

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH
JABALPUR

C.A. No. 176/1999

Hon'ble Shri Anand Kumar Bhatt, Administrative Member
Hon'ble Shri G. Shanthappa, Judicial Member

This, the 10th day of October, 2003

1. Arun Singh Thakur son of Shri H.S. Thakur, Aged 39 years, working as Civilian Technical Instructor in 1 T.T.R. 1 Signal Training Centre, Jabalpur (MP) CTI No. 14271503P.
2. C. Prakash Bhatia son of Shri S.K. Bhatia, Aged 40 years, working as CTI in 1 T.T.R. 1, Signal Training Centre, Jabalpur (M.P.).
3. Sanjay Prasad Sinha son of Shri B.K. Prasad, Aged 35 years, working as CTI, in 1 T.T.R., 1, Signal Training Centre, Jabalpur (M.P.).
4. P.K. Nandi son of Late Shri R.N. Nandi, Aged 49 years, working as CTI, in 4 T.T.R. 1, Signal Training Centre, Jabalpur (MP).
5. A.P. Rajwade son of Shri P.S. Rajwade, Aged 48 years, working in 4 T.T.R. 1, Signal Training Centre, Jabalpur (M.P.).
6. S.K. Khatri son of Late Shri C.D. Khatri, Aged 49 years, working as C.T.I. in 4 T.T.R., 1 Signal Training Centre, Jabalpur (M.P.).
7. S.K. Singh son of Shri Paihari Singh, Aged 39 years, working as C.T.I. in 4 T.T.R., 1, Signal Training Centre, Jabalpur (MP). ... Applicants

(By Advocate - Shri Prashant Singh)

Versus

1. Union of India,
Through Secretary,
Ministry of Defence,
New Delhi.

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2. The Signal-Officer in Chief
(SONC)
Director General of Signals
Army Headquarters
NEW DELHI.

3. The Commandant
1, Signal Training Centre
Jabalpur (MP). .. Respondents
(By Advocate: Shri S.A.Dharmadhikari)

O R D E R

By Anand Kumar Bhatt, Administrative Member:

The following reliefs have been sought
in the present OA:

"I. to issue a direction to the respondents
to forthwith provide 3 grade structures
for CTIs as per memo. dated 28.2.94
(Annexure A-8) and also provide
promotional avenues for CTIs to the
post of Asstt. Lecturer as per memo.
dated 21.12.85(Annexure A-7).

II. to direct the respondents to place
the applicants on the pay scale of
Rs.5500-9000 which is equivalent to
their counter parts in Polytechnic
Colleges and Central Govt. Schools
keeping in view the length of
service i.e. 16-25 years of the
applicants.

III. to direct the respondents to grant
relief No.2 to the applicants on
basis of established principle of law
i.e. "Equal Pay for Equal Work".

IV. to call all original records pertaining
to the case of applicants.

V. to grant any other relief which may
deemed fit."

2. Brief facts of the case are that the
applicants are working as Civilian Technical
Instructor (in short as 'CTI') 1 T.T.R, 1 Signal
Training Centre, Jabalpur. Applicant No.1 has
Passed 4
M.Sc. (Physics) and the other
applicants are B.Sc. All the applicants are

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in the grade of Rs.4500-125-7000 and they have been in the service of Respondent No.3 for the period between 16 to 25 years. However, this is an isolated post and they do not have any promotional channels.

3. The applicants have stated that the nature of work of Lecturer, Assistant Lecturer and CTI are similar in the sense, ^{that} all of them are providing technical training to the army personnel. Whereas the Vth Central Pay Commission recommended the scale of Rs.5000-8000 for Graduate Instructors, Civilian Education Instructors (Graduate in any discipline), the applicants are stagnating in the scale of Rs.4500-7000.

