still continue to remain in the civil posts as before. They perform identical duties as are done by the combatised ministerial hands. We, therefore, recommend that their pay scales may be so revised as to bring the same at par with the pay scales to be adopted for their counterparts in the combatised Ministerial cadre on the principle of equal pay for equal work. 5.16 It is a fact that both the combatised and non-combatised ministerial staff constitutes a single cadre and are governed by the same set of Recruitment Rules. But the combatised ministerial staff has to wear uniform, put under basic training, bound to undergo musketry training and annual range classification firing. They are governed under CRPF Act and Rules. They have to maintain shape-1 medical category for gaining promotion. Non-Gazetted combatised ministerial staff retire, on superannuation, at the age of 57 years whereas non-combatised M/ Staff (NGOs) retire at the age of 60 years. Rule 9 (31) (c) stipulates that the pay of an employee be determined with reference to his position in the cadre. The petitioner retained the non-combatised posts and therefore he has been allowed corresponding pay scales applicable to these posts/ positions. The applicant was promoted from the rank of Office Supdt (SOP of Rs. 5500-175-9000) to Adm Officer (SOP Rs. 6500-200-10500) whereas reported junior was promoted from Subedar Major/ Ministerial (SOP of Rs. 6500-200-10500) to Adm Officer (SOP Rs. 6500-200-10500) and thus one of the conditions laid down for stepping up of pay that scales of pay of the lower and higher posts in which they are entitled to draw pay should be identical is not fulfilled and the petitioner is not entitled for stepping up of pay at par with the pay of reported junior i.e. Shri M.L. Yadav, AO and other. It is also vehemently denied that FR 9 (31) (c) would be applicable in the instant case. The learned counsel would contend that this would not apply because the Applicant and Shri M.L. Yadav came from different pay scales to the post of Administrative Officer/Section Officer. 13. The learned counsel for the Applicant in his reply has strenuously urged that the Respondents have only undertaken a laboured exercise to show the difference between the combatised and non-combatised ministerial staff. He would contend that the reading of the Standing Order No 1/81 of 11.03.1981, already adverted to in the preceding paragraphs, would show that there is just a marginal difference of the combatised ministerial staff having to put uniform which they get free, washing allowance, ration money, free accommodation and enhanced EL. There is no difference in the work performed by combatised as well as non-combatised stream. The non-combatised ministerial staff also get posted to highly sensitive areas and undergo the same difficulties as the combatised staff in the performance of their duties.

-2-

2	The names of Senior Accountants absorbed in your office along with their designations in their parent department may kindly be furnished.	SI No	Shri/Smt	Desgn.in parent dept.
		1	PS Chakravarthy	Section Officer (Accts)
		2	MR Prabhakar Reddy	Assistant
		3	V Malathi	Assistant
		4	CM Sarma	CI (Steno E)
		5	AS Ravi Kumar	SI (M)
		6	Kumar Sashikanth	SI (M)
		7	G Sudhakar Rao	Office Supdt.
		8	TR Shyamala	Assistant
		9	Shanta Anand	Office Supdt.
5	Sanctioned strength in the cadres of Jr.Accts / Sr Accountants.	Vide point No 5 to 10, you wanted to know the sanctioned strength of JA / SA, number of applications received etc, but you have not mentioned in your RTI Application that these information in respect of which office, are required, hence not answerable.		
6	Number of applications received for the post of Sr & Jr. Accountant separately.			
7	Number of candidates selected for the posts of Sr. & Jr. Accountant.			
8	Number and names of candidates found eligible but not absorbed due to non-availability of vacancies.			
9	Names of the candidates selected from applications received after due date may kindly be furnished.			
10	Names of the candidates absorbed from the selected candidates from other circles along with copies of forwarding letters from other circles/DoT (HQ) may kindly be furnished.			

