

50/100

6

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

C.P-20/95 order sheet pg-1 to 2

Disposed Date-13/02/96

**INDEX**

O.A/T.A No. 135/95

R.A/C.P No. 20/95

E.P/M.A No. ....

1. Orders Sheet. OA-135/95 Pg. 1 to 2
2. Judgment/Order dtd. 20/7/95 Pg. 1 to 3 *Disposed*
3. Judgment & Order dtd. .... Received from H.C/Supreme Court
4. O.A. 135/95 Pg. 1 to 41
5. E.P/M.P. NIL Pg. .... to .....
6. R.A/C.P. 20/95 Pg. 1 to 9
7. W.S. NIL Pg. .... to .....
8. Rejoinder. NIL Pg. .... to .....
9. Reply. .... Pg. .... to .....
10. Any other Papers. .... Pg. .... to .....
11. Memo of Appearance. ....
12. Additional Affidavit. ....
13. Written Arguments. ....
14. Amendment Reply by Respondents. ....
15. Amendment Reply filed by the Applicant. ....
16. Counter Reply. ....

SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH  
GUWAHATI

✓ ORIGINAL APPLN. NO. 135 OF 1995  
TRANSFER APPLN. NO. OF 1995  
CONTEMPT APPLN. NO. OF 1995 (IN QA NO. )  
REVIEW APPLN. NO. OF 1995 (IN QA NO. )  
MISC. PETN. NO. OF 1995 (IN QA NO. )

.....Tu) sram Sarma & 77.0% APPLICANT(S)

.....<sup>VE</sup> M. O. I. & os..... RESPONDENT(S)

FOR THE APPLICANT(S)

...MR. J. L. Sarkar  
MR. M. Chanda  
MR.

FOR THE RESPONDENTS

...MR. A. K. Choudhury  
Asst. Secy.

OFFICE NOTE

DATE

ORDER

19.7.95

On request made on behalf of  
Mr J.L. Sarkar, learned counsel for the  
applicant, adjourned to tomorrow,  
20.7.95.

Vice-Chairman

Member

nkm

This application is in  
form and within time.

C. F. of Rs. 50/-

deposited vide

PO/BD No... 885935

Dated 10.7.95

14.7.95

FA on 19.7.95.

Bon.

19/7

20-7-95

Note

This order is reparalet  
typed. That we treated  
as original order.

Hence this is cancelled

file  
25/7/95-

Mr. J.L. Sarkar and Mr. M.<sup>C</sup> Dhande for  
the applicants.

Mr. A.K. Choudhury, Addl. C.G.S.C. for  
the respondents.

Leave to the applicant to join in the  
single application as prayed in para 6 is gran-  
ted.

O.A. is admitted. Issue notice to the  
respondents. Mr. A.K. Choudhury Addl. C.G.S.C.  
has accepted the notice. By consent application  
is taken up for final order.

The grievance of the applicant is  
that the respondents have not extended them  
the benefit of revised scale of pay in pursu-  
ance of the order passed by President of India  
from time to time. All the applicants are  
Draftsman Grade II in the department of Survey  
of India. It appears that in the light of the  
recommendations of the third Central Pay  
Commission the pay scales were revised and  
the benefit was given notionally from 1-1-73  
and actually from 1-9-87 under the Office  
Memorandum No. 5(13)E-III(87) dated 11-9-87.  
This circular was issued by the Government of  
India. Office Memorandum No. F.6 (59)-E-III/82  
dated 13-3-84 was issued by the Government  
of India where the revised scale were made  
applicable to those draftsmen Gr. II <sup>whose</sup> the recruit-  
ment qualification provided that were similar  
to those prescribed in the case of Drafts-Man  
Grade II in C.P.W.D. The Government of India  
also issued office Memorandum No. F-6-(59)-E-III  
/82 dated 13-3-84. That was modified by the  
office Memorandum No. <sup>13</sup>2(1)-IC/91 dated 19-10-94  
and it was clarified that it was decided that  
the benefit may be extended irrespective of  
the recruitment qualifications <sup>in all</sup> in Government  
of India offices. It was however stipulated  
that the benefit of revised pay <sup>scales</sup> are given  
with effect from 13-5-82 notionally and  
actually from 1-11-83. This office memorandum  
was forwarded by the Ministry of Science and  
Technology to the Survey <sup>or</sup> of General of India

