

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

MA/20/123/2017 in **OA/020/215/2015, & OA/020/215/2015**
MA/20/122/2017 in **OA/020/216/2015, & OA/020/216/2015**

HYDERABAD, this the 16th day of March, 2021

Hon'ble Mr. Ashish Kalia, Judl.Member
Hon'ble Mr. B.V. Sudhakar, Admn.Member



OA/020/215/2015

1. KavilayilVasu Kurup @ MuralidharanKurup,
T/Cin.No.84833-B,S/o.Late G. VasuKurup,
Aged about 54 years,Occ: Chargeman.
2. Kollappallithara Punnose Mathew,
T/Cin.No.84837-N, S/o. Late K.P. Punnose,
Aged about 59 years, Occ: CM.
3. Lukose Pappan, T/Cin.No.84057-R,
S/o. Late G. Lukose, Aged about 60 years, Occ: CM.
4. Puzeakadavil KochuramanGokulan,
T.No.84058-T, S/o. Late P.A. Kochuraman,
Aged about 60 years, Occ: CM.
5. Rama Krishna Pradhan,
T/Cin.No.84059-W, S/o. Late JuriPradhan,
Aged about 58 years, Occ: CM.
6. E. Satyanarayana, T/Cin.No.84838-R,
S/o. Late VenkataSwamy,
Aged about 57 years, Occ: CM.
7. E. Sasidharan, T/Cin.No.84284-F,
S/o. Late E. Govindan Nair,
Aged about 57 years, Occ: CM.
8. N. Rama Chandran, T/Cin.No.84244-R,
S/o. Late N.P. Kunchikanaran,
Aged about 58 years, Occ: CM.
9. Krishna Chandra Bhanja,
T/Cin.No.84245-T,
S/o. Late Anand Bhansa,
Aged about 58 years, Occ: CM.



10. C.R. Unnikrishnan Nair,
T/Cin.No.84936-N,
S/o. Late S. Chellappan,
Aged about 60 years, Occ: CM.
11. Adri Sambasiva Rao,
T/Cin.No.84524-A,
S/o. Late A. Veerunaidu,
Aged about 59 years, Occ: CM.
12. Ch. Appa Rao, T/Cin.No.84839-
S/o. Late Suri, Aged about 57 years, Occ: CM.
13. Elayadesh Sasidharan,
T/Cin.No.84244-R,
S/o. Late T.K. Appukutty Nair,
Aged about 57 years, Occ: CM.
14. Kunjan Ramachandran Pillai,
T/Cin.No.84244-R,
S/o. Late V. Kunjan Pillai,
Aged about 59 years, Occ: CM.
15. Pezakal Karotu Kuttappan Mohana Chandran,
T/Cin.No.84835-H,
S/o. Late K.K. Kuttappan,
Aged about 59 years, Occ: CM.
16. Turubili Satyam, T/Cin.No.84836-K,
S/o. Late Satyam,
Aged about 56 years, Occ: MCM.
17. Velappan Vijayan, T/Cin.No.84836-K,
S/o. Late N.V. Panicker,
Aged about 59 years, Occ: CM.
18. Padinchara Thodikayil Ravindranathan,
T/Cin.No.7975, S/o. Late P.T. Nelli,
Aged about 62 years, Occ: MCM.
19. Melekaruvara Kotil Velayudhan,
T/Cin.No.84525-Z, S/o. M.K. Moothoran,
Aged about 55 years,
20. Narayanan Muthu Swamy,
T/Cin.No.7977, S/o. Late Narayanan,
Aged about 57 years, Occ: MCM.



