

Annexure A1

(10)

PAY FIXATION CERTIFICATE

Consequent on his reinstatement and in continuation of this office order No.A20012/28/F-II/90-91/13139 dated 26.12.'90, the pay fixation of Shri M.K. Varadarajan, Superintendent is as follows. The Deputy Director-General, A.M.S.E.Wing, G.S.I., Bangalore, has approved his absence from 28.11.1986 to 4.12.'90 as "DUTY FOR ALL PURPOSES".

Further, Shri M.K. Varadarajan, Superintendent, has reached maximum of Rs.750/- in the pay scale of Rs.550-750/- on 1.6.'83. The Deputy Director-General, A.M.S.E.Wing, G.S.I., Bangalore, has sanctioned him a stagnation increment w.e.f. 1.6.'85.

PAY SCALES :- (i) Rs.550-750/- .. PRE-REVISED.  
(ii) Rs.1600-50-2300-EB-60-2660/- .. REVISED.

01.	PAY as on 31.12.1985	..	Rs.775/- (750/-+25/-)
02.	PAY fixed on 1.1.'86 after giving one additional increment in the revised scale.	..	Rs.2,300/-
03.	INCREMENT on 01.01.1987	..	Rs.2,360/-
04.	-do- 01.01.1988	..	Rs.2,420/-
05.	-do- 01.01.1989	..	Rs.2,480/-
06.	-do- 01.01.1990	..	Rs.2,540/-
07.	-do- 01.01.1991	..	Rs.2,600/-

His next date of increment will be 1-1-1992.

(M.R. RANGACHARI)  
ADMINISTRATIVE OFFICER,  
A.M.S.E.WING,G.S.I.

\*ALFEE\*

- To: (1) AO, P&AO's office, Deptt. of Mines, GSI, B'lore.  
(2) Shri MK Varadarajan, Superintendent, AMSE Wing CSI B'lore  
(3) AO, Finance-II, AMSE Wing GSI, B'lore with one extra copy for S/B and one to go with the bill  
(4) Spare copies - 2 Nos.

"True Copy"

Advoc.

Annexure A3

(15)  
18

GOVERNMENT OF INDIA  
Airborne Mineral Survey & Exploration  
Geological Survey of India,  
Prestige Complex, No.2, Church Street,  
Bangalore-560001.

No. A20012/28/F-II/90-91/ 9461

Dated 03<sup>rd</sup> November, 1992.

M E M O.

Sub: His representation dated 20.7.1992 regarding  
refixation of pay.

Shri M.K.Varadarajan, Superintendent was drawing  
the Basic Pay of Rs.750/- in the scale of Rs.550-20-650-  
25-750/- on 31.12.1985. His normal date of increment was  
1st June of each year. As he has reached the maximum  
of the scale in June 1983 and was stagnating, he was  
allowed one stagnation increment of Rs.25/- on 1.6.1985.

The fourth Pay Commission recommendations  
were effective 1.1.1986. He was drawing the under  
mentioned amounts as on 31.12.1985:-

- |                             |         |  |
|-----------------------------|---------|--|
| 1. Basic Pay                | 750.00  | (Stagnation increment of Rs.25/-<br>was not taken into account for<br>fixation.) |
| 2. DA/ADA/Adhoc DA<br>etc., | 1128.80 |  |
| 3. I.R.                     | 145.00  |  |

Total. 2023.80

- |                                   |        |
|-----------------------------------|--------|
| 4. 20% of Basic<br>pay (Rs.750/-) | 150.00 |
|-----------------------------------|--------|

Total. 2173.80

5. The pay has been fixed in the  
revised scale w.e.f.1.1.86 at Rs.2300/- (Rs.2200+50+50)  
with 2 additional increments in the  
scale of Rs.1600-50-2300-EB-60-2660/-
6. As the official was stagnating for over  
2 years, maximum of 2 additional  
increments as provided under Rule 7 of  
(CSGRP) Rules 1986 was allowed.

contd...2.

7. His date of next increment was fixed as 1.1.87 after fixation of pay.

8. In the absence of option, pay was fixed w.e.f. 1.1.1986.

In view of the above the pay fixed by the office is in order and the date of increment will be 1st January instead of 1st June each year.

*(No money)*  
SENIOR ADMINISTRATIVE OFFICER,  
for Deputy Director General.

To:

Shri M.K. Varadarajan,  
Superintendent,  
EMSE Wing GSI,  
Bangalore.

*True Copy*  
*[Signature]*  
*[Advocate]*

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 20 APR 1993

APPLICATION NO (S) 38 of 1993.


W.P. NO (S) \_\_\_\_\_

Applicant (s) M.K. Varadarajan, v/s. Respondent (s) Deputy Director General, GSI, Bangalore & Others.