file

20-7-95

and other authorities vide letter No. 1-12/93 dated 11-11-94 for guidance and necessary action. The applicants avered that although they are eligible to be extended the benefit within the terms of the above mentioned memorandums and are eligible to get the benefit of revised scale notionally from 1-1-73 and actually <sup>from</sup> 1-9-87 and the respondents have not extended the said benefits. <sup>and therefore</sup> The respondents be directed to implement the O.M. dated 11-9-87 as well as O.M. dated 19-10-94 together with O.M. 11-9-87. Prima facie it appears that the benefit would be extendable to the applicants under the latest memorandum issued by the Government of India and subject to the ~~said~~ clarification of minimum period of service as laid down in the O.M. dated 19-10-94. It is not cleared as to why the respondents have not taken any decision consistently there-with so far <sup>as</sup> it is stated by the applicants that they have filed the representation. We are not satisfied that any particular representation was filed <sup>on</sup> in a particular date and a representation however ~~annexure~~ as Annexure 6 is referred in the application where date is mentioned as 23-11-86, although Mr. Sarkar now submits that the correct date of representation is 23-11-94 and 23-11-86 is wrong. We cannot therefore specifically direct the respondents <sup>any</sup> to consider a particular representation.

In view of the office memorandum mentioned above and as no other controversial question arises we think it is proper <sup>to</sup> for the ~~to meet~~ <sup>secure</sup> the ends of justice <sup>to</sup> we direct the ~~respondents~~ and concerned authorities of the respondents 1 to 3 to apply their mind to the grievances of the applicants and take a decision if it is not so far taken as to whether the benefit of the revised pay scales should be extended to the applicants. <sup>are</sup> If the authorities <sup>are</sup> satisfied that the applicants are eligible to get the benefit the respondents

contd/-



O.A. 135/95

20-7-95 ~~to take the decision to implement the~~  
decision at the earliest.

In the event of the respondents finding that any of the applicants are not eligible to <sup>be</sup> extend<sup>ed</sup> the benefit of revised pay scale ~~and~~ that decision shall be commu-  
nicated to the applicant individually by the respondents.

In the event of the applicants <sup>or any of</sup> ~~being~~ <sup>them being</sup> informed that the benefit cannot be extended to him, <sup>and</sup> the applicant <sup>will</sup> be at ~~liber-~~ liberty to approach the Tribunal if so advised for appropriate relief. The respondents are directed to take their decision as far as practicable within a period of three months from the date of receipt of the order. The <sup>of</sup> application is disposed of accordingly. No order as to costs.

( Above order separated typed and  
is signed

lm

*hill*

25/7/95

*[Signature]*  
Vice-Chairman

Member

4  
3  
O.A.135/95

20-7-95

Mr.M.Chanda for the applicant.

Mr.A.K.Choudhury, Addl.C.G.S.C. for the respondents.

Admit - Notice waived. By consent called out for final hearing. Arguments of both the counsel are heard and concluded. Order pronounced. Application is disposed of. No order as to costs.

*hell*  
Vice-Chaiman

*an*  
Member

lm

3.8.95

copy of Indg./Order  
dttd. 20.7.95 issued  
to all concerned by  
Regd. Post except  
Respd. No. 3. This  
one issued by  
Sp. Post at parties  
cost side 2/No.  
3479-82 dttd. 4.8.95/  
*g/b*

Notice alongwith in application  
sent to the Respd. by Sp. Post  
to R. no. 3 & 1 & 2 by Regd. post.

X

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH ::: GUWAHATI-5.

O.A. NO. 135/95  
T.A. NO.

DATE OF DECISION 20-7-95

Tulsiram Sarma

(PETITIONER(S))

Mr.J.L.Sarkar with Mr.M.Chanda

ADVOCATE FOR THE  
PETITIONER (S)

VERSUS

Union of India & Ors.

RESPONDENT (S)

Mr.A.K.Choudhury, Addl.C.G.S.C.

