

(7) (30)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.48/90.

Date of Judgement 30-10-1992.

1. M.Suresh
2. Md. Osman Ali Khan
3. T.Srinivasulu
4. L.Ramulu
5. T.Elisha Rao
6. S.Vivekananda Sagar .. Applicants

Vs.

Union of India, Rep. by

1. The Secretary to Govt., &
Chairman,
Telecom. Commission,
New Delhi.
2. The Chief General Manager,
Telecommunications,
A.P.Circle,
Hyderabad.
3. The General Manager,
Hyderabad Telecom. District,
Hyderabad. .. Respondents

Counsel for the Applicants : Shri K.S.R.Anjaneyulu

Counsel for the Respondents : Shri N.V.Ramana, Addl. CGSC

CORAM:

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri C.J.Roy : Member(J)

X Judgement as per Hon'ble Shri R.Balasubramanian, Member(A) X

This application has been filed by Shri M.Suresh & 5 others against the Union of India, Rep. by the Secretary to Govt., & Chairman, Telecom. Commission, New Delhi & 2 others under section 19 of the Administrative Tribunals Act, 1985. The prayer is for a direction to the respondents to extend the benefit of Guwahati judgement dt. 3.8.88 in their G.C.No.161/87 and also for payment of arrears thereof from 16.11.78.

2. The applicants were initially appointed in the scale Rs.260-430. They were later promoted to the scale Rs.330-560.

(8) (21)

The III Pay Commission recommended that the pay scales of Draughtsman should be higher on the basis of qualification. The applicants are all holders of either Draughtsmanship Certificate or L.C.E. Prior to creation of the Civil Engineering Wing of the P&T Department, the entire staff of the Engineering Department was from the C.P.W.D. in what was known as the P&T Wing. When the separate Civil Wing Division for the P&T Department was created, they were all transferred to the control of the P&T Department. The III Pay Commission recommended the scale of Rs.425-700 for the S.G.Draughtsman. The recommendation of the III Pay Commission was not implemented by the C.P.W.D. Subsequently, the matter was taken up for arbitration and the C.P.W.D. accepted to implement the scales of pay w.e.f. 1.1.73 notionally and arrears were allowed from 16.11.78. The categories of staff in the P&T Wing are the same as in the C.P.W.D. and when the P&T Civil Wing staff did not get the benefit, some of them took up the matter with the Guwahati Bench of the Tribunal. It is the Guwahati Bench decision dt. 3.8.88 that the applicants now want to be extended to them.

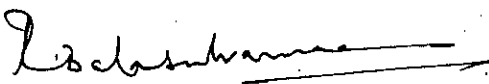
3. The respondents have filed a counter affidavit. There is nothing in the counter beyond certain extracts from the letter they had received from the Directorate.
4. We have examined the case and heard the rival sides. At the time of hearing we were told that in an identical case this bench had pronounced the judgement on 16.10.92 in O.A.No.445/89. On this point, Shri N.V.Ramana, learned counsel for the respondents drew our attention only to one factor viz: that the replacement of scale Rs.330-560 was only Rs.1200-2040 and not Rs.1400-2300. Since the facts and circumstances of the case are similar to that in O.A.No.445/89, we follow the same and give the


following directions to the respondents.

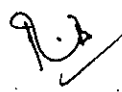
(a) To notionally fix the pay of the applicants in the scale Rs.425-700 from 22.8.73 or with reference to the dates of appointment to the grade whichever is later.

(b) To pay them arrears thereof from 23.1.89 i.e., the date one year prior to the date the O.A. was admitted.

5. The application is disposed of thus with no order as to costs.


(R. Balasubramanian)
Member (A).


(C. J. Roy)
Member (J).


Dated: 30th October, 1992.


Deputy Registrar (J)

Copy to:-

1. The Secretary to Govt., & Chairman, Telecom. Commission, New Delhi.
2. The Chief General Manager, Telecommunications, A.P. Circle Hyderabad.
3. The General Manager, Hyderabad Telecom, District, Hyd.
4. One copy to Sri. K.S.R. Anjaneyulu, advocate, CAT, Hyd.
5. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
6. One spare copy.

Rsm/-

300 filed
P.O.
7.

O.A. 48/90

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:
M-(JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated:

30/X/1992

ORDER/JUDGMENT:

~~R.A. / C.A. / M.A. No.~~

~~in~~

O.A. No.

48/90

T.A. No.

(wp. No.)

Admitted and interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No orders as to costs.

pvm

