

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex(BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 4-11-87

Application Nos. 421, 425, 427, 428, 430  
431, 446, 454 to 456/87(F)

Applicants

Respondents

Shri L. Ramakrishna & 9 Ors V/s The Director, NTI, Bangalore & 2 Ors

To

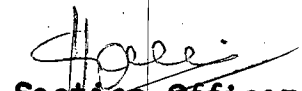
1. Shri L. Ramakrishna  
E-5, CPWD Quarters  
Vijayanagara  
Bangalore - 560 040
2. Shri D. Yesupadam  
No. 109, Dinnur  
Bangalore - 560 032
3. Shri B.K. Narayana Murthy  
No. 1153, 5th Main  
A-Block, II Stage  
Rajajinagar  
Bangalore - 560 010
4. Shri K.V. Aswathanarayana  
No. 768, 10th 'C' Cross  
II Stage, West of Chord Road  
Bangalore - 560 086
5. Shri P. James  
No. 1375, III Cross  
Thammanna Layout  
Lingarajapuram  
Bangalore - 560 084
6. Shri P.G. Mathew  
No. 592 (Upstairs)  
V.R. Puram  
Palace Guttahalli  
Bangalore - 560 003
7. Shri Simeon Rathna Durai  
No. 45, NTI Staff Quarters  
8, Bellary Road  
Bangalore - 560 003
8. Miss Hemalatha  
132, Milk Colony  
Malleswaram (West)  
Bangalore - 560 055
9. Miss Bhagirathi  
No. V 31/1, II Main  
Hanumanthapura  
Srirampuram  
Bangalore - 560 021
10. Shri K.O. Kolekar  
768, Xth 'C' Cross  
II Stage, West of Chord Road  
Bangalore - 560 086
11. Shri M.S. Nagaraja  
Advocate  
35 (Above Hotel Swagath)  
1st Main, Gandhinagar  
Bangalore - 560 009

12. The Director  
National Tuberculosis Institute  
No. 8, Bellary Road  
Bangalore - 560 003
13. The Director General of Health Service  
T.B. Section  
'Nirman Bhavan'  
New Delhi - 110 011
14. The Secretary  
Ministry of Health & Family Welfare  
Nirman Bhavan  
New Delhi - 110 011
15. Shri M.S. Padmarajaiah  
Central Govt. Sng Counsel  
High Court Buildings  
Bangalore - 560 001

\*\*\*\*\*

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER passed by  
this Tribunal in the above said applications on 26-10-87

  
Section Officer  
(Judicial)

Encl : As above

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: BANGALORE

DATED THE 26TH DAY OF OCTOBER, 1987.

Present

THE HON'BLE MR. JUSTICE K.S. PUTTASWAMY .. VICE CHAIRMAN

SHRI L.H.A. REGO .. HONOURABLE MEMBER(A)

APPLICATIONS: 421 of 1987 C/w 425, 427, 428,  
430, 431, 446, 454 to 456/87(F)

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L. Ramakrishna,  
E.5, CPWD Quarters,  
Vijayanagara,  
Bangalore-40.

Applicant in Appln. 421/87

2. D. Yesupadam,  
No. 109, Dinnur,  
Bangalore-32

-do- 425/87

3. B. K. Narayana Murthy  
No. 1153, 5th Main,  
A-Block, II Stage,  
Rajajinagar,  
Bangalore-10.

-do- 427/87

4. K. V. Aswathanarayana,  
No. 768, 10th 'C' Cross,  
II Stage, West of Chord-  
Road, Bangalore-86

-do- 428/87

5. P. James,  
No. 1375, III Cross,  
Thammanna Layout  
Lingarajapuram,  
Bangalore-84.

-do- 430/87

6. P. G. Mathew,  
NO. 592 (Upstairs)  
V. R. Puram,  
Palace Guttahalli,  
Bangalore-3

-do- 431/87



(contd...2

7. Simeon Rathna Durai  
No.45, NTI Staff Quarters,  
8, Bellary Road,  
Bangalore-3

Applicant in  
Appln.No.446/87

8. Miss Hemalatha  
132, Milk Colony,  
Malleswaram(West)  
Bangalore-55

-do- 454/87

9. Miss Bhagirathi,  
No.V 31/1, II Main  
Hanumanthapura  
Sriramapuram  
Bangalore-21

-do- 455/87

10. J.D.Kolekar  
768, Xth 'C' Cross  
II Stage, W.C.Road  
Bangalore-86.

-do- 456/87

(Dr.Nagaraja, Advocate for the Applicants in all the  
Applications)