ADVOCATE FOR THE  
RESPONDENT (S)

THE HON'BLE JUSTICE SHRI M.G.CHAUDHARI, VICE-CHAIRMAN

THE HON'BLE SHRI G.L.SANGLYINE, MEMBER (ADMN)

1. Whether Reporters of local papers may be allowed to see the Judgment ?
  2. To be referred to the Reporter or not ?
  3. Whether their Lordships wish to see the fair copy of the judgment ?
  4. Whether the Judgment is to be circulated to the other Benches ?
- ys  
} ns

Judgment delivered by Hon'ble VICE-CHAIRMAN

*Mullchandhary*

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.135/95

Date of Order: This the 20th Day of July 1995.

JUSTICE SHRI M.G.CHAUDHARI, VICE-CHAIRMAN  
SHRI G.L.SANGLYINE, MEMBER(ADMN)

1. Shri Tulsiram Sarma & Ors.  
Draftsman Gr.II under the Director, Survey of India,  
North Eastern Circle, Shillong.

By Advocate Mr.J.L.Sarkar and Mr.M.Chada .

-Vs-

1. The Secretary to the Govt. of India,  
Ministry of Science & Technology  
New Delhi.
2. The Surveyor General,  
Survey of India, Block B Hathibarkala Estate.  
Dehradun-248001.
3. The Director,  
Survey of India  
North Eastern Circle.

By Advocate Mr.A.K.Choudhury, Addl.C.G.S.C.

O R D E R.

CHAUDHARI J(VC):

1. Leave to the applicants to join in the single application as prayed in para 6 is granted.
2. O.A. is admitted. -Issue notice to the respondents. Mr.A.K.Choudhury Addl.C.G.S.C. has accepted the notice. By consent application is taken up for final order.
3. The grievance of the applicants is that the respondents have not extended them the benefit of revised scale of pay in pursuance of the orders passed by President of India from time to time. All the applicants are Draftsman Grade II in the department of Survey of India. It appears that in the light of the recommendations of the third Central Pay Commission the pay scales were revised and the benefit was given notionally from 1-1-73 and actually from 1-9-87 under the Office Memorandum No.5(13)E-II(87) dated 11-9-87.

contd/-

*hca*



This circular was issued by the Government of India, Office Memorandum No.F.6(59)-E-III/82 dated 13-3-84 was issued by the Government of India where the revised scales were made applicable to those draftsmen Gr.II whose recruitment qualification were similar to those prescribed in the case of Draftsmen in C.P.W.D. That was modified by the office Memorandum No.13(1)-IC/91 dated 19-10-94 and it was clarified that it was decided that the benefit may be extended irrespective of the recruitment qualification in all Government of India offices. It was however stipulated that the benefit of revised pay scales be given with effect from 13-5-82 notionally and actually from 1-1-83. This office memorandum was forwarded by the Ministry of Science and Technology to the Surveyor General of India and other authorities vide letter No.1-12/93 dated 11-11-94 for guidance and necessary action. The applicants aver that although they are eligible to be extended the benefit within the terms of the above mentioned memoranda and are eligible to get the benefit of revised scale notionally from 1-1-73 and actually from 1-9-87 the respondents have not extended the said benefits and therefore the respondents be directed to implement the O.M. dated 11-9-87 as well as O.M. dated 19-10-94 <sup>read</sup> together with O.M. dated 11-9-87. Prima facie it appears that the benefit would be extendable to the applicants under the latest memorandum issued by the Government of India and subject to the <sup>requirement</sup> ~~clearifica-~~ tion of minimum period of service as laid down in the O.M. dated 19-10-94 <sup>being satisfied</sup>. It is not clear as to why the respondents have not taken any decision consistently therewith so far as it is stated by the applicants that they have filed representations. We are not satisfied that any

contd/-

*hucc*

particular representation was filed on a particular date, and <sup>60-</sup> ~~A~~ representation ~~however~~ Annexure 6 is referred in the application where date is mentioned as 23-11-86, although Mr. Sarkar now submits that the correct date of representation is 23-11-94 and 23-11-86 is wrong. We cannot therefore specifically direct the respondents to consider any particular representation.

✓ 4. In view of the office memorandum mentioned above and as no other controversial question arises we think it proper <sup>in order</sup> to secure the ends of justice to direct the concerned authorities of the respondents 1 to 3 to apply their mind to the grievance of the applicants and take a decision if it is not so far taken as to whether the benefit of the revised pay scales should be extended to the applicants. If the authorities are satisfied that the applicants are eligible to get the benefit the respondents to implement the decision at the earliest.

