

**CENTRAL ADMINISTRATIVE TRIBUNAL****BANGALORE BENCH: BANGALORE****ORIGINAL APPLICATION NO.170/00432/2019****DATED THIS THE 22<sup>nd</sup> DAY OF JANUARY, 2020****HON'BLE DR.K.B.SURESH, JUDICIAL MEMBER****HON'BLE SHRI C.V.SANKAR, ADMINISTRATIVE MEMBER**

Sri. B.Tulasirama Naidu  
S/o Sri B.Rangaiahnaidu  
Aged about 38 years  
Working as Lab-Technician  
Department of Laboratory  
ESIC MC PGIMSR & Model Hospital  
Rajajinagar, Bengaluru-560010.

...Applicant

(By Advocate Smt. M.V.Thanuja)

Vs.

1. The Secretary  
Ministry of Labour & Employment  
Department of Labour  
Shrama Shakti Bhavan  
Rafi Marg, New Delhi-110001.
2. The Secretary  
Department of Expenditure  
Ministry of Finance  
North Block  
New Delhi-110001.
3. The Director General  
Employees State Insurance Corporation  
Head Quarters Office  
Panchadeep Bhavan, CIG Marg  
New Delhi-110002.
4. The Regional Director  
Regional Office Employees  
State Insurance Corporation  
Binnypet, Bengaluru-560023.
5. The Dean  
ESIC MC PGIMSR & Model Hospital  
Rajajinagar, Bengaluru-560010.

....Respondents

(By Advocate Shri N.Amaresh, Sr.PC for CG)

O R D E R (ORAL)

(PER HON'BLE DR.K.B.SURESH, MEMBER (JUDL.))

Heard. The matter is very simple. The Learned Counsel for the respondents would say that ESIC, even though fully benefited and instrumented by the Government coming under the statute, had already decided to place before the committee the matter of implementation of 7<sup>th</sup> CPC pay scales for their people also and for that purpose, they seek amendment of the Recruitment Rules. Therefore, they say that the OA may shortly become infructuous. But then the 7<sup>th</sup> Pay Commission report was implemented some time back but till now nothing has been rectified. Therefore, there is no need to go away with amended RRs. If at all now there must be equity and equality in the Govt. service. There is no difference between the employees of ESIC and other Govt. employees under the governance system and therefore other than in the system of governance to follow, it is not materialised at all. Therefore, the applicant is also eligible for the same benefit as is extended to other Govt. Corporations also as both are doing the same functions under the same circumstances with the same qualifications also. Therefore, the OA is allowed. The benefits are to be extended within two(2) months next. No costs.

(C.V.SANKAR)  
MEMBER (A)

(DR.K.B.SURESH)  
MEMBER (J)

/ps/

**Annexures referred to by the applicant in OA.No.170/00432/2019**

Annexure-A1: 7<sup>th</sup> CPC recommendation  
Annexure-A2: 7<sup>th</sup> CPC implementation  
Annexure-A3: Order dtd.1.6.2018  
Annexure-A4: Endorsement dtd.6.2.2019  
Annexure-A5: ESIC Act 1948  
Annexure-A6: 7<sup>th</sup> CPC implementation in AIIMS dtd.2.4.2016  
Annexure-A7: OM dtd.28.9.2016  
Annexure-A8: Order dtd.13.12.2018  
Annexure-A9: Order dtd.22.2.2018 for implementation of 7<sup>th</sup> CPC  
Annexure-A10 & 11: Representations dtd.25.11.2016 & 14.3.2019

**Annexures with reply statement:**

Annexure-R1: Memorandum dtd.8.1.2013  
Annexure-R2: Gazette of India dtd.21.5.2011  
Annexure-R3: Memorandum dtd.30.3.2018 along with its enclosures

**Annexures with rejoinder:**

Annexure-RJ1: Membership Certificate in ESIC MLTA  
Annexure-RJ2: Members List  
Annexure-RJ3: Order in OA.1692/2018  
Annexure-RJ4: Memorandums for implementation of 7<sup>th</sup> CPC recommendations  
Annexure-RJ5: Existing ESIC RRs  
Annexure-RJ6: Existing CGHS RRs  
Annexure-RJ7: MoH&FW order dtd.5.4.2018  
Annexure-RJ8: Data collected through RTI  
Annexure-RJ9: All CHS & ESIC comparative study  
Annexure-RJ10: CGHS & ESIC Lab Assistant & Technician job responsibility  
Annexure-RJ11: Office order dtd.22.7.2019

**Annexures with additional reply:**

-NIL-

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