21. Simadri Kishore Kumar Prusty,
T/Cin.No.7978,
S/o. Simadri Rama Chandra Prusty,
Aged about 56 years, Occ: MCM.
22. Pengamuck Konthunny Venugopalan,
T/Cin.No.84250-B,
S/o. Late P.R. Konthunny,
Aged about 57 years, Occ: CM.
23. Akunuri Khaga Bhushana Rao,
T/Cin.No.84853,
S/o. Late Kanaka Rao,
Aged about 58 years, Occ: CM.
24. Bboaz Jayachandran, T/Cin.No.84854,
S/o. Late Boaz Jayapaul,
Aged about 57 years, Occ: CM.
25. Madhavan Pillai Karakonam Sreekanta Kumar,
T/Cin.No.84252-H,
S/o. Late S. Madhavan Pillai,
Aged about 55 years, Occ: CM.
26. Mangadan Kuniyil Pradeep Kumar,
T/Cin.No.84253,
S/o. Late M.V. Bala Krishnal,
Aged about 56 years, Occ: CM.
27. Manjeet Singh, T.No.84960-T,
S/o. Kartar Singh, Aged about 56 years, Occ: CM.
28. Vepamani Nagaraju, T/Cin.No.85106-Z,
S/o. Obilesu, Aged about 59 years, Occ: CM.
29. Gondu Rama Trimurthi, T/Cin.No.85084-Z,
S/o. Late Seetharamayya,
Aged about 58 years, Occ: CM.

...Applicants

(By Advocate : Smt Anita Swain)

Vs.

1. The Union of India rep. by its
Secretary, Ministry of Defence,
South Block, New Delhi.

2. The Chief of Naval Staff,
Integrated Headquarters, Ministry of Defence,
Sena Bhavan, PO. DHQ,
New Delhi – 110 011.
3. Flag Officer-Commanding-in-Chief,
Head Quarter Eastern Naval Command,
Naval Base, Visakhapatnam.
4. The Admiral Superintendent,
Naval Dockyard, Visakhapatnam.
5. The Sr. Administrative Officer,
For Admiral Superintendent,
Naval Dockyard, Visakhapatnam.



....Respondents

(By Advocate: Sri T. Sanjay Reddy
for Sri T. Hanumantha Reddy, Sr. PC for CG)

OA/020/216/2015

1. N.S.P. Murthy, S/o. Late Narayana Rao,
T.No.3233, Aged about 59 years,
Occ: High Skilled – II,
R/o. D.No.58-21-11/1, Vinodh Nagar.
2. JJ. Rao, S/o. Late Janaki Rao,
T.No.3234, Aged about 61 years,
Occ: HS – 2, R/o. D.No.3-23,
Kothha Palem, Golpalpatnam,
Visakhapatnam.
3. I S Prakasam, S/o. Satyanarayana,
T.No.3236, Aged about 60 years,
Occ: High Skilled – II, R/o. Block No.36,
G2 Vishwaranagar, Auto Nagar, Vsp-12.
4. A J Das, S/o. Late A. Rayappa,
T.No.3237, Aged about 61 years,
Occ: High Skilled – II, R/o. Flat No.504,
Sri Sai Kasi Mansions, China Waltair.
5. IA Rao, S/o. Late Chinna Sanni,
T.No.3238, Aged about 61 years,
Occ: High Skilled – II,
R/o. D.No.36-94-195,
Bapuji Nagar, Kanchrapalam, Vskpt.