5. In the event of the respondents finding that any of the applicants are not eligible to be extended the benefit of revised pay scale that decision shall be communicated to the applicant individually by the respondents.

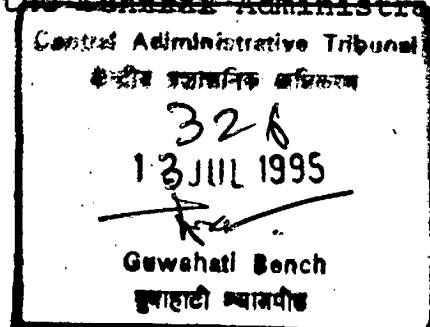
✓ 6. In the event of the applicants or any of them being informed that the benefit cannot be extended to him the said applicants will be at liberty to approach the Tribunal if so advised for appropriate relief. The respondents are directed to take their decision as far as practicable within a period of three months from the date of receipt of the order. The O.A. is disposed of accordingly. No order as to costs.

  
(G.L. SANGLYINE)  
MEMBER (ADMN)

  
(M.G. CHAUDHARI)  
VICE-CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

An application under Section 19 of the ~~Central Administrative~~ Administrative Tribunals Act, 1985.



O.A. No. 135/95

Sri Tulsiram Sharma & 77 Ors.

..... Applicants

-versus-

Union of India & Ors.

..... Respondents

I N D E X

Sl.No.	Annexure	Particulars	Page No.
1	-	Application	1-29
2	-	Verification	30
3	1	O.M. dtd. 11.9.87	31
4	2	Lr. dtd. 13.11.87	32-35
5	3	O.M. dtd. 13.3.84	-36-
6	4	O.M. dtd. 19.10.94	37-38
7	5	Lr. dtd. 11.11.94	-39-
8	6	Representation dt. 23-11-94	40-41

R.  
M. Chandra Acharya  
13/7/95  
5C

Filed by :

M. Chandra Acharya

Advocate

1. Particulars of the Applicants.

1. Shri Tulsiram Sharma .
2. Shri Satyajit Kumar Dey
3. Sri Taraprasad Kharel
4. Shri Srikanta Dasgupta
5. Shri Pradip Kumar Neogi
6. Smti. Nandita Das
7. Smti. Mebibora Tiewla
8. Shri K.B.Gurung
9. Smti Pandora Sohkhlet
10. Smti Meries Nareen Laloo
11. Shri Kajal Kumar Bhattacharjee
12. Shri Arun Kumar Baidya
13. Smti. Joya Adhikari
14. Smti. Shanti Kumari Ghimire
15. Smti Lawmzuali
16. Smti Rekha Mech
17. Shri Dilip Kumar Deka
18. Smti. Mita Dasgupta
19. Smti Subhra Gupta
20. Shri Debasis Dutta
21. Shri Sudip Dutta Chowdhury
22. Shri Donbor Singh Lartang
23. Shri Ranjit Sukla Baidya
24. Shri Prabash Paul
25. Smti. Erboline Majaw
26. Smti. Spirian Kharangi

27. Smti. Everymai Warjri
28. Smti. Evelynora Ryngsai
29. Smti. Ritikona Majaw
30. Shri Chaman Singh Negi
31. Shri Mustaq Ahmed .Swor
32. Smti. Bertilla Khyllap
33. Smti Arunima Dutta
34. Smti Sofiana Kharkongor
35. Smti Manjula Bhattacharjee
36. Smti Hildaline Makhiew
37. Smti Tapashi Mishra
38. Shri Bhubaneshwar Das
39. Smti. Amebha Roy Choudhury
40. Smti Caroline Lamo
41. Smti Fidelis Jyrwa
42. Shri R.S.Thapa
43. Shri S.C.Roy
44. Shri S.A.Rahman
45. Smti G.M.Sohsten
46. Shri B.Das
47. Smti D.Majaw
48. Smti R.C.Nongbri
49. Shri A Mannan
50. Shri M.M.Umlong
51. Shri E.Lartang
52. Shri Durgesh Purkayastha

