

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

G.A. 516/92.

Dt. of Decision : 13-07-95.

Brajesh Kumar

.. Applicant.

vs

1. Union of India rep. by the
Secretary, Ministry of Steel &
Mines, Dept. of Mines,
New Delhi.
2. The Director General, Geological
Survey of India, Calcutta.
3. The Dy. Director General, Geological
Survey of India, Southern Regional
Office, GSI Complex, Bandlaguda,
Hyderabad-660.
4. Director, Map Printing Division,
Geological Survey of India,
Southern Region, Bandlaguda,
Hyderabad.

.. Respondents.

Counsel for the Applicant

: Mr. M. Rama Rao.

Counsel for the Respondents

: Mr. N.R. Devaraj, Sr. CGSC.

CORAM:

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

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

[AS PER HON'BLE JUSTICE SHRI V. NEELADRI RAO,
Vice-Chairman]

J U D G E M E N T

Heard both the learned counsels.

2. This OA was filed praying for a declaration that the action of the Respondents in not fixing the pay scale of Plate Maker on par with that of Press Operator is arbitrary, illegal and discriminatory and for a consequential direction to the Respondents to fix the pay scale of the applicant (plate maker) on par with that of Press Operator from the date of his representation or from the date when the Press Operator's pay was revised and to pay the arrears from that date.

3. The applicant is relying upon Annexure A1 and page 4 of the additional material papers to urge that the duties and responsibilities of the Plate Maker are ^{more} even/arduous than those of the Press Operator and the minimum educational and technical qualifications for recruitment for both the posts are same. It is stated for the applicant that Annexure A-1 and page No. 4 of the additional material papers disclose the comparative statement of the duties and responsibilities of the Plate maker and Press Operator.

4. Shri N.R. Devaraj, the learned standing counsel for the Respondents submitted that the nature of experience required for the post of Plate maker is different from the nature of experience required for the post of Press Operator though the minimum requirement is 3 years experience in either case.

In para 5 of the reply statement in OA 367/92

To

1. The Secretary, Ministry of Steel and Mines,
Union of India, Dept.of Mines, New Delhi.
2. The Director General, Geological Survey of India,
Calcutta.
3. The Deputy Director General, Geological Survey of India,
Southern Regional Office, GSI Complex, Bandlaguda,
Hyderabad-660.
4. The Director, Map Printing Division, Geological Survey of India,
Southern Region, Bandlaguda, Hyderabad.
5. One copy to Mr.M.Rama Rao, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

pvm

it is stated that "the entire issue regarding revision of pay scales is under the consideration of the 5th Pay commission appointed by the Hon'ble President of India". (Applicant in both OA 367/92 and OA 516/92 is same).

4. In these circumstances, it is just and proper to pass the following order:

A copy of this order along with the application and reply statement and Annexure A1 and additional material papers in the OA 516/92 have to be placed before the 5th Pay commission for consideration as to whether the pay scale of the Plate maker has to be on par with that of Press Operator. It is needless to say that it is open to the Respondents to place the recruitment rules in regard to the posts of Press Operator and the Plate maker and such other documents which they deem necessary may also be placed before the 5th Pay commission.

5. If ultimately, the 5th Pay Commission is going to hold that the pay of the Plate Maker has to be fixed on par with that of Press Operator and if such recommendation is going to be accepted by the Central Govt., the applicant herein should be given the benefit of the pay scale of Press Operator as per 4th Pay Commission recommendations from 1-7-92 as this OA was filed on 26-6-92 till the revised pay scales on the basis of the recommendations of the 5th Pay Commission come into effect.

6. The OA is ordered accordingly. No costs. //

(A.B. GORTHI)
Member (Admn.)

(V. NEELADRI RAO)
Vice-Chairman

Dated the 13th July, 1995
Open court dictation

NS

Deputy Registrar