6. DBVRAK. Raju, S/o. Late Jagannada Raju,
T.No.3240, Aged about 57 years,
Occ: High Skilled – II,
R/o. PVG Towers-502 BS Lay Out,
Srrtamghara, Vsp.
7. GP Reddy, S/o. Late GIN Reddy,
T.No.3326, Aged about 57 years,
Occ: High Skilled – II, R/o. D.No.1-74,
Buddapalem, Anandapuram, Vsp.
8. PV Rao, S/o. Late P. Polayya,
T.No.3328, Aged about 58 years,
Occ: High Skilled – II, R/o. D.No.56-8-3,
Kancherapalem, Vspt.
9. NR. Krishna, S/o. Late N. Venkanna,
T.No.3358, Aged about 59 years,
Occ: High Skilled – II, R/o. D.No.21-34/P,
Viman Nagar-II, Vskpt.
10. NV. Ramana, S/o. Late N. Sannyasi,
T.No.3359, Aged about 59 years,
Occ: High Skilled – II,
R/o. D.No.65-1-172/A, Sriharipuram,
Visakhapatnam - 11.
11. P. Chakram, S/o. Late Kamraju,
T.No.3361, Aged about 58 years,
Occ: High Skilled – II R/o. D.No.13-8-17,
Dandu Bazar, Maharanipecta, Vsp-2.
12. MVA Rao, S/o. Late M. Venku Naidu,
T.No.3362, Aged about 59 years,
R/o. D.No.31-7-93, Assam Gardens,
Ali Puram, Vsp-20.
13. K. Simhadri, S/o. Late Pentayya,
T.No.3467, Aged about 60 years,
Occ: High Skilled – II, R/o. D.No.9-11/11,
Papaya Raju Palerm, Pendurthi, Vsp.
14. KS Ramulu, S/o. Late K. Papayya,
T.No.3470, Aged about 60 years,
Occ: High Skilled – II, R/o. D.No.44-38-7/15,
Akkayyapalem, Vsp-530 016.
15. GP. Naidu, S/o. Late Yerri Naidu,
T.No.3475, Aged about 62 years,

Occ: High Skilled – II, R/o. D.No.11-1-1,
Kanthi Nagar, Gajuwaka, Vsp-26.

16. OJ. Rao, S/o. Late O. Chitti,
T.No.3477, Aged about 60 years,
Occ: High Skilled – II, R/o. D.No.54-17-110,
Bhanu Nagar, HB Colony, Vsp-22.
17. PA. Rao, S/o. Late P. Satyam,
T.No.3478, Aged about 60 years,
Occ: High Skilled – II,
R/o. D.No. LIG -342, Auto Nagar, Vskpt.
18. Rao Rvchb, S/o. Late R. Satyanarayana,
T.No.3479, Aged about 58 years,
Occ: High Skilled – II, R/o. D.No.18/134,
Prahaldhapuram - 530 007.
19. SVVS. Raju, S/o. Late Veerabhadraraju,
T.No.3482, Aged about 59 years,
Occ: High Skilled – II, R/o. D.No.18/134,
Prahaldhapuram, Vsp-530 027.
20. MS Murthy, S/o. Late MS. Pardhasardhi,
T.No.3490, Aged about 62 years,
Occ: High Skilled – II, R/o. MIG-II/15,
PM Palem, Visakhapatnam - 41.
21. BM Rao, S/o. Late B. Venkat Rao,
T.No.3492, Aged about 60 years,
Occ: High Skilled – II, R/o. D.No.24-112-3/2,
Srinidhi residency-II, Chinnhagantiyada,
Gajuwaka, Visakhapatnam.
22. KSN Murthy, S/o. Late KJ. Rao,
T.No.3493, Aged about 60 years,
Occ: High Skilled – II, R/o. D.No.49-23-2,
Lalithanagar.
23. K. Bhima Raju, S/o. Late K. Apparao,,
T.No.3596, Aged about 60 years,
Occ: High Skilled – II, R/o. MIG-I, 580, PM Palem,
Visakhapatnam -41.
24. KK. Murthy, S/o. Late K. Tatarao,
T.No.3599, Aged about 57 years,
Occ: High Skilled – II, R/o. D.No.02/10/32,
Mindi, Vsp-12.
25. Dvsb Prasad, S/o. Late D. Shagiri Rao,
T.No.3600, Aged about 61 years,



R/o. D.No.3-34-2-38, Gynapuram, Vsp.

