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O.A.No. 368/1995.

24. Order Dated 18-3-2002.

Applicants, a set of draftsmen of Survey of India, under the Ministry of Science and Technology, having been discriminated in their pay scale; raised their grievances before the Union Government. On examination of the matter, the Finance Ministry, in the Department of Expenditure, came out with an Office Memorandum dated 19th October, 1994 providing a revised scale for the draftsmen of different Departments of the Government of India and it was made clear therein, that irrespective of their recruitment/qualification (in all Government of India Offices) the revised benefits should be extended. This Office Memorandum of 19th of October, 1994 of Govt. of India is at Annexure-3 to the O.A. The said Office Memorandum of 19th October, 1994 was put to circulation by the Ministry of Science and Technology on 1st November, 1994 and therefore, it is the case of the Applicants that the benefits arising out of Finance Ministry Office Memorandum dated 19th of October, 1994 ought to have been extended to them.

2. It is the case of the Respondents, as disclosed in their counter, that the draftsmen of Survey of India are a different class than the draftsmen of other Departments of Govt. of India, and therefore, the present Applicants are not entitled to the benefits as claimed.

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3. The issues raised by the Applicants were the subject matter of examination by the Guwahati Bench of the Central Administrative Tribunal in OA No.52/96 (Tulsiram Sharma and others vrs. Union of India & Ors) and also by the Cuttack Bench of the Tribunal in OA No.893/1996 (Bichitrananda Jena and others vrs. Union of India and others) decided on 27th November, 2000. In implementing the directions of the Tribunal, as rendered by the Guwahati Bench (supra), some benefits have been extended to a set of draftsmen in the circular letter No.SM/04/010/2000, dated 16th October, 2000 of the Ministry of Science and Technology and letter No.E2-6463/1196-B(TRS), dated 6th November, 2000 of the Surveyor General.

4. It is the case of the Applicants that the benefits extended in Govt.letter dated 16th October, 2000 and Surveyor General's letter dated 6th November, 2000 are not adequate and that they should get all the benefits arising out of the Finance Ministry Office Memorandum dated 19th October, 1994 and of the consequential/subsequent pay revisions.

5. It is not for this Tribunal to sit as an Appellate Authority to decide as to which class of Govt. servants to get what scale of pay. If the Applicants have any grievance to be redressed, in this regard, they need to approach the Finance Ministry for redressal of their grievances.



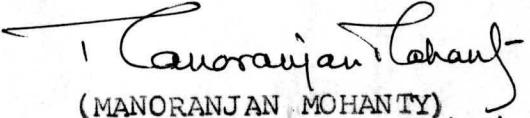
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6. In the aforesaid premises, the Applicants are free to make representation(s) through their Administrative Department, to the Finance Ministry for redressal of their grievances; which they need do within a period of one month hence and, if such a representation(s) is/are made, the Administrative Departments (in the Ministry of Science and Technology and Finance Ministry) should examine the matter expeditiously and redress the grievance of the Applicants for removal of discrimination, if any, .

Pending such consideration and redressal of their grievances, the benefits arising out of the Science and Technology Ministry circular/letter dated 6th November, 2000 etc. should be extended to the Applicants.

7. The Original Application is accordingly disposed of. No costs.


(M.P. SINGH)
MEMBER (ADMN.)


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL) 18/03/2002

KNM/C.M.