

Central Administrative Tribunal
Ernakulam Bench

Dated Thursday the twentyfifth day of May,
One thousand, nine hundred and eighty nine.

Present

Hon'ble Shri SP Mukerji, Vice Chairman
and

Hon'ble Shri G Sreedharan Nair, Judicial Member

DA No.137/89

M Achuthan : Applicant

Vs

1 The Union of India rep.
by the Secretary to the
Govt. of India,
Ministry of Industry
New Delhi.

2 The Development Commissioner
Small Scale Industries
New Delhi-110 011

: Respondents

M/s M Ramachandran &
P Ramakrishnan

: Counsel of applicant.

Mr PVM Nambiar, Sr CGSC

: Counsel of Respondents.

O R D E R

Shri G Sreedharan Nair, Judicial Member

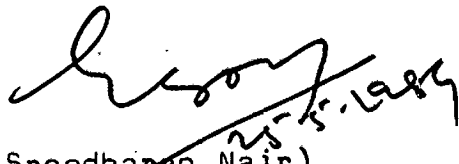
Heard counsel of the applicant as well as the
Sr CGSC to whom notice on admission was issued.


2 The applicant, a Draughtsman Grade-II attached
to the Small Scale Industries has filed this application
for a declaration that he is entitled to the revised
scale of pay applicable to Draughtsman Grade-II with
effect from 21.12.1985. Evidently, the claim has been

put forward on the strength of the order dated 29.10.86 issued by the Development Commissioner.

On a perusal of ^{the said} ~~such~~ order it is seen that though the revision of the scale of pay of Draughtsman Grade-II has been ordered with retrospective effect from 21.12.85, it relates only to the incumbents listed in the enclosures who possess the requisite qualifications as per the amended Recruitment Rules notified on 21.12.85. Admittedly, the applicant does not possess those qualifications. As such, he is not entitled to seek the declaration.

3 We reject the application.


(G Sreedharan Nair)
Judicial Member
25.5.89


(SP Mukerji)
Vice Chairman
25.5.89