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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.136/94

date of decision : 25-2-1994

Between

Smt. S. Lakshmi Rajyam

: Applicant

and

1. The Secretary to Govt.
Ministry of Defence
New Delhi

2. The Engineer-in-Chief,
Army Headquarters
New Delhi

3. The Chief Engineer
Southern Command
Pune

4. The Chief Engineer(Projects)
R&D Secunderabad

: Respondents

Counsel for the applicant

: K.S.R. Anjaneyulu,
Advocate

Counsel for the respondents

: N.V. Ramana, SC for
Central Government

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. R. RANGARAJAN, MEMBER (ADMINISTRATION)

ISRO
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O.A.No.136/94

Dt. of decision: 25-2-94

Judgement

{ As per the Hon'ble Sri R. Rangarajan, Member (A) }

Applicant herein is a Tracer (Draughtsman Gr.III) in the office of the Chief Engineer (Projects), M.E.S., Secunderabad.

2. The cadre of draughtsman is also available under Central Public Works Department under the control of Ministry of Works, Govt.of India. In that Department a dispute was raised regarding the pay scale for Draughtsman and the matter was referred to Board of Arbitration and the award given by Board of Arbitration was accepted by the Govt. of India and thereafter it was decided to give the revised scales of pay w.e.f. 13-5-82. The revision was in the following manner:

<u>Category</u>	<u>Original scale</u>	<u>Revised scale</u>
Draughtsman Gr.I	Rs.425-700	Rs.550-750
Draughtsman Gr.II	Rs.330-560	Rs.425-700
Draughtsman Gr.III	Rs.260-400	Rs.330-560

3. This benefit which was given to Draughtsman in CPWD was also extended to draughtsman in this grade employed in various other departments of Govt. of India. As this benefit was not extended to draughtsman in this grade employed in M.E.S., these draughtsmen approached various Administrative Tribunals at Calcutta, Hyderabad and Chandigarh and these Tribunals have allowed their application and directed that the same pay scales may also be given to them as their duties, functions and responsibilities are

(21)

identical
and there appears to be no reason why they should be deprived of the same pay scales when they are doing the same work. On the basis of the above said judgements similarly placed persons in M.E.S., Maharashtra have filed O.A. 138/91 for similar relief. The Bombay Bench Circuit station at Nagpur of this Tribunal had followed the directions of the Calcutta, Hyderabad and Chandigarh benches of the Tribunal and directed the respondents therein to grant the revised pay scales to the applicants in that O.A. at par with C.P.W.D. w.e.f. 13-5-82 on notional basis and w.e.f. 1-11-83 on actual basis with all consequential benefits.

4. The applicant herein submitted a representation dt. 26-5-93 (Annexure IV) to the Chief Engineer, Southern Command, Pune to extend the same benefit to her also as she is similarly placed in a similar post in the same M.E.S. Department, Secunderabad as applicants in O.A. No. 138/91. R-3 informed her in his letter dt. 28-6-93 that the benefit is applicable only to applicants in O.A. No. 138/91. Hence she has filed this O.A. for a direction to the respondents to extend her the benefit of the higher scale of Rs. 330-560 (Pre-revised) based on the judgement of the CAT, Bombay Bench in O.A. No. 138/91.

5. It is seen from the discussion in O.A. No. 138/91, Bombay Bench of the Tribunal had given the direction as indicated above vide Para 3 supra on the principle of Equal Pay for Equal Work. ⁱⁿ As the case of applicant herein also, the duties, functions and responsibilities are quite identical, there is no ground for discriminating one with the other.

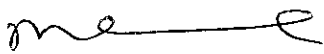
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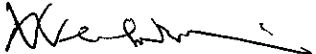
(22)

6. We are also in agreement with the views expressed by the Bombay Bench of the Tribunal and consequently we allow this application. Accordingly, we direct the respondents to grant the applicant herein the revised scale of pay w.e.f. 13-5-82 on notional basis and w.e.f. 1-11-83 on actual basis with all consequential benefits as the applicant in this O.A. is similarly placed as that of the applicants in O.A.No.138/91 of the Bombay Bench.

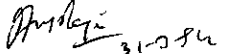
7. The Bombay Bench of this Tribunal has given this judgement on 11-7-91 and she has approached this Tribunal by filing this O.A. only on 1-2-94. Hence we see no reason to award any costs.

8. The O.A. is ordered accordingly at the admission stage itself.


(R. Rangarajan)
Member (A)


(V. Neeladri Rao)
Vice Chairman

Dt. 20/2/94


Deputy Registrar(J)CC

To

1. The Secretary, Ministry of Defence,
Union of India, New Delhi.
2. The Engineer-in-Chief, Army Headquarters, New Delhi.
3. The Chief Engineer, Southern Command, Pune.
kmv
4. The Chief Engineer(Projects)
R&D Secunderabad.
5. One copy to Mr.K.S.R.Anjaneyulu, Advocate, CAT.Hyd.
6. One copy to Mr.N.V.Ramana, Addl.CGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

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Handwritten notes:
13/2/94
13/2/94

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

✓
THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (AD)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

✓
THE HON'BLE MR. R. RANGARAJAN : M (ADMN)

Dated: 25-2-1994

ORDER/JUDGMENT

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

in

O.A.No.

136/94. ✓

T.A.No.

(w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

pvm