26. DR Rao, S/o. Late D. Madhavarao,
T.No.3602, Aged about 60 years,
Occ: High Skilled – II, R/o. D.No.6-3-99/1,
Shriharipuram.
27. SK. Meerjan, S/o. Late Abddul Kaveem,
T.No.3603, Aged about 60 years,
Occ: High Skilled – II, R/o. D.No.13-11-11,
BC Road, New Gajuwaka, Vsp-26.
28. MV Jaya Bob, S/o. Late Benjamin,
T.No.3606, Aged about 58 years,
Occ: High Skilled – II, R/o. MIG II-B 134,
Vinayak Nagar, Vuda Colony, Vsp-44.
29. PRK Rao, S/o. Late Arjunudu,
T.No.3754, Aged about 59 years,
Occ: High Skilled – II, R/o. D.No.7-9-2,
Old Gajuwaka, Vsp.
30. Y. Ranman, S/o. Late Somulu,
T.No.3757, Aged about 61 years,
Occ: High Skilled – II, R/o. LIG - 362,
Auto Nagar, Vsp-12.
31. BN. Rao, S/o. Late B. Suryanarayana,
T.No.3758, Aged about 59 years,
Occ: High Skilled – II, R/o. D.No.70-1-21,
Yeduruvanipalem, V
32. Y. Devadas, S/o. Late Y. Anthony,
T.No.3761, Aged about 60 years,
Occ: High Skilled – II, R/o. D.No.70-1-21,
Yeduruvanipalem, VSKPT.
33. MS Riyazuddin, S/o. Late Mehaboob,
T.No.3763, Aged about 57 years,
Occ: High Skilled – II, R/o. Block No.30 1,
Viswysaranagar, Auto Nagar, Vsp-12.
34. R. Karun Kumar, S/o. Late R. Rayappa,
T.No.3764, Aged about 55 years,
Occ: High Skilled – II, R/o. D.No.10/124,
Durganagar.
35. V.S. Narayana, S/o. Late V. Satyam,
T.No.3770, Aged about 60 years,
Occ: High Skilled – II, R/o. D.No.14-36-1/2a2,
SGV Paradise, BC Road, Gajuwaka, Vsp-26.





36. S. Satyanarayana, S/o. Late S. Subbarao,
T.No.3960, Aged about 59 years,
Occ: High Skilled – II, R/o. D.No.36-94-72,
Bapuji Nagar, Kancherapalem, Vsp.
37. B. Harinarayana, S/o. Late Rajeswara Rao,
T.No.3363, Aged about 61 years,
Occ: High Skilled – II, R/o. D.No.12-144,
Ganesh Nagar, Madhurwada.
38. Sagi Samba Murthy Raju,
S/o. Late Sanyasi Raju,
T.No.3176, Aged about 60 years,
Occ: Master Craftsman, R/o. D.No.24-109-8,
Chinnagantiyada, Gajuwaka, Vsp-26.
39. Chittiboina Demudu,
S/o. Late Chinnaya,
T.No.3710, Aged about 59 years,
Occ: Master Craftsman, R/o. D.No.10-7-72/3,
Ramanagar, Maharanipeta Post, Visakhapatnam.
40. Metla Narasimha Murthy,
S/o. Late Rama Murthy,
T.No.3711, Aged about 60 years,
Occ: Master Craftsman, R/o. D.No.1-5-119/1,
Akkireddy.
41. Naidanna Nokkaraju, S/o. Late Paidayya,
T.No.3713, Aged about 60 years,
Occ: Master Craftsman, R/o. D.No.1-5-119/1,
Akkireddy Palem, BHPV Post, Vsp-12.
42. Kalla Sanyasi Naidu,
S/o. Late Maha Laxmi Naidu,
T.No.3714, Aged about 59 years,
Occ: Master Craftsman, R/o. D.No.39-22-34/2,
Kalinga Nagar, Madhavadhara, Vsp-7.
43. Kucharlapati Suryanaraya Raju,
S/o. Lakshmipati Raju,
T.No.9027, Aged about 59 years,
Occ: Master Craftsman, R/o. D.No.36-92-400/4,
Indira Nagar-I, Kancharapalem Post.
44. Chintada Jagadeswara Raju,
S/o. Appala Narasayya,
T.No.3177, Aged about 58 years,
Occ: Master Craftsman, R/o. D.No.60-13-13,

Prakash Nagar (Vill.) Malkapuram Post, Vsp.