53. Km. A Tombi Singha
54. Smti. Santa Ghosh
55. Smti R Kharbuki
56. Shri B.Dohkhrut
57. Smti M. Diengdoh
58. Smti M.A.Kharbuki
59. Smti. N. Kharbteng
60. Shri K.C. Das.
61. Smti. S.Nongbsap
62. Smti Margarita Sawian
63. Km. B. Marbanlang
64. Smti. Dipti Kar
65. Smti Rita Tarafdar
66. Km. Kanta Nongkynrih
67. Km. A.Bhattacharjee
68. Smti Junu Sarma
69. Smti E.L.Nongbri
70. Shri Asutosh Das
71. Shri Jeevan Kumar
72. Smti. H.Lyngdoh
73. Shri T.Lyngdoh
74. Km. Ritalin Kukhim
75. Shri S.C.Sabdakar
76. Shri T.K.Mondal

77. Shri L.B.Pradhan  
78. Shri Shamboo Singh Solanki

( All the applicants are working as Draftsman Gr. II under the Director, Survey of India, North Eastern Circle, Shillong, under Ministry of Science & Technology, Govt. of India, New Delhi).

2. Particulars of the Respondents.

1. The Secretary to the Govt. of India  
Govt. of India,  
Ministry of Science & Technology,  
New Delhi.
  2. The Surveyor General,  
Survey of India, Block B, Hathibarkala Estate,  
DEHRADUN - 248 001
  3. The Director,  
Survey of India,  
North Eastern Circle,
3. Particulars for which this application is made.

This application has made for implementation of the O.A. No. F.5(13)-E.III/87 dt. 11.9.87 and also for implementation of O.M. No. 13(1)-IC/91 dtd. 19.10.94 in respect of the applicants who are serving as Grade II

Draftsman in the department of Survey of India under Ministry of Science & Technology, Govt. of India, New Delhi and also for direction to place applicants in the higher revised scale of Rs. 425-700 (revised Rs. 1400-2300) and also for payment of arrears of monetary benefit in terms of O.M. Dt. 11.9.87.

4. Jurisdiction :

The applicants declare that the subject matter of the application is within the jurisdiction of this Tribunal.

5. Limitation :

The applicants declare that the application is within the limitation prescribed under Section 21 of the Administrative Tribunals Act, 1985.

6. Facts of the case

6.1 That all the applicants are citizens of India as such they are entitled to all the rights and privileges guaranteed by the Constitution of India. All the applicants are presently serving as Draftsman Gr. II under the Director, Survey of India, N.E. Circle, Shillong in the revised pay scale of ~~Rs. 1200-2200~~ Rs. 1350-2200. *one application be allowed to move jointly by 78 applicants under rule 4(5) (a) of CAT, Procedure rules 1987.*



6:2 That the applicants initially entered into the service under the respondent No. 2 and 3 as Topo trainees Type B (in Short T.T.T.B) Draftsmen. The requisite qualification for the post of T.T.T.B Draftsmen was initially Matriculation with Mathematics, which is now amended. The educational qualification is now required Pre-University with mathematics. In the department of Survey of India T.T.T.B. Draftsmen required, two years training, out of two years one year training is imparted in the Circle Office/Regional Office and another one year is required to be imparted in the Training Institute at Hyderabad. The pay scale of the T.T.T.B Draftsmen are Rs. 260-430 per month and revised pay scale are Rs. 950-1400. After completion of T.T.T.B Training the applicants are required to appear for qualification test and after passing the said test they are treated as Draftsman Gr. IV and used to place in the scale of Rs. 975-1540 and thereafter on completion of 3 years service in Draftsman Gr. IV applicants again appeared theoretical and practical tests conducted by the department for upgradation to Draftsman Gr. III and thereafter on completion of 2 years of service as Draftsman Gr. III the applicants are again required to appear in the theoretical test and supervisory level test conducted by the department for upgradation to the post of Draftsman Gr. II. Be

it stated that Gr. III Draftsman in the Survey of India are placed in the scale of Rs. 330/480 and revised pay scale Rs. 1200-1800 and Gr. II Draftsman are placed in the pay scale of Rs. 425-600 and revised pay scale Rs. 1350-2200.