Appeal, if any, against the information furnished herein may be preferred before "Controller of Communication Accounts & Appellate Authority, O/o Pr.CCA, AP Circle, 3rd Floor, Triveni Complex, Abids, Hyderabad-500 001" within 30 days. The telephone numbers of the 1st Appellate Authority are given as under:

Sri V. Murugaiyan, Appellate Authority & CCA,
Ph.No.040-24760556/57

S. Tarachand
(S TARACHAND)

Jt. Controller of Communication Accounts & CPIO
Ph: 040-24761444

Copy to the Sr.AO (Cash), O/o Pr.CCA HYD. Please find enclosed herewith IPO bearing No.21F 628546 amounting to Rs.10/- for depositing into Govt Treasury.



Government of India
Ministry of Communications
Department of Telecommunications
O/o. The Pr. Controller of Communication Accounts, AP Circle,
3rd Floor, Triveni Complex, Abids, Hyderabad 500 001
Phone No: 24750999; Fax No.24753182

No Pr CCA/APC/Hyd/St List/2015-16 D/22-09-2015

To
The Director (SEA),
M/o Communications and Information Technology,
Sanchar Bhawan, New Delhi

- Sub. Fixation of seniority of absorbees – reg
- Ref (1)33-23/205-SEA-II dated 29th June 2010 including Minutes dated 07/05/2010.
- (2)33-23/2005-SEA-II dated 28.03 2011, 25/04/2011
- (3)33-01/2011-SEA-II date 10-08-2011
- (4)33-75/2011-SEA-III dated 16 04 2013 & 07 03 2014
- (5)33-31/2015-SEA-II dated 05th August 2015

In the newly created offices of CCA, there were no recruitments earlier. The recruitment took place during the period 2010-2011 as a onetime measure by transfer on absorption from eligible candidates. The recruitment was closed on 28/09/2011. The provisional seniority lists were published on 04/06/2012 and circulated among the candidates in the seniority lists. Several representations were received for revision of the list citing different rules/regulations/court judgments/constitutional provision etc. A committee was appointed in May 2013 who confirmed the same list on 01/07/2013 without giving any specific reasons for rejection of objections. This has resulted in several appeals. DoT also issued guidelines on 16/04/2013, 07/03/2014 and 05/08/2015 and directed to revise the seniority lists. For the purpose a committee has been appointed who submitted their report on 10/07/2015. The same has been discussed and the revised seniority lists are prepared giving clearly reasons/justifications for placing a particular candidate at a particular place citing the DoT orders and DoP&T orders.

The Recruitment took place during the period September 2010- September 2011 based on a single notification. The DoT Hqrs also issued guidelines for selecting the candidates at subsequent dates vide reference cited above at (2) and hence it is to be treated as a single recruitment for the purpose of fixation of seniority.

The seniority has been fixed by taking into consideration the length of service in the eligible grade i.e. the qualifying service in r/o UDC, LDC, JA and SA if any, date of deputation and date of absorption, whichever is earlier.

There are 15 UDCs absorbed from JS(Trg), M/o Defence. Their inter-seniority of parent department is protected according their seniority in their parent cadre vide DOP&T instructions.

While fixing the seniority of absorbed candidates, it has been observed that 7 Senior Accountants and 3 Junior Accountants from other than analogous posts were considered and appointed four years back. Their appointment on absorption was not in conformity with the notification and the rules. However, it is felt that it is not appropriate at this stage to terminate or to repatriate to their parent departments as their lien with parent department would have been terminated 2 years after the absorption. Hence, it has been decided to fix their seniority after the names of eligible candidates. Accordingly the seniority has been fixed.

This is for your information and necessary action

*This is for the approval
of the Competent authority.*

R
Dy CCA (ADMN)

- ① *Ends Enclosure*
- ② *Approved Seniority list of SA/As*
- ③ *Justification for Absorption of Seniority list
in the absorption of SA/As.*

16/11/15

Government of India
Ministry of Communication and Information Technology
Department of Telecommunications
O/o Pr. Controller of Communication Accounts, A.P. Circle,
3rd Floor, T. V. S. Complex, Abids, Hyderabad - 500 001.
Tel: 043 24761444, Fax: 043-24753182, 24762535

No Pr. CCA/Admin/PF/PVVS/2015-151

Dated: 24/09/2015

To

The IGP(Medical)/Med.Suptt,
Composite Hospital, CRPF
Keshavnagar Post, Chandrayanagutta
Hyderabad - 500 005

Sub: Forwarding of representation received from Shri PVV Subrahmanyam, SA.