-vs.-

1. The Director,  
National Tuberculosis Institute  
No.8, Bellary Road,  
Bangalore-560 003.

2. The Director General of  
Health Service, T.B.Section,  
'Nirman Bhavan'  
New Delhi-110 011.

3. Union of India by the Secretary  
Ministry of Health and Family  
Welfare, Nirman Bhavan,  
New Delhi-110 011. ..

Respondents in  
all the Applns.

(Shri M.S.Padmarajaiah, Senior Standing Counsel  
for Central Government, for respondents)

These applications coming on for hearing  
this day, VICE CHAIRMAN made the following:

ORDER



O\_r\_d\_e\_r

As the question that arise for determination in these cases are common, we propose to dispose them by a common order.

2. All the applicants are working as 'Laboratory Technicians'('LT') in the National Tuberculosis Institute, Bangalore ('NTI') of the Ministry of Health and Family Welfare, Government of India. Prior to 1-1-1986, the time-scale of the applicants classified as 'Para Medical Staff', was Rs.380-560. On the recommendations of the IV Pay Commission, Government had revised the time scale of LTs to Rs.1320 to 2040 from 1-1-1986. But, the applicants claim that in all other departments of Government, the time scale of Rs.380-560 of 'para medical staff' had been revised to Rs.1400-2300 from 1-1-1986 and that very time-scale should be extended to them since the nature of duties performed by them were similar to the nature of duties performed by 'para medical staff' of other departments.



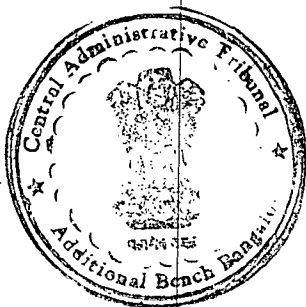
3. In resisting these applications, the respondents have however stated that the case of the applicants was still under examination by Government.

4. Dr.Nagaraja, learned Counsel for the applicants, contends that the applicants, who were performing the very duties performed by the 'para medical staff' of other departments of Government possessing similar qualifications, were entitled to the revised time-scale of Rs.1400-2300 from 1-1-1986 and that the denial of the same was violative of Articles 14 and 16 of the Constitution.

5. Shri M.S.Padmarajaiah, learned Senior - Standing Counsel for Central Government, appearing for respondents, sought to justify the action of the respondents.

6. In para-16 of their reply, the respondents have stated that the claim of the applicants for extending them the revised time-scale of Rs.1400-2300 from 1-1-1986, was under examination of Government and a final decision thereto had not so far been reached by Government.

7. When Government states that it was examining the claim made by the applicants, then the proper course is to direct Government to decide the same, with expedition.



8. On the claim of the applicants, the IV Pay Commission, which is the basis for revision of pay-scales, is silent. The order of Government and the Rules made thereon are also silent. In these circumstances, the claim of the applicants that their qualifications and the nature of duties performed by them are similar to those performed by other 'para medical staff' in other departments, and therefore, they are entitled for the very revised time-scale as extended to them, undoubtedly calls for an indepth examination and decision by Government in the first instance. In this view also, it is proper to direct Government to examine and decide the same, with expedition.

9. In the light of our above discussion, we make the following orders and directions:

- (i) We direct Government of India in the Ministry of Health and Family Welfare/  
Ministry of Finance, to examine the claim made by the applicants and the recommendations made thereon by the department for revision of their time-scale to Rs.1400-2300 from 1-1-1986, and pass its final order thereon, with all such expedition as is possible in the circumstances of the case and in any



event, within a period of four months from the date of receipt of the order of the Tribunal.

(ii) All questions raised by the applicants are left open.

10. Applications are disposed of in the above terms. But, in the circumstances of the case, we direct the parties to bear their own costs.




Sd---

(K.S. PUTTASWAMY) 26-10-11  
VICE CHAIRMAN.

Sd---

(L.H.A. REGO) 26-10-11  
MEMBER(A).