6.3 That the applicants beg to state that in the Survey of India after recommendation of the 2nd Pay Commission the present applicants were in the scale of Rs. 205-280 prior to 1.1.73 and they were placed in the scale of Rs. 330-560 based on the recommendation of the 3rd Central Pay Commission. Be it stated that the 3rd Central Pay Commission recommended in para 81 (iii) of Chapter 14 of its report relating to replacement of scale of Rs. 330-560 to Rs. 425-700. However, the Survey of India granted for Gr. III Draftsmen scale of Rs. 330-560 following the recommendation of 3rd Central Pay Commission and thereafter on completion of two years of service in the scale of Rs. 330-560 and <sup>subsequently</sup> ~~on successful passing of~~ *have been* ~~departmental test~~ the Survey of India Draftsmen <sup>Gr-II</sup> are used to be placed in the scale of Rs. 425-600 revised pay scale of Rs. 1350-2200, and used to be treated as Draftsman Gr. II in the scale of Rs. 425-600.

6.4 That the applicants beg to state that in the Survey of India Draftsman in the initial grade are known as T.T.T.B Draftsman i.e. call initial Gr. having the scale of Rs. 260-430 and after

completion of 5 years of service in the pay scale of Rs. 260-430 (including two years of training) the Draftsmen are used to be upgraded in the cadre of Gr. III Draftsmen, in the scale of Rs. 330-<sup>480/-</sup>~~560~~ and treated them as Draftsmen Gr. III. Thereafter again on completion of 2 years of service in the cadre of Gr. III Draftsmen they are used to be upgraded to the post of Draftsmen Gr. II in the pay scale of Rs. 425-600 revised pay scale of Rs. 1350-2200 and thereafter next promotion in the cadre of Division (Division I) Draftsmen used to be considered on the basis of All India combined seniority list of Draftsmen Gr. II. Therefore there is hardly any chance for all the Gr. II, Draftsman for promotion to the Division I post of Draftsman in the department of Survey of India. As a result the scope of Promotion/upgradation is very limited for the Draftsmen working in the Survey of India under the Ministry of Science and Technology.

6.5 That all the Govt. of India offices the prescribed qualification for recruitment of Draftsmen are not similar and pay scale also not similar.

6.6 That the Draftsmen of All Central Govt. offices who were in the scale of Rs. 330-560 following the recommendation of 3rd Central Pay Commission agitated for a long time for higher pay scale of Rs. 425-700 through their staff representatives in the National Council of Joint Consultative Machinery.

Therefore the 3rd Central Pay Commission of Govt. of India had recommended for replacement of scales of Rs. 330-560 to Rs. 425-700. This recommendation was not initially accepted by the Govt. of India and the matter went up to the Hon'ble Supreme Court and was the subject matter in Civil Appeal No. 3121/81 in the Hon'ble Supreme Court for higher pay scale of Rs. 425-700 for the Draftsmen which was in the scale of Rs. 330-560. The Hon'ble Supreme Court delivered the judgement and order in the aforesaid Civil Appeal on 1.5.1985, accepted the Appeal and allowed the replacement pay scale of Rs. 425-700 to those draftsmen who were previously being given the scale of Rs. 330-560 on the basis of the recommendation of the Pay Commission. Thereafter the Ministry of Finance vide Office Memorandum No. F.5(13)-E.III/87 dtd. 11.9.87 extended the benefit of the judgement of the Hon'ble Supreme Court (P. Sabita and Ors. Vs. Union of India) to the similarly placed Draftsmen in other Ministry/Department of Govt. of India. The benefit was given notionally from 1.1.73 and actually from 1.9.87 only to those Draftsmen who were in the pay scale of Rs. 205-280 prior to 1.1.73 and were placed in the pay scale of Rs. 330-560 on the basis of the recommendation of the 3rd Central Pay Commission given the pay scale of Rs. 425-700. The present applicants are

totally covered by the Office Memorandum dated 11.9.87 as the Draftsmen of Survey of India prior to 1.1.73 were placed in the pay scale of Rs. 330-560 on the basis of the 3rd Central Pay Commission. Therefore the aforesaid Office Memorandum dated 11.9.87 is clearly applicable to the present applicants. The Surveyor General of India vide his letter dated 13.11.87 endorsed the said Office Memorandum dated 11.9.87 to all the concerned Directorate of the Survey of India for information guidance and necessary action. The present applicants thereafter expected that they would be given the higher pay scale of Rs. 425-700 following the Office Memorandum dated 11.9.87 but the Administration of the Survey of India has been ~~xxxxx~~ remained silent as regards implementation of the Office Memorandum dated 11.9.87. In the Survey of India although the applicants approached to the authorities for implementation of the said Office Memorandum dated 11.9.87 but to no result.