The Deptt. of Telecommunications, Ministry of Communication and IT, New Delhi had issued a notification for recruitment of LDCs/Junior Accounts and Sr. Accounts on permanent absorption basis from the eligible candidates from various Govt. organizations. The eligibility criterion for the post of JA was continuous service of 8 years as LDC or 3 years as UDC or analogous post.

Shri PVV Subrahmanyam, ASI (Ministerial) of your office was absorbed as Jr. Accountant in this LDC. While forwarding his application, your office has mentioned that ASI (Ministerial) is equivalent to LDC. he was selected based on your letter by considering his service as LDC as on closing date and accordingly he was placed in the seniority list.

Now he has submitted a representation addressing to your office with a request to forward the same. His representation is enclosed herewith with a request to confirm the equivalent clerical posts in Central Government pattern i.e. LDC/DC/Head Clerk etc in respect of ASI(Ministerial) and ASI (Ministerial) to determine the length of service in the equivalent post at par with other LDCs & UDCs along with documentary evidence i.e. copy of recruitment manual etc.

If he is not equivalent to LDC, the reason for mentioning ASI(M) is equivalent to LDC may kindly be furnished to avoid any legal complications in future in respect of seniority fixation, etc. a copy of previous letter issued by you is enclosed herewith for your ready reference.

Encls: As stated above


Pr. Controller of Communication Accounts (Admin)

Copy to:
Shri PVV Subrahmanyam, SA, O/o Pr.CCA, AP Circle, Hyderabad

LIST OF SENIOR ACCOUNTANTS ABSORBED WITH THEIR DESIGNATIONSANNEXURE

S.No.	Name of the candidate absorbed in TN Circle	Designation
1	K. Sriram	Sr. Accountant
2	P.R. Deepa	Sr. Auditor
3	Maheswari, R	Sr. Auditor
4	A. Radha	Data Processing Asst. Gr.B
5	S. Govindarajan	Assistant
6	Revathy Muralidhar	Assistant
7	J. Ravichandran	Crime Assistant
8	S. Balamurali	Crime Assistant
9	Sumathi Raju	Assistant
10	R. Janardhan	Data Entry Operator Gr.C
11	N. Vijaykrishnan	Assistant
12	V. Padmanabhan	Chargeman (Non-Technical)
13	G. Sadhana Mani	Head Clerk
14	S. Ashok	Data Entry Operator Gr. C
15	V.S. Ramalingam	Data Entry Operator Gr.C
16	Gokulakannan	Data Entry Operator Gr.C
17	N. Manivel	Technical Asstt
18	A. Rosalind Kasturi	Data Entry Operator Gr.B
19	V. Prakash Kumar	UDC
20	D. Raji	Data Entry Operator Gr.B
21	P.V. Mohan	Store Keeper
22	V. Satish	Junior Warrant Officer

H. Ramani

Jt. Controller of Communication Accounts (Admn)
O/o. PCCA, TN Circle, Chennai - 28



By Registered Post

**No. 40-05/2018-SEA-III
Government of India
Department of Telecommunications
Sanchar Bhawan, 20 Ashoka Road, New Delhi – 110001**

Dated: 13/04/2018

To

Shri M Sankar Ram
R/o Plot No – 125, Haritha Homes,
Badangpet Kanchanbagh,
Hyderabad, Telengana – 500058

Sub: Your online RTI Appeal (DOTEL/A/2018/60046) dated 15/03/2018

1. This is in reference to your 'First' Appeal dated 15/03/2018 in connection with your RTI application dated 10/02/2018.
2. The undersigned has examined the issue and based on the facts of the case I hereby decide the matter as under:

The subject matter has already been transferred to CPIOs, O/o CCA, Karnataka/Kerala/West Bengal/Punjab vide CPIO letter No of even dated 06/03/2018 and the information has already been provided by the CPIO. However, the copy of the same is enclosed.

Accordingly, this appeal is disposed off under section 19 of the RTI Act.

o/c
Yours Sincerely,

(Abhay Kumar Singh)
Dy. Director General (Estt. & Training) &
First Appellate Authority

issued
with enclose
18/4/18