

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 2nd DAY OF AUGUST, 2000

Original Application No.1181 of 1995

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.BISWAS, MEMBER(A)

1. R.P.Kureel, son of Sarjoo Prasad working as Foreman(Non-Technical) Ordnance Factory, Kanpur.
2. Ram Bharosey, son of Shri Mulai presently working as Foreman(Non-Tech) Ordnance Fatory, Kanpur.
3. R.K.Shukla, son of Shri baij nath Foreman(Non-Tech)presently working in Ordnance Eqquipment Factory, Kanpur.
4. S.N.Tiwari, son of Sri B.B.Tiwari, Foreman(Non-Tech), Ordinancy Factory, Kanpur
5. S.P.Bajpai, son of Shri B.P.Bajpai, Foreman (Non-Tech), Field Gun Factory, Kanpur.
6. O.P.Verma, son of late Ram Krishna Foreman(Non-Tech) working in Ordnance Equipment Factory, Kanpur.
7. K.Sadashivan, son of Shri V.V. Krishna Kutti,Foreman(Non-Tech), Ordnance Factory Kanpur.
8. K.K.Joshi, son of late A.L.Joshi, Foreman(Non-Tech), Field Gun Factory Kanpur.
9. S.R.gupta, son of Shri P.L.Gupta Foreman(Non-Tech),Ordinance Factory,Kanpur
10. N.K.Jain, son of Sri J.P.Jain, Foreman (Non-Tech),Ordinance Factory, kanpur.
11. R.N.Bajpai, son of late S.C.Bajpai, Foreman (Non-Tech) Ordinance Factory, Kanpur.
12. Ram Sewak Mishra, son of late H.S.L.Misra Foreman(Non-Tech) Ordinance Factory Kanpur.
13. Sanjai Singh, son of late Udaibhan Singh, Foreman(Non-Tech),Ordinance Factory,.Kanpur.
14. Banshi Lal, son of Madho, Foreman (Non-Tech), Ordinance Factory, Kanpur

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15. V.K.Ahluwalia, son of late J.N.Ahluwalia  
Foreman(Non-Tech) Ordnance Factory  
Kanpur.
16. Lakan Singh, son of late Bhola Singh, Field  
Gun Factory, Kanpur.
17. Vimlendu Chakravorty, son of late A.P.Chakravorty  
Foreman(Non-Tech), Small Arms  
Factory, Kanpur.
18. Krishna Lal Kureel, son of late Mahabir  
Prasad, Foreman(Non-Tech), Ordnance  
Factory, kanpur.
19. Smt. Usha Kiran, w/o late Sri D.V.Singh  
Foreman(Non-Tech), Ordnance Factory  
Kanpur.
20. K.C.Sonkar, son of Gauri Shankar  
Foreman(Non-Tech), Field Gun Factory,  
Kanpur.
21. R.M.Tiwari, son of B.P.Tiwari, Store Keeper  
Field Gun Factory, Kanpur.
22. M.K.Sethi, son of lare B.L.Sethi, Store Helper  
Small Arms Factory, Kanpur.
23. U.K.Shukla, son of Baij Nath, Stores Holder  
Ordnance Factory, Kanpur.
24. L.R.Bajaj, son of Shiv Dayal Bajaj, Stores  
Holder, Ordnance Equipement Factory,  
Kanpur.
25. R.P.Gupta son of Patti Lal, Stores Holder  
Small Arms Factory, Kanpur.
26. Idu Shah son of Hakim Shah,  
Stores Holder, Small Arms Factory, Kanpur.
27. A.K.Saxena son of O.P.Saxena,Stores Holder  
Ordnance Factory, Kanpur.
28. Shalik Ram Dixit son of Siya Raghubir Dixit  
Stores Holder, Ordnance Factory, Kanpur.
29. Roop Lal son of Hansraj, Stores Holder  
Ordnance Factory, Kanpur.
30. R.K.Vishwakarma, son of Jilai Vishwakarma  
Stores Holder, Small Arms Factory,  
Kanpur.

.... Applicants

(By Adv: Shri R.M.Saggi)

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Versus

1. Union of India, through Secretary, Ministry of Defence, Department of Defence Production, New Delhi.
2. Chairman, Ordnance Factory Board, 10-A Auckland Road, Calcutta-1
3. General Manager, Ordnance Factories, Kanpur.

.... Respondents

(By Adv: Shri Amit Sthalekar)

O R D E R (Oral)

(By Hon. Mr. Justice R.R.K. Trivedi, V.C.)

By this application Under Section 19 of the Administrative Tribunals Act 1985 the applicants<sup>u</sup> who are 30 in number have prayed that the respondents may be directed to classify them/group 'B' service <sup>u</sup> which<sup>u</sup> Gazetted posts. The applicants are serving in Ordnance Factory as Foreman (Non-Technical)/Store Holder in Group 'C'. The basis of thier <sup>or but</sup> claim is that Foreman(Technical) have been in class 'B' service and have been given status of Gazetted officer w.e.f. 1.6.1994. It is claimed that they are entitled for the same benefit. In Counter affidavit in paragraph 6 the claim of the applicants have been denied and it has been stated that the post of Foreman(Non-Tech) and Foreman(Tech)(which is now called as Junior Works Manager) are not equal and they are not performing the identical duties in Ordnance Factory. Their pay scales are different. The pay scale of Foreman (Tech) is Rs.2375-3500, whereas the pay scale of Foreman(Non-Tech) is Rs.2000-3200. The duties are entirely different/ The qualifications for appointment <sup>are</sup> also different. The learned counsel for the applicant could not dispute the aforesaid facts, which <sup>show that</sup> ~~could~~ Foreman(Non-Tech) and Foreman(Tech) <sup>form</sup> different classes. In our opinion the claim raised in this application is not ~~justifiable~~ and the claim is

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rejected.

The OA is accordingly dismissed with no order as to costs.

*S. Jain*  
MEMBER(A)

*R. J. S.*  
VICE CHAIRMAN

Dated: 2nd August, 2000

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