45. Nagam Ramarao, S/o. Late Vaikuntam,
T.No.3171, Aged about 59 years,
Occ: Master Craftsman, R/o. D.No.49-36-46/7,S1,
Ngo's Colony, Akkayy Palem, Vsp.
46. Sambara Nageswara Rao,
S/o. Late Surya Narayana,
T.No.3404, Aged about 60 years,
Occ: Master Craftsman,
R/o. D.No.9-7-21/14, Sivaji Palem.
47. Vanka Ogeswara Rao, S/o. Late V. Appala Swamy,
T.No.3411, Aged about 58 years,
Occ: Master Craftsman, R/o. D.No.58-26-60,
Vinod Nagar, NAD Post, Vsp-9.
48. Akki Reddy Sessa Giri Rao,
S/o. Late Surya Rao,
T.No.3401, Aged about 61 years,
Occ: Master Craftsman, R/o. D.No.21-125,
Venkatadri Nagar, Prahaladpuram Post, Vsp-27.
49. M. Govinda Rao, S/o. Late Jagannadha Rao,
T.No.3400, Aged about 62 years,
Occ: Master Craftsman, R/o. D.No.445-20,
Tatichetla Palem, Near Ganesh Temple,
Akkayyapalem Post, Vsp-16.
50. Ch Satya Prakash, S/o. Ch. Kanakam,
T.No.3402, Aged about 63 years,
Occ: Master Craftsman, C/o. M . Govinda Rao,
D.No.44,-5-20, Tatichetla Palem,
Near Ganesh Temple, Akkayyapalem Post.
51. B. Janaki Ramarao,
S/o. Late B. Ramarao,
T.No.3403, Aged about 61 years,
Occ: Master Craftsman, R/o. D.No.21-103
Venkatadri Nagar, Prahaladpuram Post, Vsp-27.
52. Itikarala Palli Mohon,
S/o. Late Pysi Talli,,
T.No.3407, Aged about 61 years,
Occ: Master Craftsman, R/o. D.No.21-117,
Venkatadri Nagar, Prahaladpuram Post.
53. Pamod Kumar Das, S/o. Late Banchanidi Das,
T.No.3962, Aged about 52 years,
Occ: Master Craftsman, R/o. Q.No.L-29,



Meghadripeta Colony.

54. Duggapu Appala Naidu,
S/o. Late D. Suryanaraya,
T.No.3409, Aged about 61 years,
Occ: High Skilled, R/o. D.No.10-6-75,
Kailasa Nagar Gajuwaka, Vsp-26.
55. Pallela Satya Narayana,
S/o. Late P. Appala Swamy,
T.No.3715, Aged about 63 years,
Occ: High Skilled, R/o. D.No.10-6-75,
Kailasa Nagar Gajuwaka, Vsp-26.
56. Madaka Appa Rao, S/o. M . Pydithalli,
T.No.3716, Aged about 41 years,
Occ: High Skilled, R/o. D.No.62-7-40/2,
Sriharipuram, V.T. College Road,
Malkapuram Post, Vsp-11.
57. Pathala Tatabbi, S/o. P. Paidi Thalli,
T.No.3443, Aged about 61 years,
Occ: High Skilled, R/o. D.No.32-10-14/9,
F2, Sss Plaza, Venkateswara Colony,
Sheela Nagar, Vsp-12.
58. Sirlapu Babu Rao, S/o. Late Adinarayana,
T.No.3172, Aged about 60 years,
R/o. D.No.16-147, Flat No.5,
Sree Simhadri Residency, Prahalapuram,
Simhachalam Road, Vsp-27.
59. Ryali Raja Laxmana Rao, S/o. Late R. Bheema Raju,
T.No.3961, Aged about 64 years,
Occ: High Skilled, R/o. C/o. M.V.A. Dora,
Plot No.63, Paul Nagar, Near Vuda Phase-IV,
Contonment, Vizianagaram.
60. Jagarapu Krishna, S/o. Late J. Swamy Naidu,
T.No.3410, Aged about 62 years,
Occ: High Skilled, R/o. D.No.6-152/2/2,
Flat No.118 FF2, Sri Krishna Residency,
Madhurawada, Vsp-530048.
61. Medisetti Satya Rao, S/o. Late Appalaswamy,
T.No.3173, Aged about 60 years,
Occ: Master Craftsman, R/o. D.No.65-3-243/1,
Ex. Service Man Colony, Sriharipuram,
Malkapuram Post. VSKPT.





