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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. 39/92.

Dt. of Decision : 6-9-94.

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|-----------------------------|-----------------------------|
| 1. KSSRK Prasad | 9. D. Subbayya |
| 2. V.N. Murthy | 10. Kum. H.V. Vijayalakshmi |
| 3. Smt. Vijayaradhakrishnan | 11. Smt. KVL. Kumari |
| 4. Kum. Ch. Varalakshmi | 12. Smt. CT. Jalajamani |
| 5. Smt. Geethasanthanam | 13. B. Trinadha Rao |
| 6. PS. Setty | 14. MU. Bhaskar |
| 7. MVNR Patnaik | 15. GL. Prasad |
| 8. Smt. G. Lourdamma | 16. S. Venkateswara Rao |

Nos: 1 to 16 are working as Stenographers
Grade III in the o/o Director General
Naval Project, Visakhapatnam.

17. R. Gopinathan Nair
18. Smt. T. Renuka
19. Smt. T. Radha Devi
20. D. Satya Rao
21. D. Nagabhushana Rao
22. KSSR Varma

Nos: 17 to 22 are working as Stenographers
Grade III in the office of Chief Engineer
(Navy), Visakhapatnam.

.. Applicants..

Vs

1. The Union of India rep. by
The Secretary to Government of India,
Ministry of Defence, New Delhi.
2. The Engineer-in-Chief's Branch,
Army Head Quarters, New Delhi.
3. The Chief Engineer, Southern Command,
Pune.
4. The Director General Naval Project,
Visakhapatnam.
5. The Chief Engineer, Navy,
Visakhapatnam - 8.

.. Respondents.

Counsel for the Applicants : Mr. KSR Anjaneyulu

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

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)



O.A.NO.39/92.

JUDGMENT

Dt: 6.9.94

(AS PER HON'BLE SHRI A.B.GORTHI, MEMBER (ADMINISTRATIVE))

Heard Shri KSR Anjaneyulu, learned counsel for the applicants and Shri N.V.Ramana, learned standing counsel for the respondents.

2. The claim of the applicants is for a direction to the respondents to upgrade the posts of Stenographers attached to the officers drawing the pay in the pay scale of Rs.1500-2000 (pre-revised) and above as on 6.1.1977 in the offices under the Director General, Naval Project and the Chief Engineer, Navy, Visakhapatnam (Respondents 4 and 5 respectively), to the scale of Rs.425-700 and to consider the applicants along with the other eligible stenographers for promotion to the upgraded posts in ~~the~~ terms of Government of India, Department of Personnel Training OM No. ~~RRR~~ 1/8/72/Estt. (d), dated 6.1.1977 with all consequential benefits.

3. The applicants are working as Stenographers Grade-III in the scale of pay of Rs-330-560 (revised scale, Rs.1200-2040) in the offices of the respondents 4 and 5. They are attached to the officers in the subordinate offices of Ministry of Defence ~~and~~ drawing the pay in the pre-revised scale of Rs.1500-2000 and above. As per the orders issued by the Government of India, in OM dated 6.1.1977, it was decided that the Stenographers

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attached to the officers in the subordinate offices in the Ministry of Defence drawing the pay in the pay scale of Rs.1500-2000 and above would be given the scale of pay of Rs.425-700 (since revised to Rs.1400-2600). Their contention is that similarly situated Stenographers in the sisters' organisation in the Ministry of Defence such as DRDO were given the benefit of the said OM dated 6.1.1977.

4. The Stenographers Grade-III working in the various establishments of the Ministry of Defence approached Ernakulam Bench of the Tribunal in OA 539/90 and OA 336/92. Both the OAs were allowed in favour of the applicants with appropriate directions to the respondents to consider the case of the eligible Stenographers Grade-III for granting the benefit as per OM dated 6.1.1977.

5. The learned counsel for the applicants has drawn our attention to the judgment of the Jaipur Bench of the Tribunal also in OA 123/93. In that judgment, the Tribunal took note of the assurance given by the respondents that the matter of granting the benefit of the OM dated 6.1.1977 to the Stenographers serving in the Ministry of Defence, is under consideration together with the applicability of the Government of India letter dated 6.2.1989 issued after the implementation of the IVth Pay Commission recommendations.

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Keeping in view the assurance given by the respondents, the Tribunal disposed of the OA 123/93 with the following directions to the respondents therein:-

"Since the matter is under active consideration of the respondents, we direct them to decide the same in the light of OM dated 6.1.1977 and OM dated 6.2.1989 at Annexure A-2 and A-1 respectively within a period of two months from the date of receipt of a copy of this order. While taking a decision in the matter, the respondents shall also take a decision about the date from which the benefit of the revised scale of pay is to be extended to the applicants having regard to the extension of this benefit to Steno-graphers working in the other departments of the Ministry of Defence."

6. The learned standing counsel for the respondents states that the applicants before us are similarly situated to the applicants in the aforesaid OAs. Accordingly, this OA is also disposed of with

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a direction to the respondents to extend the benefit of the judgment in OA 123/93 to the applicants herein also. This shall be done within a period of three months from the date of communication of this order. In case the applicants are aggrieved by the decision taken by the respondents in this matter, they shall be free to file a fresh OA. No order as to costs.

(Signature)
(A.B.GORTHI)
MEMBER (ADMN.)

(Signature)
(V.NEELADRI RAO)
VICE CHAIRMAN

DATED: 6th September, 1994.
Open court dictation

(Signature)
Deputy Registrar(J)CC

vsn

To

1. The Secretary to Govt.of India,
Ministry of Defence, Union of India,
New Delhi.
2. The Engineer-in-Chief's Branch,
Army Head Quarters, New Delhi.
3. The Chief Engineer, Southern Command, Pune.
4. The Director General Naval Project, Visakhapatnam.
5. The Chief Engineer, Navy, Visakhapatnam-8.
6. One copy to Mr.KSR.Anjaneyulu, Advocate, CAT.Hyd.
7. One copy to Mr.N.V.Ramana, Addl.CGSC.CAT.Hyd.
8. One copy to Library, CAT.Hyd.
9. One copy spare.

pvm.

(Handwritten initials)