4. The applicants have stated that in the Central Govt. Schools there are 3 scales for Primary School Teachers, which are extracted below:

"i) Primary School Teacher

- (A) Rs.4500-7000 - Initially
- (B) Rs.5000-8000 - After 8 years service
- (C) Rs.5500-9000 - After 10 years service

ii) Upper Division Teacher:

- (A) Rs.5500-9000 - Initially
- (B) Rs.7500-12000 - After 8 years service
- (C) Rs.8000-13500 - After 10 years service

iii) Lecturers

- (A) Rs.6500-10500 - Initially
- (B) Rs.8000-13500 - After 8 years service
- (C) Rs.10000-14500 - After 10 years service

5. A proposal was preferred by Respondent No.2 that the post of Assistant Lecturers may be filled 50% by direct recruitment and 50% by promotion from the grade of CTIs as in the case of Civilian Foreman of Signal. However, Union Public Service Commission (in short as 'UPSC') observed that there are two more scales between CTIs and Asstt. Lecturers, and therefore, jumping of scales

May not be possible to be sanctioned to the CTIs.
Therefore, it was suggested ^{by 1st HQ} to the Army Headquarters to create a three grade structure, viz., CTI, CTI-I and Senior CTI. The correspondence made between Army Headquarters and 1 STC and 2 STC are at Annexure A-6, A-7 and A-8. However, no decision has been taken on the issue as yet.

6. In the oral submission, Shri Prashant Singh, learned counsel for applicant, has reiterated the above.
7. The respondents, in their reply, have admitted that there is a stagnation in the cadre of CTIs, but they have stated that it was known to the applicants at the time of entry. The applicants are authorised to financial upgradation on completion of 12 years and 24 years of their service which is meant for such isolated posts. Such scheme is known as Assured Career Progression Scheme.
8. The respondents have tried to distinguish between the qualifications for Assistant Lecturers and CTIs.
9. In the additional reply, the respondents have submitted that 1 STC had initiated the case for providing promotion avenues to the CTIs to the post of Assistant Lecturer in January, 1978. However, UPSC observed that as there are two more scales between the posts of CTI and Assistant Lecturers, jumping of two scales ^{is} ~~is~~ not permissible.



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After that on being asked by Army Headquarters in December, 1985, a proposal for creating a 3 Tier structure for CTIs was moved to Army Headquarters in January, 1986. A fresh proposal was also submitted by 1 STC on 12.5.2001 to Army Headquarters. It has also been recommended that the CTIs who have acquired Post Graduate Qualification with minimum Second Division or equivalent grade in the relevant subjects and are found to be competent and willing to teach higher level subjects to the proposed Diploma level and TER/TES Class 1 courses, have been recommended for a monetary incentive of Rs.450/- per month. It was also recommended the avenue~~s~~ of promotion of CTIs who meet the qualitative requirements to the post of Assistant Lecturers or even Lecturer may also be considered.

10. We have seen the pleadings and heard the counsel on both the sides at some length.

11. A detailed proposal ^{which} had been sent to Army Headquarters by 1 STC is at Annexure R-III attached to the additional return to the Rejoinder. This proposal, ~~xxxxxxxxxxxx~~ although in a very general way, ~~xxxxxxxxxxxxxx~~ ^{contains} including the cadre of CTI in the regular promotion channel to the post of Assistant Lecturer and Lecturer on their acquiring the requisite educational and other qualifications. The said letter dated 12.5.2001 (Annexure R-III) also mentions that a case in this regard is pending in the Tribunal.

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11. In view of the foregoing discussion, we feel that ends of justice would be met if the present OA is disposed with direction to Respondents No.1 and 2 to take a decision on the said proposal sent by 1 STC on 12.5.2001 (Annexure R-III), within a period of six months from the date of receipt of a copy of this order. It is also observed that as the proposal has already been pending for more than two years it would be appropriate for Respondents No.1 and 2 to take a final decision within the aforesaid stipulated period in accordance with rules. We order accordingly.

12. The OA is disposed of accordingly. No costs.

G. Shanthappa
(G. SHANTHAPPA)
Judicial Member

Anand Kumar Bhatt
(ANAND KUMAR BHATT)
Administrative Member

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~~Received~~
on
14/10/03