

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 924/99
MA 868/99

NEW DELHI, THIS THE 4TH DAY OF SEPTEMBER, 2000.

Hon'ble Mr. Justice V.Rajagopala Reddy, VC (J)
Hon'ble Sh. Govindan S.Tampi, Member (A)

1. H.S. Nirwal s/o Sh. Ujala Ram
2. Smt. Kamlesh Sehgal w/o Sh. B.K.Sehgal
3. Smt. C.K.Khurana w/o Sh. O.P.Khurana
4. Inder Kumar s/o Sh. Ganga Ram
5. Bidha Singh s/o Sh. Likhi Ram
6. Parkash Chander s/o Sh. Bihari Lal
7. Narinder Sharma s/o Sh. Lal Chand
8. K.P.Kumar s/o Sh. P.M.Lal
9. Amrit Lal s/o Sh. Nathi Ram

(All are working in Telecom Commission Headquarters,
New Delhi)

(By Advocate Sh. U.Srivastava)

-: V E R S U S :-

1. Union of India, through the Secretary,
Ministry of Communications, New Delhi.
2. The Director General
Department of Telecommunications,
Sanchar Bhawan, 20 Ashoka Road, New Delhi.
3. The Director of Telecom Board,
Department of Telecom, New Delhi.

(By Advocate Sh. V.S.R.Krishna)

O R D E R (ORAL)

By Hon'ble Mr. Justice V.Rajagopala Reddy, VC (J)

Heard the counsel for the applicant and
respondents.

2. The applicants are working as Junior
Draftsman and Senior Draftsman in the Department of
Telecommunications. There are four groups of
Draftsman in the Department and the applicant belongs
to the wing of Draftsman in Telecom Board. Before the
Government accepted the Recommendations of 5th Pay
Commission, the Draftsman in all the four wings were
given the same pay-scale of Rs. 1400-2300. After the

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5th Pay Commission's Recommendations having accepted in 1997, the Draftsman in Grade-II were given the replacement scale of 5000-8000 and the Draftsman in Grade-1 were given the scales of 5500-9000. The applicants, however, were placed in the scale of 5000-8000. The grievance of the applicants is that, they are also entitled to the scale of 5500-9000, as the Draftsman in Telecom Engineering Centre (TEC) are paid the scale of 5500-9000 on the plea of parity. In the counter, it is stated that the respondents, after realising that an anomaly occurred in giving the Draftsman in Telecom Engineering Centre (TEC) a higher grade, the respondents have taken steps to recover the same by proceedings dated 12-4-99. In the circumstances, learned counsel for the respondents submits that the foundation of the case of the applicant is lost and the applicant cannot have any grievance after the above proceedings.

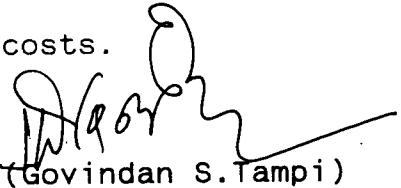
3. After considering the above facts and circumstances, we find that the basis for the claim on which the present OA has been filed has been removed by the respondents.

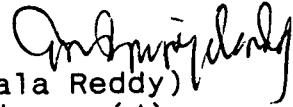
4. Learned counsel for the applicant, however, submits that questioning the proceedings dated 12-4-99, certain Draftsman had approached the Tribunal in A.K.Kapoor and Ors. Vs. Union of India (OA No.972/99) and the proceedings has been stayed by the Tribunal. It is, therefore, stated that applicants working as Draftsman in Telecom Engineering Centre (TEC) are still enjoying the grade of higher scale.

5. What has to be seen in this OA is whether the applicants are entitled for higher scales. The

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validity of the proceedings of 12-4-99 is not before us. Hence any order passed staying the above proceedings cannot have any bearing for the disposal of this OA. The OA is, therefore, dismissed. No costs.


(Govindan S. Tampi)
Member (A)


(V. Rajagopala Reddy)
Vice-Chairman (J)

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