

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.No.530 OF 1997.

DATE OF ORDER:2-2-1999

BETWEEN:

1. M.Siyarama Prasad.
2. C.Madhukar Rao. Applicants

a n d

1. The Superintending Engineer, Telecom Civil Circle, near City Library, Chikkadpally, Hyderabad-20.
2. The Chief Engineer, Telecom Civil Zone, Koti, Hyderabad.
3. The Secretary to the Department of Telecommunication, Sanchar Bhavan, New Delhi.
4. The Union of India, represented by the Secretary to the Govt. of India, Ministry of Finance, Department of Expenditure, Secretariat, New Delhi.

..... Respondents

COUNSEL FOR THE APPLICANTS :: Mr.K.Venkateshwara Rao

COUNSEL FOR THE RESPONDENTS :: Mr.V.Rajeshwara Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

A N D

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

: O R D E R :

ORAL ORDER (PER HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (J))

Heard Mr.K.Venkateshwara Rao, learned Counsel for the Applicants and Mr.V.Rajeshwara Rao, learned Standing Counsel for the Respondents.

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2. There are two applicants in this OA. The first applicant was originally appointed as Draughtsman Gr-III from 30-7-1977 in the then scale of Rs.260-430, and later appointed as Draughtsman Grade-II from 22-2-1979 in the then scale of Rs.330-560/-, and consequent on revision of that pay scales, he was granted pay scale of Rs.425-700 as Draughtsman Grade-II from 13-5-1982, and subsequently his pay was fixed in the scale of Rs.550-750 following the OM of the Finance Wing dated:19-10-1994. However, the fixation of pay in the scale of Rs.550-750/- was withdrawn by the impugned Order No.9(20)/SEHD/97/2220, dated:31-3-1997. This Order is impugned in this OA with a consequential direction to grant him fixation of pay scale in accordance with the Finance Department OM dated:19-10-1994.

3. The second applicant was initially appointed as a Draughtsman Grade-II with effect from 20-10-1981 in the then scale of Rs.330-560. That scale of pay was further revised to Rs.425-700/-. The applicant was also given the benefit of scale of Rs.550-750/- from 20-10-1985 as per Office Order No.59(2)/TCDH-I/96/2220, dated:9-2-1996. Fixation of his pay in the scale of Rs.550-750 in accordance with the OM of the Finance Department dated:19-10-1994 was withdrawn by the impugned Order No.9(20)/SEHD/97/2220, dated:31-3-1997(Annexure.I to the OA). The applicant no.2 also prays for the same relief as was prayed by the applicant no.1 in this OA.


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4. The applicant no.1 was already promoted to scale of pay of Rs.330-560/- from the lower pay scale of Rs.260-430/-. Hence, he is not entitled for fixation of his pay in the higher scale of Rs.550-750/- as per the Finance Department OM dated:19-10-1994. The reasons for this had already been explained in the Judgment in OA.No.580 of 1997, disposed of today. Hence, the contentions of the first applicant is dismissed.

5. The second applicant is entitled for fixation of his pay in the scale of pay of Rs.550-750/- as per the Office Order No.59(2)/TCDH-I/96/2220, dated:9-2-1996 for the reasons stated in OA.No.580 of 1997, disposed of today. Hence, the impugned Order dated:31-3-1997 in so far it relates to applicant no.2 is set aside. The applicant no.2 is entitled for fixation of his pay in the scale of pay of Rs.550-750 in accordance with the Office Order dated:9-2-1996.

6. The OA is disposed of. No costs.


 (B.S.JAI PARAMESHWAR)
 MEMBER (JUDL)
 2/2/99


 (R.RANGARAJAN)
 MEMBER (ADMN)

DATED: this the 2nd day of February, 1999
 Dictated to steno in the Open Court

Prudhvi
 9-2-99

 DSN

22/2/99
Ist and IInd Court.

Copy to:

1. HDHND
2. HHRP M(A)
3. HDSJP M(J)
4. D.R. (A)
5. SPARE

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH:HYDERABAD.

THE HON'BLE MR. JUSTICE D. H. NASIR:
VICE - CHAIRMAN

THE HON'BLE H. RAJENDRA PRASAD :
MEMBER (A)

THE HON'BLE R. RANGARAJAN :
MEMBER (A)

THE HON'BLE MR. S. S. JAI PARAMESHWAR:
MEMBER (J)

DATED: 22-2-1999

~~ORDER/JUDGMENT~~

~~M.A./R.A/C.P.NO.~~

IN

P.A.NO : 530/97

~~ADMITTED AND INTERIM DIRECTIONS
ISSUED.~~

~~ALLOWED~~

~~DISPOSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS~~

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केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
ब्रेच / DESPATCH

17 FEB 1999

हैदराबाद ब्याचपीट
HYDERABAD BENCH