

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

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ORIGINAL APPLICATION NO. 182 OF 1986.

Date of decision

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May 5, 1988.

Suryakumar Dani, aged 45 years,
son of late Anandakumar Dani,
Senior Accountant, Office of the
Zonal Administrator, Dandakaranya Project,
At & P.O- Malkangiri, Dist- Koraput.

...

Applicant.

Versus

1. Union of India, through the Secretary,
Ministry of Home Affairs (Department of
Home Affairs- Internal Security),
Rehabilitation Division, Jaisalmer House,
Mansingh Road, New Delhi- 110 011.

2. The Chief Administrator,
Dandakaranya Development Authority,
At & P.O- Koraput, Dist- Koraput.

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Respondents.

Mr C.A.Rao, Advocate

...

For Applicant.

Mr. A.B.Misra, Sr. Standing
Counsel (Central)

...

For Respondents.

C O R A M :

THE HON'BLE MR. B.R. PATEL, VICE CHAIRMAN

A N D

THE HON'BLE MR. K.P. ACHARYA, MEMBER (JUDICIAL)

1. Whether reporters of local papers are being permitted to see the judgment ? Yes .
2. To be referred to the Reporters or not ? No
3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes .

J U D G M E N T

K.P. ACHARYA, MEMBER (J),

In this application under section 19 of the Administrative Tribunals Act, 1985, the petitioner claims a pay scale of Rs.550-900/-.

2. Shortly stated, the case of the petitioner is that he has been working as Senior Accountant under the Dandakaranya Development Authority, Koraput^{post} under the Zonal Administrator, Malkangiri and the petitioner is drawing a pay scale of Rs.425-640/-. The petitioner claims a pay scale of Rs.550-900/- to keep him in par with the Senior Accountant of other departments. Hence this application with the aforesaid prayer.

3. In their counter, the Opposite Parties maintained that recommendations were made to the higher authorities for prescribing a pay scale of Rs.550-900/- for the Senior Accountant but since the Government has turned down the proposal, there is no further scope for the Dandakaranya Development Authority to allow a pay scale of Rs.550-900/- to the Senior Accountant. Hence the application being devoid of merit is liable to be dismissed.

4. We have heard Mr. C.A.Rao, learned counsel for the petitioner and Mr. A.B.Misra, learned Senior Standing Counsel for the Central Government at some length. Mr. Rao drew our attention to a memorandum submitted to the Member-Secretary, Fourth Pay Commission by the Chief Administrator, Dandakaranya Development Authority. In the said memorandum in one of the paragraphs it is stated as follows :-

" In fitness of things, the post of Senior Accountant in the project

deserves the same scale of pay applicable to the posts of Senior Accountant in the departments like P & T and other Central Government Organisations ".

Neither in the counter nor during the oral arguments advanced by the learned Sr. Standing Counsel it was disputed that the Senior Accountants in other departments and other Central Government organisations do not receive a pay scale of Rs.550-900/-, as maintained by the petitioner- rather it is admitted. In this connection, we feel persuaded to say that the nature and duties of the Senior Accountants in the Dandakaranya Development Authority and other departments are not the same - a fact which has not been stated in the counter nor during the course of oral argument advanced at the Bar. In this connection we feel persuaded to say that the nature and duties of teachers serving under the Dandakaranya Development Authority being same as that of the teachers working in the Railways and Ministry of Defence, were kept in par so far as their respective pay scales are concerned both by the High Courts and by this Bench in several cases decided in the past. In addition to the above, we also add that pay scale of Senior Accountants and Accountants should not be the same because more responsibility^{is} definitely cast^{on} on the Senior Accountant and further more promotions are given to the post of Senior Accountant from the post of Accountant. Keeping all these in view, we think this is a fit case where the Government should re-consider the matter and pass necessary orders entitling the petitioner to get the pay scale of Rs.550-900/.

Vm,

5. Thus, the application is disposed of accordingly leaving the parties to bear their own costs .

[Signature]
5/5/88
Member (Judicial)

B.R. PATEL, VICE CHAIRMAN,

g agree.



[Signature]
5.5.88
Vice Chairman.

Central Administrative Tribunal,
Cuttack Bench.
May 5, 1988/Roy, SPA.