A copy of the O.M. dated 11.9-87 and letter of the Surveyor General dated 13.11.87 are enclosed herewith and the same are marked as Annexure 1 and 2 respectively.

6.7 That the present applicants submitted their representations in the month of November to the Survey General, Survey of India, Dehradun through

proper channel vide representation date 23-11-94 wherein it is stated that the Office Memorandum dated 11.9.87 of the Ministry of Finance received under Surveyor/General's letter dated 13.11.87 and it is further stated that as per the recommendation of the 2nd Central Pay Commission the pay scale of Draftsman Gr. II of Survey of India was Rs. 205-280 and as per the recommendation of the 3rd Central Pay Commission was initially given as Rs. 330-560 and keeping in view of the appeal of the employees working as Draftsman in Survey of India was later on granted Rs. 425-600 to the post of Draftsman Gr. II in the Survey of India. Therefore this has resulted disparity in the maximum because this pay scale in all other offices/departments have been given Rs. 425-700 and as per the Office Memorandum No. F.5(13)-E.III/87 dtd. 11.9.87 issued by the Ministry of Finance, granted the pay scale of Rs. 425-700 notionally from 1.1.73 and actually from 1.9.87 for those Draftsman who were in the pay scale of Rs. 205-280 prior to 1.1.73 and were later on granted to Rs. 330-560 following the recommendation of 3rd Central Pay Commission. The applicants submitted these representations individually addressed to the Respondent No. 2 and requested for implementation of the O.M. dated 11.9.87 but the respondents are still silent regarding the implementation of the O.M. dated 11.9.87.

6.8 That the applicants beg to state that the Govt. of India agreed to revise the scale of pay of the

Draftsman Gr. I, II, and III of the Central Public Works Department following an award of Board of Arbitration as follows :

	Original Scale	Revised Scale
Draftsman Grade I	Rs. 425-700	Rs. 550-750
Draftsman Grade II	Rs. 330-560	Rs. 425-700
Draftsman Grade III	Rs. 260-430	Rs. 330-560

This benefit of revision of pay scale was given notionally with effect from 13.5.82 and actual benefit being allowed with effect from 1.11.83. The staff side in the National Council of Joint Consultative Machinery requested for pay parity and similar benefit which was granted to the CPWD Draftsman for extension of the same to the Draftsman of other Central Offices, and on the basis of that request Govt. set up a committee of National Council (Joint Consultative Machinery) to consider the request of the staff side and finally agreed and recommended to extend the similar benefit of revised pay scale to the Draftsman Gr. I, II, and III under all Govt. of India Offices vide Office Memorandum No. F.5(59)-E.III/82 dated 13.3.84 issued by the Ministry of Finance, Govt. of India, Department of Expenditure and granted the benefit notionally with effect from 13.5.82 and actually benefit was allowed with effect from 1.11.83.

However, this benefit is extended only to the Draftsmen in other Central Govt. Offices provided their recruitment qualification are similar to those prescribed in the case of Draftsman in C.P.W.D. Therefore the benefit of Office Memorandum dated 13.3.84 was not extended to the present applicants.

A copy of the Office Memorandum dated 13.3.84 is annexed as Annexure-3.

6.9. That after the issuance of the Office Memorandum dated 13.3.84 Draftsman working in many Central Govt. Offices were excluded from the benefit of the Office Memorandum dated 13.3.84. Therefore staff side of the National Council (Joint Consultative Machinery) further requested the Government of India to extend the benefit of revised pay scale which was extended through Office Memorandum dated ~~13.3.84~~ 13.3.84 by the Ministry of Finance to all the Draftsmen working in other Central Govt. Offices irrespective of their recruitment qualification and also demanded to extend the benefit with retrospective effect notionally from 13.5.82 and actually from 1.11.83.

