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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH & CUTTACK.

Original Application Nos. 103 & 105 of 1987.

Date of decision : March 30, 1988.

IN O.A.103 of 1987 : V.P. Samuel, son of late Philipose Chacko, Junior Engineer, Construction Sub-Division, Dnk. Project, MV. 19 P.O.S. Pall (via) Malkangiri, Dist. Koraput (Orissa). ... Applicant.

In O.A.105 of 1987: K.M. Mathai, son of late Mathai Mathew, Junior Engineer, Irrigation Division, Left Canal Subdivision, P.O. Panchabati, Dist-Koraput (Orissa). ... Applicant.

Versus

1. Union of India, represented by its Secretary, Department of Internal Security, Rehabilitation Division, Jaisalmer House, Mansingh Road, New Delhi- 110011.
2. Chief Administrator, Dandakaranya Project, Koraput (Orissa) 764020. ...

Respondents.

For the applicants : Mr. A. K. Mohapatra, Advocate.

For the respondents : Mr. Tahali Dalai, Additional Standing Counsel (Central)

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 may be allowed 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.

JUDGMENT

K.P.ACHARYA, MEMBER (J)

Both these cases involve common questions of fact and law. Therefore, we would direct that this common judgment would govern both the cases.

2. Shortly stated, the case of the applicants is that both the applicants are working as Selection Grade Junior Engineers and while they were appointed as Junior Engineers the scale of pay of the applicants was Rs.425-700/- on the recommendation of the Third Pay Commission Selection Grade for Junior Engineers were created and though the scale of pay fixed for Junior Engineers in the Selection Grade in the Telecommunications Department and the Central Public Works Department is Rs.550-900/-, the pay scale given to the Junior Engineers in the Selection Grade under Dandakaranya Development Authority is Rs.550-750/-. The applicants having felt aggrieved have come up before this Bench in different applications under section 19 of the Administrative Tribunals Act, 1985 which were heard analogous and to be disposed of by this common judgment.

3. In their counter, the respondents admit the fact that the applicants have been promoted to the Selection Grade posts and they further maintained that owing to inadequate educational qualification it was not considered proper to give them the scale of pay of Rs.180-380/- and on subsequent revision of pay scales the applicants were given the scale of pay of Rs.425-700/- from 1.1.1973 and they have been given the pay scale of Rs.550-750/- as vide Annexure-R-3 the

Central Government relaxed the educational qualification in

their favour.

4. We have heard Mr.A.K.Mohapatra, learned counsel for the applicants and Mr.Tahali Dalai, learned Additional Standing Counsel (Central) at some length. Mr.Dalai did not dispute the fact that Junior Engineers in the Selection Grade posts of the Telecommunications Department and Central Public Works Department are being given the pay scale of Rs.550-900/- . In the counter there is no dispute regarding the nature of duties discharged by the Junior Engineers in the Selection Grade posts under the Dandakaranya Development Authority and that of Telecommunications Department and Central Public Works Department. Therefore, we find no reason to make a different pay scales between the two categories of Junior Engineers. In such circumstances, we would direct that the applicants be given the pay scale of Rs.550-900/- in the Selection Grade posts.

5. Thus, these applications stand allowed leaving the parties to bear their own costs.

Agree
30.3.88
Member (Judicial)

B.R.PATEL, VICE-CHAIRMAN,

I agree

Armen
30.3.88
Vice-Chairman

Central Administrative Tribunal,
Cuttack Bench, Cuttack.
March 30, 1988/S.Sarangi.