

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No.35/95.

Date of decision: 23rd December, 1997.

Between:

- 1.K.N.Chary.
- 2.M.Ganesh Rao.
- 3.T.C.Norbert Dominic.
- 4.G.Sailu.
- 5.V.Prabhakaran.
- 6.Smt. Taiyaba Asgar.

.. Applicants

And

- 1. Union of India represented by its Secretary, Ministry of Steel & Mines, Department of Mines, Shastri Bhavan, New Delhi.
- 2. The Director General, Geological Survey of India, 27, Jawaharlal Nehru Road, Calcutta.
- 3. The Deputy Director General, Geological Survey of India, Southern Regional Office, Mukaramjahi Road, Hyderabad - 500 001.

Respondents.

Counsel for the applicant: Sri V.Venkateswara Rao

Counsel for the respondents: Sri V.Rajeswara Rao.

Coram:


Hon'ble Sri R.Rangarajan, Member (A)

Hon'ble Sri B.S.Jai Parameshwar, Member (J)

JUDGMENT

(per Hon'ble Sri R.Rangarajan, Member (A))

Heard Sri V.Venkateswara Rao, learned counsel for the applicant and Sri V.Rajeswara Rao, learned counsel for the respondents.

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The applicants in this O.A., are Scribes under the 3rd respondent Organisation. The Calcutta Bench of the Central Administrative Tribunal looked into ^{their} the grievance of the fixation of pay in the scale of Rs.425--700 in C.P.W.D., on par with the Draughts^{-men}/~~earlier~~ ~~to~~ the fixation of pay for the Draughtsmen and Scribes ~~were~~ are one and the same. The Calcutta Bench of this Tribunal in O.A.No.446/1986 dated 9-12-1986 observed as follows:

"In this case, what we propose is to refer the matter to a Review Committee to be constituted consisting of one representative from the staff side, one representative of the GSI and the Chairman being nominated by the Ministry of Steel and Mines. This nomination must be done in course of fifteen days from today. The terms and reference of the Committee would be to decide whether the duties and responsibilities of the applicant are similar to their counter parts in the CPWD and that report should be given in course of three and half months after the constitution of the Committee. After the report, if there is still any grievance of the applicants, they will be at liberty to make a fresh application. The Committee will determine whether the nature of work ~~along~~ along with the work load of the applicants are similar to those of the counterparts in the CPWD. If according to the Committee it is

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similar to their counterparts, the respondents concerned should implement that report by awarding the same scale of pay to the applicants as their counterparts in CPWD have been awarded. The applicants will get the said scale of pay (as in the case of CPWD employees) from the 1-1-1973 and actually from 16-1-1978. "

Subsequently, the Geological Survey of India has issued Memorandum No.2040 A to 2058/ 156/1/75/16A(Vol.III) dated 6-6-1988 (Annexure A2 Page 12 to the O.A.) conveying of Rs.425--700 to the Draughtsmen notionally from 1-1-1973 but effectively from 16-1-1978 as directed by the Central Administrative Tribunal. That sanction was a modification of the earlier sanction issued by the Department of Law dated 1-7-1985.

Another O.A., was filed on the file of this Bench bearing No.66/89 decided on 11-4-1991. The operative portion of that judgment reads as follows:

"We direct the respondents to fix the pay scales of the Scribes on par with the Draftsmen notionally from 13-5-1982 and pay the arrears to the Scribes from the date

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the Department recommended the case of the Scribes i.e., from 15-1-1987. The petitioners are entitled to be treated on par with the Draughtsmen and to pay scales of the petitioners shall be raised on par with the pay scales of the Draughtsmen. We direct the respondents to implement this order within a period of two months from the date of receipt of this Order."

In view of the above, the applicants in this O.A., were given the pay scale of Rs.425--700 notionally with effect from 13-5-1982 and actually arrears from 15-1-1987.

This O.A., is filed praying for a direction to the respondents to direct the respondents to grant the revised scale of pay of Rs.425-700 to the applicants notionally with effect from 1-1-1973 and actually from 16-1-1978 on par with the Draughtsmen of the same department in terms of the Ministry's letter No. C-18018/26/86-N-II dated 5.5.1988 and the 2nd Respondent's letter No. dated 9-6-1988 with all consequential benefits .


The applicants in this O.A., have submitted a representation dated 4-3-1994 for the above relief to Respondent No.2 (Annexure 5 to the O.A.). It is stated by the applicants' counsel that the said representation is still to be disposed of.

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In view of the above, we direct the Respondent No.2 to dispose of the representation of the applicants dated 4-3-1994 in accordance with law within a period of three months from the date of receipt of a copy of this judgment.

The O.A., is disposed of accordingly. No costs.

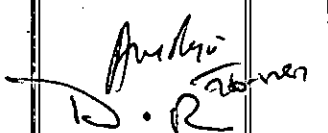

B.S. JAI PARAMESHWAR
Member (J)

23.12.97


R. RANGARAJAN,
Member (A)

Date: 23--12--1997.

Dictated in open Court.


D. R. Ramesh

SSS.

DA.35/95

Copy to:-

1. The Secretary, Ministry of Steel & Mines, Department of Mines, Shastri Bhavan, New Delhi.
2. The Director General, Geological Survey of India, 27, Jawaharlal Nehru Road, Calcutta.
3. The Deputy Director General, Geological Survey of India, Southern Regional Office, Mukaramjahi Road, Hyderabad.
4. One copy to Mr. V. Venkateswara Rao, Advocate, CAT., Hyd.
5. One copy to Mr. V. Rajeswara Rao, Addl. CGSC., CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate.

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9/11/98 (7)
TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESWAR :
M(J)

Dated: 23/12/97

ORDER / JUDGMENT

MA / R.A. / C.A. NO.

in
G.A. NO. 35 / 95

Admitted and Interim Directions
Issued.

Allowed

Disposed of With Directions

Dismissed

Dismissed as Withdrawn

Dismissed For Default

Ordered/Rejected.

No order as to costs.

SRR

II Court