- True copy -

  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE



REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex(BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 8 MAR 1988

IA I IN APPLICATION NOS. 421, 425, 427, 428, 430  
431, 446, 454 to 456/87(F)

Applicants

Respondents

Shri L. Ramakrishna & 9 Ors

V/s The Director, NTI, Bangalore & 2 Ors

To

- |  |  |
|--|--|
| 1. Shri L. Ramakrishna<br>E-5, CPWD Quarters<br>Vijayanagara<br>Bangalore - 560 040                            | 7. Shri Simeon Rathna Durai<br>No. 45, NTI Staff Quarters<br>8, Bellary Road<br>Bangalore - 560 003          |
| 2. Shri D. Yesupadam<br>No. 109, Dinnur<br>Bangalore - 560 032   | 8. Miss Hamalatha<br>132, Milk Colony<br>Malleswaram (West)<br>Bangalore - 560 055                           |
| 3. Shri B.K. Narayana Murthy<br>No. 1153, 5th Main<br>A-Block, II Stage<br>Rajajinagar<br>Bangalore - 560 010  | 9. Miss Bhagirathi<br>No. V 31/1, II Main<br>Hanumanthapura<br>Sriramapuram<br>Bangalore - 560 021           |
| 4. Shri K.V. Aswathanarayana<br>No. 768, 10th 'C' Cross<br>II Stage, West of Chord Road<br>Bangalore - 560 086 | 10. Shri K.O. Kolekar<br>768, Xth 'C' Cross<br>II Stage, West of Chord Road<br>Bangalore - 560 086           |
| 5. Shri P. James<br>No. 1375, III Cross<br>Thammanna Layout<br>Lingarajapuram<br>Bangalore - 560 084           | 11. Dr M.S. Nagaraja<br>Advocate<br>35 (Above Hotel Swagath)<br>1st Main, Gandhinagar<br>Bangalore - 560 009 |
| 6. Shri P.G. Mathew<br>No. 592 (Upstairs)<br>V.R. Puram<br>Palace Guttahalli<br>Bangalore - 560 003            | 12. The Director<br>National Tuberculosis Institute<br>No. 8, Bellary Road<br>Bangalore - 560 003            |

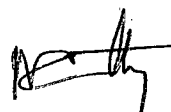
13. The Director General of Health Services  
T.B. Section  
'Nirman Bhavan'  
New Delhi - 110 011
14. The Secretary  
Ministry of Health & Family Welfare  
Nirman Bhavan  
New Delhi - 110 011
15. Shri M.S. Padmarajiah  
Central Govt. Stng Counsel  
High Court Building  
Bangalore - 560 001

\*\*\*\*\*

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER passed by this Tribunal  
in the above said applications on 29-2-88.

Encl : As above

  
for DEPUTY REGISTRAR  
(JUDICIAL)

**In the Central Administrative  
Tribunal Bangalore Bench,  
Bangalore**

**ORDER SHEET**

Application No. 421, 425, 427, 428, 430,  
431, 446, 454 to 456/87(F)

Applicant

Respondent

**L. Ramakrishna & 9 Ors**

**V/s**


**The Director, NTI & 2 Ors**

**Advocate for Applicant**

**Advocate for Respondent**

**Dr M.S. Nagaraja**

**M.S. Padmarajaiah**

Date	Office Notes	Orders of Tribunal
29.2.1988	 <p style="text-align: center;"><b>TRUE COPY</b></p> <p style="text-align: center;">8/3/88 DEPUTY REGISTRAR (JDL) CENTRAL ADMINISTRATIVE TRIBUNAL BANGALORE</p>	<p><u>PSM/CHRRKJ</u></p> <p><u>A No. 421, 425, 427, 428, 430,</u> <u>431, 446, 454 to 456/87</u></p> <p>Shri MSP appears for the applicants in IA No.1 wherein the Respondents in these original applications have sought for extension of time to implement the direction in the order of this Tribunal made on 26.10.1987 in those applications. Respondents, in those applications were, by that order directed to implement the said direction within four months of the receipt of the said order. The four month period expired on 25.2.1988. The respondents in those applications want a further time of four months to implement the directions.</p> <p>Dr. M.S.Nagaraja for the original applicants has no objection.</p> <p>Respondents in the aforesaid applications are allowed to implement the directions contained in this Tribunal order of 26.10.1987 within four months from today.</p> <p>IA No.1 stands disposed of.</p>

**Sd/-**

**MEMBER (A)**

**Sd/-**

**MEMBER (J)**