62. T. Subba Rao, S/o. Late Umamaheswudu,
T.No.3480, Aged about 63 years,
Occ: High Skilled-II, R/o. D.No.1-8/2,
Prasanthi Nagar, Chinna Musidivada,
Penddurthi, Vskpt.
63. N. Gopi Chandu, S/o. Late Kondala Rao,
T.No.3485, Aged about 63 years,
Occ: High Skilled-II, R/o. D.No.63-3-71/4,
Jawahara Nagar Road, Srihari Puram,
Visakhapatnam.
64. Ps Ranganayukulu, S/o. Late Raghava Rao,
T.No.3597, Aged about 63 years,
Occ: High Skilled-II, R/o. D.No.50-99-18,
Sithamadara Nv Lay Out, Vsp.
65. G. Krishna Rao, S/o. Late Chandra Rao,
T.No.37530, Aged about 62 years,
Occ: High Skilled-II, R/o. D.No.44-45-27/1,
Narendra Nagar, Rly. New Colony, VSKPT.
66. VJ Das Kumar, S/o. Late J.W. Vanga,
T.No.3755, Aged about 65 years,
Occ: High Skilled-II, R/o. D.No.15-126,
Varaha Giri Colony, Saligramapuram, VSKPT.
67. P. Venkanna, S/o. Late Lovaraju,
T.No.3756, Aged about 56 years,
Occ: High Skilled-II, R/o. D.No.10-10-97,
New Gajuwaka, Sai Rama Nagar, VSKPT.
68. YV. Ramana, S/o. Late Appala Naiduu,
T.No.3759, Aged about 65 years,
Occ: High Skilled-II, R/o. D.No.35-35-12,
Gavara Kancharapalem, VSKPT.
69. M. Easwara Rao, S/o. Late Linga Naidu,
T.No.3491, Aged about 63 years,
Occ: High Skilled-II, R/o. D.No.10-1-46,
Mehtar Nagar, Old Gajuwaka, VSKPT.
70. P. Rama Raju, S/o. Late Sita Rama Raju,
T.No.3496, Aged about 63 years,
Occ: High Skilled-II, R/o. D.No.24-80-12,
Sanath Nagar, Chinagantayada,
Gajuwaka, Vsp-26.

71. V.V. Raju, S/o. Late Satyanarayana,
T.No.3364, Aged about 63 years,
Occ: High Skilled-II, R/o. D.No.58-14-95/8,
HIG-36, Marri Palem.
72. ALN. Sharma, S/o. Satyanarayana,
T.No.3497, Aged about 61 years,
Occ: High Skilled-II, R/o. D.No.20-7/A,
Anandapeta, Vsp.
73. T.R. Prabhakar, S/o. Raghavayya,
T.No.3769, Aged about 64 years,
Occ: High Skilled-II, R/o. D.No.21-68/6,
Police Station Road, Dogga Vani Palem, Vskpt.
74. B. Siva Rama Krishna,
S/o. Late Nageswara Rao,
T.No.3598, Aged about 62 years,
Occ: High Skilled, R/o. D.No.38-37-66,
Ranapratap Nagar, Vskpt.
75. S. Samson Raju, S/o. Late Danieal,
T.No.3487, Aged about 63 years,
Occ: High Skilled, R/o. D.No.36-94-263/9,
Ambethkar Estate, Kacharapalem,
Viskahapatnam -8.
76. G. Verriya, S/o. Late Rama Swamy,
T.No.3466, Aged about 63 years,
Occ: High Skilled, R/o. D.No.58-10-27/1, OLD,
Kasara, NAD Post, Vskpt.
77. P. Satavahana Rao, S/o. Late Naganna,
T.No.3958, Aged about 61 years,
Occ: High Skilled, R/o. D.No.36-36-87,
Ramji Estate, Kancharapalem, Vsp-8.
78. A. Visweswara Rao, S/o. A.V. Krishna Rao,
T.No.7381, Occ: MCM, D.No.26-43-1,
Chathanaya Nagar, Old Gajuwaka,
Visakhapatnam -26.