- To
1. Sri.M.K.Varadarajan,  
S/o.Late.M.K.RejanIyengar,  
1109, 37th 'C' Cross,  
4th 'T' Block, Jayanagar,  
Bangalore-41.
  2. Dr.M.S.Nageraja,  
Advocate, No.11,  
II Floor, Sujatha Complex,  
Gandhi nager,  
Bangalore-9.
  3. Deputy Director General,  
Geological Survey of India,  
Airborne Mineral Survey  
and Exploration,  
Prestige Complex,  
No.2, Church Street,  
Bangalore-1.
  4. Director General,  
Geological Survey of India,  
Chowringhee,  
Calcutta-700 013.
  5. Secretaty,  
Ministry of Steels & Mines,  
New Delhi.
  6. Sh.G.Shanthappa,  
Addl.Centrel Govt.Standing  
Counsel, High Court Building,  
Bangalore-1.

Subject : FORWARDING COPIES OF THE ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of the ORDER/STAY/  
INTERIM ORDER passed by this Tribunal in the above said  
application (s) on 01-04-93.

  
FOO DEPUTY REGISTRAR  
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 1ST DAY OF APRIL, 1993.

PRESENT:

Hon'ble Mr. Justice P.K. Shyamsundar, .. Vice-Chairman.

And

Hon'ble Mr. V. Ramakrishnan, .. Member(A).

APPLICATION NO. 38 OF 1993

M.K. Varadarajan,  
Aged 57 years, S/o late Sri M.K.  
Rajan Iyengar, 1109, 37th 'C' Cross,  
4th 'T' Block, Jayanagar,  
Bangalore-560 041.

.. Applicant.

(By Dr. M.S. Nagaraja, Advocate)

v.

1. The Deputy Director General,  
Geological Survey of India,  
Airborne Mineral Survey & Exploration,  
Prestige Complex, 2,  
Church Street, Bangalore-1.
2. The Director General,  
Geological Survey of India,  
Chowringhee,  
Calcutta 700 013.
3. Union of India,  
represented by Secretary  
to Government, Ministry of Steels & Mines,  
New Delhi.

.. Respondents.

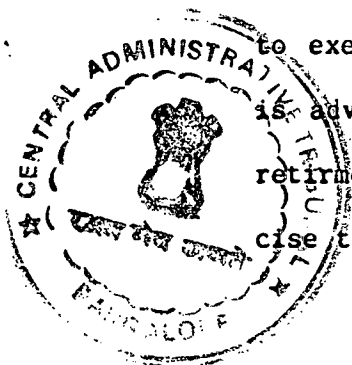
(By Sri G. Shanthappa, Standing Counsel)

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This application having come up for hearing to-day, Hon'ble Vice-Chairman made the following:-

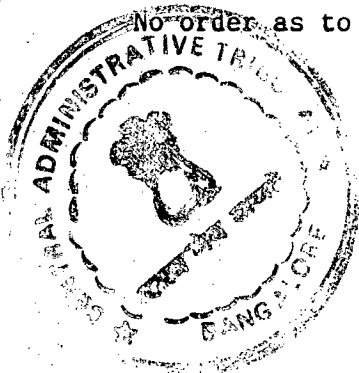
O R D E R

We do not see how the department would expect the applicant to exercise the option to shift to a new scale which of course is advantageous to the official, when he was under compulsory retirement. The inability on the part of the applicant to exercise that option was occasioned by the fact that at the relevant



point of time he was out of the department having been compulsorily retired against which he took up proceedings and finally succeeded before this Court in getting rid of that order. Following that development he took his re-birth in the department again and thereafter he agitated his right for fixation of his pay in the revised scale. On the ground that he did not exercise the option which could not have been done as at that time he was not a Government servant at all, the Department could not have denied his claim for getting the higher pay scale after he was put back into the service following the annulment of the order retiring him compulsorily. The department should have taken the aforesaid circumstances into consideration while dealing with the claim for fixing the applicant's in the revised pay scale, but has failed to do. The applicant cannot be denied of his just claim. We, therefore, allow this application, set aside the order of the first respondent dated 3-11-1992 (Annexure-A3) and direct the consideration of the claim of the applicant for refixation of his pay under the revised Pay Rules with effect from 1-1-1986. Needful to be done in three months.

No order as to costs.



Sd-  
MEMBER(A)

Sd-  
VICE-CHAIRMAN.

TRUE COPY

*[Signature]*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

*[Handwritten signature]*  
21/11/93

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

**ORDER SHEET**

Review Application No. 53/ of 1993  
in OA No. 38/93

Applicant

Respondent


Dy. Director General, GSI, B'lore & ors

Sh MK Varadarajan

Advocate for Applicant

Advocate for Respondent

Sh G Shantappa

Date	Office Notes	Orders of Tribunal
	<p style="text-align: center;">22(3) (A)</p> <div style="text-align: center; margin-top: 100px;">  </div>	<p style="font-size: 1.2em;">Beside the delay in delay with then arose as to the necessity to grant it hence the order was then passed</p> <p style="text-align: right;">K. H. N. Sd/- 23/12/93</p>
	<p><b>TRUE COPY</b></p>	<p style="text-align: right;">Sd/- 23/12/93</p>

**SECTION OFFICER**  
**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**BANGALORE**

