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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.174/99

dt.9-3-2000

Between

1. CK Pandurangan
2. G. Laxman Rao
3. E. Padmanabhan
4. K. Prabhu
5. S. Nathan
6. P. Anthony
7. Robert Jemonie
8. M P Padmanabhan
9. JM Sanjeevi
10. P. Venkateshan
11. V.G.K. Nair
12. B.N. Bhose
13. NV Sagar
14. DP Indar Rao
15. S. Jagadishan

: Applicants

and

1. Scientific Advisor to
Raksha Mantri & DG DRDO
Ministry of Defence
New Delhi

2. Director
Defence Metallurgical Research
Laboratory
Hyderabad

3. Director
Defence Electronics Research Laboratory
Hyderabad : Respondents

Counsel for the applicants : K. Sudhakar Reddy
Advocate

Counsel for the respondents : J.R. Gopal Rao
CGSC

Coram

Hon. Mr. R. Rangarajan, Member (Admn.)

Hon. Mr. B.S. Jai Parameshwar, Member (Judl)





OA.174/99

Dated : 9-3-2000

Order

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn.))

Heard Mr. K. Sudhakar Reddy, learned counsel for the applicants and Ms. Shakti for Mr. J.R. Gopal Rao, learned counsel for the respondents.

1. There are 15 applicants in this OA. While working as MT Supervisors in the scale of Rs.1200-1800 the MT Supervisor and Civilian MT Driver I are redesignated as Civilian MT Driver 'B' and Civilian MT Driver 'A'. The counsel for the applicants submits that they are at the fag end of their service. Now redesignating them as Civilian MT Drivers from the earlier designation of MT Supervisors affects their prestige in the society and hence they ^{have} filed this OA praying for ^a declaration that the action of the respondent authorities in changing the designation of the applicants as MT Drivers through office order dated 13.4.98 published in daily order part I with retrospective effect i.e. from 19.1.97 is clearly illegal, arbitrary and treat them as MT Supervisors only.

2. A reply has been filed in this OA. Earlier to the redesignation there were three grades in existence of Civilian MT Drivers. They were a) Civilian MT Driver Grade I in the scale of pay of Rs.950-1500, b) Civilian MT Driver Grade I in the scale of Rs.1150-1500, and MT Supervisor in the scale of Rs.1200-1800. The scales of pay in all the three grades were prrevised as per recommendations of IV Pay Commission.

3. In view of issue of the letter dated 13.4.98 these posts were designated as a) Civilian MT Driver 'A', Civilian MT Driver 'B', and c) Civilian MT Driver 'C' with effect from 19.1.98 when the V Pay Commission came into existence. MT Supervisors who were in the scale of prrevised scale of Rs.1200-1800 are to be fitted in V Pay scale of Rs.4000-6000 and designated as Civilian MT Driver 'B'. As far as replacement of scales are concerned there is no monetary loss to the applicants herein. The learned counsel for ^{respondents} the applicants submits that in view of the stagnation another higher grade of Civilian MT

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A

Driver 'C' was created in the scale of Rs.4500-7000 above that of Civilian MT Driver Grade 'B' who were earlier called MT Supervisors.

4. In view of the above the applicants 1-7 got promoted and many of the applicants have been promoted to the higher grade of Civilian MT Driver C in the scale of Rs.4500-7000. It is also informed that applicants 8-15 are in the grade of Civilian MT Driver 'C'.

5. The learned counsel for the respondents submits that in case they want earlier designation as MT Supervisors they have to be fitted in the scale of Rs.4500-7000 and they will not get any promotions because of ^{reduction} ~~reduction~~ of the earlier designation.

6. The learned counsel for the applicants submits that the applicants are in their final end of their service and changing their designation as Drivers which they were holding earlier to promotion as MT Supervisors, causes mental agony at the end of their service and reduces prestige in the society. The learned counsel for the applicant also brought to our notice some of the designations given to other categories which gives better designation which shows those employees in respectable position compared to their position. For that he has enclosed Daily order Part-I dated 22-4-98 (Annex.A-4). To quote an example ~~that~~ the post of UDC is termed as Administrative Assistant Grade 'B' and a Watchman is called Security Assistant etc. He also submitted that in Survey of India a Driver is promoted as Chief Engineer Grade II. Hence when others are given better designation, the designation given to Civilian MT Drivers degrades the status.

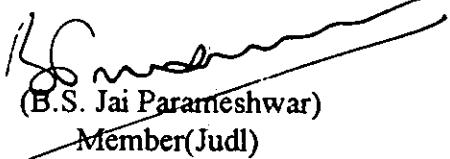
7. We have heard both sides. ^{It} is not that the applicants are monetarily brought down. Further the duty list stands same as earlier. Satisfaction of performing a duty is more essential than prestige in the society. An employee gets the prestige by performance in the service and not by designation. A least paid employee may perform his duties extremely well whereas a senior employee showing better status may not do that, ^{In} which case ~~appreciate the services of~~ ^{publicity} will determine the junior more than a senior. Hence, prestige lies in performance of duties and not by designation. Hence, the applicants should console themselves that their duty is precious rather than demanding the designation as earlier. We do not see any reasons to set aside the impugned order. However, the applicants if they still feel some change in the designation is necessary they are at liberty to submit a detailed representation ^{inable representation?} for designation as Civilian MT Driver B which was earlier designated as MT Supervisors

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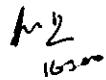
and the next grade of MT Supervisor. If such a representation is received the respondents shall no doubt will consider it and take necessary action in this regard.

8. How to designate a post is a policy matter. Court or Tribunal cannot intervene.
9. In view of the above the applicants shall submit a representation and the respondents shall consider it and dispose it of.
10. OA ordered accordingly. No costs.


(B.S. Jai Parameshwar)
Member(Judl)

9.3.02


(R. Rangarajan)
Member (Admn)


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16300

Dated : 9 March, 2000
Dictated in open court

sk

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH,
HYDERABAD.

1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

COPY TO

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

2. HRRN (ADMN) MEMBER. THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMN)

3. HBSJP. M. (JUDL)

4. D.R. (ADMN) THE HON'BLE MR. B.S. JAI PARAMESHWAR
MEMBER (JUDL)

5. SPARE

6. ADVOCATE

7. STANDING COUNSEL DATE OF ORDER 9/3/00

MA/RA/CE/NO

IN

C.A. NO. 174 /99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

केन्द्रीय प्रशासनिक अधिकारप्प
Central Administrative Tribunal
प्रेषण / DESPATCH

24 MAR 2000

हृषीरामाचार्य व्यापरीठ
HYDERABAD BENCH