...Applicants

(By Advocate : Smt Anita Swain)

Vs.

1. The Union of India rep. by its
Secretary, Ministry of Defence,
South Block, New Delhi.

2. The Chief of Naval Staff,
Integrated Headquarters,
Ministry of Defence,
Sena Bhavan, PO. DHQ,
New Delhi – 110 011.
3. Flag Officer-Commanding-in-Chief,
Head Quarter Eastern Naval Command,
Naval Base, Visakhapatnam.
4. The Admiral Superintendent,
Naval Dockyard, Visakhapatnam.



....Respondents

(By Advocate: Smt. K. Rajitha, Sr. CGSC)

ORAL ORDER
(As per Hon'ble Mr. Ashish Kalia, Judl. Member)



The applicants in both the cases were appointed in between 1977 to 1979 in trades of Plumber and Fitter as erstwhile Tradesman Grade-I under 2nd CPC. They filed these O.As, seeking upgradation of their pay scales from Rs.260-400/- to Rs.330-480/- from 16.10.1981 to 01.02.1985. Since the facts in both the O.As are similar and same relief is sought for in both the O.As, these are disposed of by the following common order.

2. The brief facts of the case are that after getting requisite training in different trades, the applicants were absorbed in Grade-I in trade of Plumber, Machanist, Pipe Fitter, etc. in the pay scale of Rs.260-400/-. Ministry of Defence vide letter dated 16.10.1981 had placed the industrial workers of Indian Navy in the pay scales recommended by III CPC. 5% posts were upgraded from SK/HSK-II to HSK-II/I respectively in certain specified trades. The Tradesmen Gr.I , who were in the pay scale of Rs.260-400/- were re-classified into the following two categories:

- a) Tradesmen such as Electrical Fitter, Engine Fitter, Weapon Fitter, etc., were upgraded to the pay scale of Rs.330-480/- from Rs.260-400 and re-designated as Highly Skilled Gr.II.
- b) Tradesmen such as Pipe Fitter/ Plater/Turner/Driller and Miller (re-classified as Machinist) were re-designated as Skilled and retained in the pay scale of Rs.260-400/-.

3. On 15.10.1984, Ministry of Defence has issued directions for fitment of industrial workers of Indian Navy into pay scales recommended by the III CPC for provisional introduction of Highly Skilled Gr.II (Rs.330-480/-) and Highly Skilled Gr.I (Rs.380-560/-) from common category jobs

classified as 'Skilled'. The percentage of the total strength for fitment is defined as:

- | | | |
|-------------------------|---|-----|
| a) Highly Skilled Gr.I | - | 15% |
| b) Highly Skilled Gr.II | - | 20% |
| c) Skilled | - | 65% |



4. Accordingly, Tradesmen (erstwhile Gr.I) in the trades of Plater, Pipe Fitter, Turner, Miller, Borer, etc., were placed in the pay scale of Rs.260-400/-. Subsequently, these Tradesmen were promoted to the grade of Highly Skilled Gr.II during 1984-85 in the pay scale of Rs.330-480/- by constituting Departmental Promotion Committee and promoted vide order dated 28.2.1985. It resulted in upgradation of some of the erstwhile Tradesmen Gr.II like Blacksmith, Electrical Fitter, Boiler Maker to Highly Skilled Gr.II in October, 1981 in the pay scale of Rs.260-400/-.

