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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH:

AT HYDERABAD

O.A.No.679 OF 1997.

Date of Order :1-5-1998.

Between :

1. K.Gopala Krishna.
2. R.Rajagopal Rao.

.. Applicants

a n d

1. The Deputy Director General,
Geological Survey of India,
G.S.I. Complex, Bandlaguda,
Hyderabad, A.P.
2. Chairman-cum-Managing Director,
Mineral Exploration Corporation Ltd.,
Dr.Baba Saheb Ambedkar Bhavan,
Seminary Hills, Nagpur.
3. The Secretary, Ministry of Mines,
New Delhi.
(Respondent no.3 is impleaded as per
Court Order dt:27-2-1998).

.. Respondents

COUNSEL FOR THEAPPLICANT :: Mr.P.Guru Murthy

COUNSEL FOR THE RESPONDENTS: Mr.N.R.Devraj

CORAM:

THE HON'BLE SRI H.RAJENDRA PRASAD, MEMBER (ADMN)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI H.RAJENDRA PRASAD, MEMBER (A))

Heard Mr.P.Guru Murthy for the applicant and
Mr.N.R.Devraj for the Respondents.

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2. The applicant no.1 herein was, while working in G.S.I., deputed to the Mineral Exploration Corporation Limited, during the years 1973 and 1982. While he was on deputation, the pay-scale of 20% of the posts of the STAs (Mining) - the cadre to which the applicant belonged - was upgraded from Rs.550-750 to Rs.700-900 with effect from 1-1-1973, in accordance with the recommendations of the III Pay Commission which was accepted by the Government/Department. The claim of the applicant for one of the SG posts was duly accepted and incorporated in Office Order No.4011C/18018/24/84/4B, dated 6-5-1992 issued by the Senior Deputy Director-General, GSI, Southern Region, Hyderabad (Annexure.1 to the OA).

3. It is the complaint of the applicant that the arrears of difference pay for the period spent by him on deputation (on account of the conferment of Selection Grade on him) have not been paid so far despite representations.

4. The facts relating to applicant's deputation and conferment of Selection Grade on him are not thus in dispute.

5. The MEC, which is to pay the arrears to the applicant, seems to be of the view that the GSI should do so from some money owed them and the arrears to the applicant by the latter should be paid and offset against such dues. The GSI, on their part, claim certain amounts from the Corporation and say that the question of payment of arrears to the applicant by them would not, therefore, arise until the Corporation settles those dues.

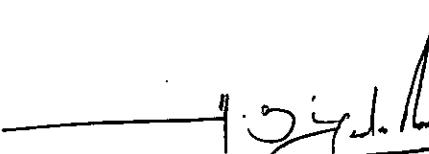
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6. The claims and counter-claims between the respondents are of no concern to the applicant, really. The limited question in this OA is the payment of dues and legitimate arrears which the applicant has a right to claim.

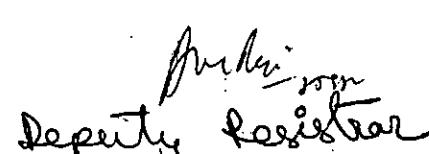
7. It is, therefore, directed that the newly impleaded R-3 shall ensure calculation and disbursement of the arrears of revised pay scales in respect of the applicant within 120 days from the date of receipt of a copy of this order. An interest of 10% shall be added to the amount so disbursed to him from 5-5-1996 i.e., One year prior to the date of filing this application, till the date of actual disbursement of the arrears.

8. Thus the O.A. is disposed of. No costs.


(H. RAJENDRA PRASAD)

MEMBER (A)

DSN


Deputy Registrar

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O.A. 679/97

To

1. The Deputy Director General,
Geological Survey of India,
G.S.O.Complex, Bandlaguda,
Hyderabad-A.P.
2. The Chairman-cum-Managing Director,
Mineral Exploration Corporation Ltd.,
Dr. Baba Saheb Ambedkar Bhavan,
Seminary Hills, Nagpur.
3. The Secretary, Ministry of Mines,
New Delhi.
4. One copy to Mr P.Guru Murthy, Adv cate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT.Hyd.
6. One copy to HHRP.M.(A) CAT.Hyd.
7. One copy to DR(A) CAT.Hyd.
8. One spare copy.

PVM.

I COURT

10/6/98
TYPED BY CHECKED BY
COMPARED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE
VICE-CHAIRMAN
AND

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

DATED: 1 -5-1998.

ORDER/JUDGMENT

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

in

O.A.No.

679/97

T.A.No.

(w.p.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

