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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH

AT HYDERABAD.

..

O.A.No.942/97.

Date of decision: 19-3-1999.

Between:

- | | |
|-------------------------|----------------------------|
| 1. P.R.Chowdary. | 21. Me.Manzoor Ali. |
| 2. G.G.K.Murthy. | 22. I.Satyanarayana. |
| 3. B.Chandraiah. | 23.S.Balaraj. |
| 4. D.Venkateswamy. | 24. Md. Quassimuddin. |
| 5. K.M.Sharma. | 25.G.K.V.Kumaraswamy. |
| 6. K.Prem Kumar. | 26.P.Balesaheb. |
| 7. E.Latchaiah. | 27. A.K.Arjun Rao. |
| 8. N.Satyanarayana. | 28.G.Gangarao. |
| 9. A.Yadagiri. | 29.R.Gopalan. |
| 10. R.V.Krishna. | 30.N.Nageswara Rao. |
| 11. G.D.Ramulu. | 31.G.C.S.Reddy. |
| 12. V.Mohd. Basha. | 32.G.Venkataiah. |
| 13. S.K.Raufuddin. | 33.P.Rajeswara Appikuntla. |
| 14. R.R.Rayudu. | 34.Brinivas. |
| 15. G.Rajamaiah. | 35.J.Nacharaiiah. |
| 16. G.J.Raju. | 36.J.V.Ramana. |
| 17. S.M.Sulthanuddin. | 37.T.Pandurangachary. |
| 18. Mohd. Abdul Sayeed. | 38.K.Veerawamy. |
| 19. K.Naresh Kumar. | 39.C.Jyotsna. |
| 20. B.Suryanarayana. | 40.B.Kotesam. |
- Applicants.

And

1. Union of India represented by its Secretary;
Ministry of Defence, New Delhi.
 2. Scientific Adviser to Raksha Mantri and
Director General, Defence Research and
Development Organisation, Ministry of
Defence, New Delhi.
 3. Director, Defence Electronics Research
Laboratory (D.L.R.L.)Chandrayanagutta,
Hyderabad.
- Respondents.

Counsel for the Applicants: Sri S.Lakshma Reddy.

Counsel for the Respondents: Sri V.Rajeswara Rao.

CORAM:

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

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

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JUDGMENT

(by Hon'ble Sri R.Rangarajan, Member (A)
Heard Sri S.Lakshma Reddy, learned counsel

for the applicants and Sri V.Rajeswara Rao, learned
counsel for the Respondents.

There are 40 applicants in this O.A. They
were initially appointed as Tradesmen "C" and there-
after promoted as Tradesmen "A" and they are presently
working as Tradesmen "A" (Technician 'C' DRTC) in the
pay scale of Rs.1320-2040. The applicants submit
that there is difference in the pay scale of the
Tradesmen of the Industrial Unit and Non-Industrial
Unit. The applicants submit that in the III Pay
Commission, the pay scales of both the categories were
the same but in the IV Pay Commission, the scale of
pay ^{for} ~~xx~~ the Industrial Unit ~~was enhanced~~ and the
scale of pay of Tradesmen ~~for the~~ 'A' ~~and the~~ ~~was~~
~~Superior category~~ ^{was enhanced} and thereby the applicants are
discriminated against. The scale of pay of Tradesmen 'A'
was fixed at Rs.1320-2040 and the Technical-Supervisory
was in the scale of Rs.1400-2300. That disparity
was further continued in the DRTC Rules issued sometime
in the year, 1995.

This O.A. was filed praying for a declaration
to grant pay scale of Rs.1400-2300 to the applicants
on par with the Technical Supervisors (Technical Assistants)
with all consequential benefits.

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A

A reply has been filed in this O.A. In the reply there is no mention as to how the difference in the pay scale was arrived at. It does not also indicate whether any recommendation or proposal was made to the IV Pay Commission for placing two different scales of pay for Tradesmen 'A' and the Technical-Supervisors. There is no reason given in the reply as to how the DRTC Rules of 1995 come into force.

The applicants have filed a representation on 23.10.1986 for removing the difference in the scales of pay. It is not understood why the applicants waited from 1986 till 19.7.1996 for filing this O.A. Such a belated representation cannot be taken note of while passing an order in this O.A. The applicants have also submitted another representation Annexure II to the O.A. This representation conveys no reason as to why the applicants' request for the relief as indicated above is to be granted. This representation ~~ix~~ also bears no date. When the Pay scale as per DRTC rules were pronounced in the year, 1995 the applicants do not appear to have taken up their case with the respondents' Organisation.

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D

In view of what is stated above, we feel that the applicants have taken no initiative to get their grievance redressed through the Departmental channel. They have rushed to this Tribunal for getting the relief without any reason to approach this Tribunal. Fixation of pay scales is the prerogative ~~affair~~ of the Expert Body. The IV Pay Commission must have considered the case of the applicants. It is not known whether they have represented their case to the V Pay Commission. In the absence of full details in the matter, it is not possible for this Tribunal to give any clear directions in this regard.

In view of the aforesaid reasons, we feel that the applicants should now represent their case to the Respondents' Authorities giving full details and the reasons as to why they are ~~in~~ of the opinion that they are discriminated and how the pay ~~scales~~ of the Tradesmen 'A' and Technical Supervisors in their opinion ^{are} ~~is~~ one and the same and other details pertaining to this matter to resolve the dispute by the competent authority. The respondents on receipt of such a representation shall dispose of the matter in accordance with law. If required, the representationists may be ~~xxxxxx~~ ~~xxx~~ given a personal interview so as to clear ~~of~~ any communication gap in this connection, The respondents shall dispose of the representation of the applicants within four months from the date of receipt of the representation

Copy to:

1. HDHNS
2. HHRP M(A)
3. HBSJP M(J)
4. D.R. (A)
5. SPARE

IST AND IIND COURT

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

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

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

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

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

DATED: 19.3.99

ORDER/ JUDGEMENT

MA./RA./CP.No.

IN

O.A. NO. 942/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

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