

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 Factory, Kanpur.
3. R.K.Shukla, son of Shri baij nath Foreman(Non-Tech)presently working in Ordnance Equipment Factory, Kanpur.
4. S.N.Tiwari, son of Sri B.B.Tiwari, Foreman(Non-Tech), Ordinance 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),Ordnance Factory,Kanpur
10. N.K.Jain, son of Sri J.P.Jain, Foreman (Non-Tech),Ordnance Factory, kanpur.
11. R.N.Bajpai, son of late S.C.Bajpai, Foreman (Non-Tech) Ordnance Factory, Kanpur.
12. Ram Sewak Mishra, son of late H.S.L.Misra Foreman(Non-Tech) Ordnance Factory Kanpur.
13. Sanjai Singh, son of late Udaibhan Singh, Foreman(Non-Tech),Ordnance Factory,.Kanpur.
14. Banshi Lal, son of Madho, Foreman (Non-Tech), Ordnance Factory, Kanpur

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15. V.K.Ahluwalia, son of late J.N.Ahluwalia
Foreman(Non-Tech) Ordinance Factory
Kanpur.
16. Lakhan 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), Ordinance
Factory, Kanpur.
19. Smt. Usha Kiran, w/o late Sri D.V.Singh
Foreman(Non-Tech), Ordinance 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 late B.L.Sethi, Store Helper
Small Arms Factory, Kanpur.
23. U.K.Shukla, son of Baij Nath, Stores Holder
Ordinance Factory, Kanpur.
24. L.R.Bajaj, son of Shiv Dayal Bajaj, Stores
Holder, Ordinance Equipment 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
Ordinance Factory, Kanpur.
28. Shalik Ram Dixit son of Siya Raghubir Dixit
Stores Holder, Ordinance Factory, Kanpur.
29. Roop Lal son of Hansraj, Stores Holder
Ordinance 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, Ordinance Factory Board,
10-A Auckland Road, Calcutta-1
3. General Manager, Ordinance Factories,
Kanpur.

.... Respondents

(By Adv: Shri Amit Sthalekar)

O R D E R(Oral)

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

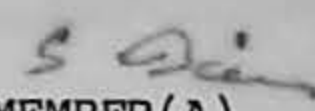
By this application Under Section 19 of the Administrative Tribunals Act 1985 the applicants^u who are 30 in number have prayed that the respondents may be directed to classify them^{in u} group 'B' service^{which is} Gazetted posts^u. The applicants are serving in Ordinance Factory as Foreman (Non-Technical)/Store Holder in Group 'C'. The basis of thier claim is that Foreman(Technical) have been^{or but u} 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 Ordinance 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^{are u} also different. The learned counsel for the applicant could not dispute the aforesaid facts, which^{show that u} ~~could~~ Foreman(Non-Tech) and Foreman(Tech)^{are u} in different classes. In our opinion the claim raised in this application is not ~~justifiable~~^{justified u} and the claim is

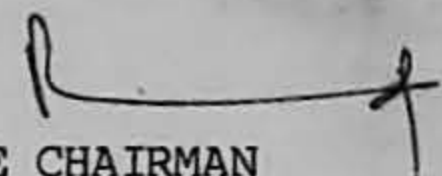


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rejected.

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


MEMBER(A)


VICE CHAIRMAN

Dated: 2nd August, 2000

Uv/