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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.393 of 1995

DATE OF ORDER: 31th October, 1997

BETWEEN:

JVSR KRISHNA

.. APPLICANT

AND

1. Govt. of India, represented by its Secretary, Dept. of Atomic Energy, CSM Marg, Bombay 39,
2. The Chief Administrative Officer, Heavy Water Board, VS Bhavan, Anushakti Bhavan, Bombay-94,
3. The General Manager, Khammam district, AP,
4. The Administrative Officer, Heavy Water Project, Manuguru, Khamma Dist.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Ms.N.SHOBIA

COUNSEL FOR THE RESPONDENTS: Mr.V.RAJESWARA RAO, Addl.CGSC

CORAM:

HON'BLE SUDH P RANGARAJAN, MEMBER (ADMN.)

HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

JUDGEMENT

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.Ravi Babu for Ms.N.Shoba, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned standing counsel for the respondents.

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2. The applicant in this OA was appointed as Scientific Assistant 'A' on 23.3.88. He was having the qualification of M.A.B.L.I.Sc. Subsequently he was promoted as Scientific Assistant 'B' in the scale of pay of Rs.1400-2600 with effect from 1.5.94. The applicant submits that he is entitled to get the scale of pay of the Assistant Library & Information Officer as his duties are more or less equivalent to that of the duties of the Assistant Library and Information officer in the scale of pay of Rs.2000-3500.

3. This OA is filed praying for direction to the respondents to place the applicant in the higher scale of pay suitably in the scale of pay of Rs.2000-3500 by implementing the orders issued in the Office Memorandum F.No.19(1)/IC/86 dated 24.7.90 (Annexure A-4 at Page 11 to the OA) with costs.

4. The affidavit of the applicant does not clearly indicate what the applicant wants. He only says that he should be given the scale of pay of Rs.2000-3500 as he is discharging similar duties as that of the Assistant Library and Information Officer. To state so, the applicant should have clearly explained his duties comparing with that of the duties of the Assistant Library and Information Officer. No document or no material has been produced or enclosed to the OA. Hence mere assertion that he is performing the duties of the Assistant Library and Information Officer and hence he should be given that scale of pay has no basis.

For

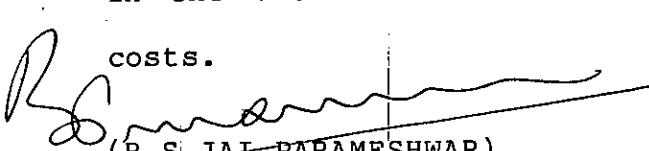
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5. The applicant had submitted a representation on 9.1.91. That representation is not enclosed. However, we have perused the reply given to that representation bearing No. HWPM/2(2)/IC-638/92-Estt./959 dated 5.3.92 (Annexure A-8) reply that the applicant is a technical person of the Department of Atomic Energy and he is covered by merit promotion scheme. The memo dated 24.7.90 is applicable only to the administrative staff employees in major libraries. The applicant has not made any reference to this letter and produced proof to say that he is also governed by that memo even though he is a technical person. The department had considered his representation and advised him to opt for administration staff and on that ~~could~~ <sup>side</sup> ~~he~~ ~~now~~ ~~be~~ ~~considered~~ for the pay scale mentioned in the OM dated 24.7.90. But it appears that the applicant has not taken any action on the basis of the reply dated 5.3.92 issued to him.

6. The learned counsel for the respondents submitted that the reply is on the same lines as that of the reply given to the applicant on 5.3.92. In view of the above, the applicant cannot be considered as administrative staff who can be given the scale of pay as mentioned in the OM dated 24.7.90. He is entitled for promotion available to the technical staff in the Department of Atomic Energy.

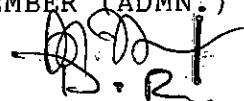
7. In view of what is stated above, we find no merit in the OA. Hence the OA is dismissed. No order as to costs.

  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL.)

31-10-97  
vsn

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

DATED: 31st October, 1997  
Dictated in the open court.

  
B.R.

10/11/97  
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TYPED BY  
COMPARED 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 PARAMESHWAR :  
M (C)

Dated: 31-10-97

ORDER/JUDGMENT

M.A/YR.A/C.A.NO.

in  
O.A.NO. 393/95

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