5. It is submitted that the Assured Career Progression Scheme was introduced in the Ministry of Defence on 9.8.1999. A Chargeman Gr.II in the pay scale of Rs.5000-8000/- was granted 1st ACP to the Tradesman upgraded to Highly Skilled Gr.II whereas the Tradesman was promoted to Highly Skilled Gr.II during 1984 was considered for grant of 2nd ACP in the pay scale of Rs.5000-8000/- since they were promoted to HSK Gr.II from the post of Skilled category during 1984-85. Those Tradesman who were not upgraded but promoted to Highly Skilled Gr.II were given 2nd ACP in the scale of Rs.5000-8000/- whereas the Tradesmen who were upgraded were given the 1st ACP in the scale of Rs.5000-8000/- and the 2nd ACP in the scale of Rs.5500-9000/- in accordance with the DOPT instructions. The applicants are claiming that their trade was ignored by the respondents while upgrading the pay scale from Rs.260-400/- to Rs.330-

480/- w.e.f. 16.10.1981 like other trades. On the interference of the Unions, the respondent authorities upgraded the pay scale of the applicants from Rs.260-400/- & Rs.330-480/- and re-designated as HSK Gr.II from 1.2.1985 instead of 16.10.1981 and the respondents have also shown re-designation of the applicants from Tradesmen Gr.I as Highly Skilled Gr.II.



The applicants made representation dated 14.7.2014 which was rejected by the respondents. Feeling aggrieved, the applicants have approached this Tribunal seeking the above said relief.

6. Sri T. Sanjay Reddy representing Sri T. Hanumantha Reddy, learned Senior Panel Counsel & Smt. K. Rajitha, learned Senior Standing Counsel put appearance on behalf of the respondents and advanced their arguments. Respondents have filed a detailed reply, opposing the O.As. In the nutshell, they contend that the applicants fall under the category mentioned at para 2(b) (supra) and that though they were re-designated as Skilled, their pay scale had not changed. They were subsequently promoted and that the promotion is counted as one upgradation which is to be counted from the date of promotion but not from the date of joining as Skilled since the pay scale of the trade of the applicants was not upgraded to Rs.330-480 as per the DOP&T's OM dated 16.10.1981. Hence, claiming upgradation from the date of their joining as Tradesman (Skilled) is not tenable and the O.A. is liable to be dismissed.

7. After considering the rival contentions of the parties, we are of this view that the grievance of the applicants is that they should have been considered for granting Rs.330-480/- w.e.f. 16.10.1981 i.e. the date of decision of the Government (Ministry of Defence). Ministry of Defence made two categories of Trades (supra). Learned counsel for the

respondents had categorically submitted that this is a policy decision taken by the competent authority and accordingly they have been granted pay scale under Assured Career Progression – 1st ACP to those who were in the pay scale of Rs.260-400/- and 2nd ACP was granted to those who were already granted Rs.330-480/-. Thus, the grievance of the applicants has no basis, whatsoever. The Government has the prerogative to accept or reject the recommendation of the Pay Commission. The Hon'ble Supreme Court in the case of *K.S. Krishna Swamy vs Union of India & Others [2006(13) SCC 215]* held that “it is a well settled principle of law that the recommendations of Pay Commissions are subject to acceptance/rejection /modifications of appropriate Government. It is also a well settled principle of law that a policy decision of the Government can be reviewed/ altered/ modified by executive instructions.” Even otherwise, the applicants have approached this Tribunal nearly after four decades.

8. Thus, we find no merit in the O.As. and the same are accordingly dismissed. MA/20/122/2017 & MA/20/123/2017 shall stand closed. No order as to costs.

(B.V. SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/pv/