The Govt. of India vide Office Memorandum No. 13(1)-IC/91 dtd. 19.10.94 issued by the Govt. of India Ministry of Finance, Deptt. of Expenditure whereby Govt. of India extended the benefit of revised pay scale which was initially granted through Office Memorandum



dated 13.3.84 to all the Draftsmen Grade I, II and III and in all Govt. of India Offices irrespective of their recruitment qualification. The relevant portion of the Office Memorandum dated 19.10.94 is reproduced below :

"2. The President is now pleased to decide that the Draughtsmen, Grade I, II and III in Offices/departments of the Government of India other than in CPWD may also be placed in the scales of pay mentioned above subject to the following :

- a. Minimum period of service for 7 years  
placement from the post carrying  
scale of 975-1540 to Rs. 1200-2040  
(pre-revised Rs. 260-430 to  
Rs. 330-560).
- b. Minimum period of service for 5 years  
placement from the post carrying  
scale of Rs. 1200-2040 to Rs. 1400-  
2300 (pre-revised Rs. 330-560 to  
Rs. 425-700).
- c. Minimum period of service for 4 years  
placement from the post carrying  
scale of Rs. 1400-2300 to Rs. 1600-  
2660 (pre-revised Rs. 425-700 to  
Rs. 550-750).

3. Once the Draughtsmen are placed in the regular scales, further promotions could be made against available vacancies in higher grade and in accordance with the normal eligibility criteria laid down in the recruitment rules.

4. The benefit of this revision of scales of pay would be given with effect from 13.5.1982 1982 notionally and actually from 1.1.1983%.

The above scheme and revision of pay scale laid down in para 2 of the Office Memorandum dated 19.10.94 formulated to place the working Draftsmen of other Central Govt. Offices other than the Draftsmen working in C.P.W.D. with the intention to replace them in a better pay scale and better service condition like the Draftsman of C.P.W.D. Therefore condition of particular working period is also laid down in paragraph 2 of the said O.M. to replace the Draftsman in higher pay scale on expiry of prescribed working period such as 7 years, 5 years and 4 years respectively in the respective grade. After publication of this O.M. dated 19.10.94 the Govt. of India, Ministry of Science & Technology, Deptt of Science and Technology vide their letter No. 1-12/93 Cdn dtd. 11.11.94 issued the same addressing the Surveyor General of India Hathibarkala Estate, Dehradun wherein it is

stated the the O.M. 19.10.94 is forwarded on the subject of revision of pay scales of Draftsmen of Grade I, II, and III in all Govt. of India Offices on the basis of the award of the Board of Arbitration in the case of C.P.W.D. for information, guidance and necessary action. But surprisingly the Surveyor General of India did not take any action as regard implementation of O.M. dated 11.9.87 and also dated 19.10.94. As such the present applicants are being deprived of their legitimate claim for pay parity with the Draftsmen working in other Central Govt. Offices, the non-implementation of the O.M. dated 11.9.87 as well as 19.10.94 resulted in discrimination and the action of the respondents are violative of Article 14 and 16 of the Constitution of India.

A copy of the O.M. dated 19.10.94 and letter dated 11.11.94 are enclosed as Annexure 4 & 5 respectively.

~~6.1~~  
6.10 That the Draftsmen working in the Survey of India are entrusted with very high standard of drawing works, and compilation of Maps and cartography scribing and they are required to carry out topographical drawing on various skills covering the whole country. The topographical maps, topographical thematic maps, guide maps, tourist maps, state maps,

three dimensional plastic relief maps and other project maps are generally prepared by the Draftsmen of Survey of India. These maps are important and useful for defence and all other Ministries State Govt. as well as for educational purposes and for map users/readers in general. All the above maps are prepared by the fair drawing or cartographic scribing techniques. The fair ~~drawing~~ mapping in both the methods used are mainly carried out by the Draftsmen in the Deptt. after after completion of the field work. The fair mapping is allotted to the Circle drawing offices of the Deptt. hence right from the compilation, drawing to final proof stage of any map, the main job of preparing originals for printing and publishing is carried out by the Draftsmen of Survey of India. The map under preparation is to undergo the followin various stages in the hands of the Draftsmen.

1. Projection
2. Plotting of Control points
3. Compilation (where necessary)
4. Mosaicing
5. Drawing/Cartographic scribing/plastic relief mapping
6. Drafting of technical correspondance with the local Governments, the Deputy Director General of Military Survey (G.S.G.S) Ministry of Defence and Ministry of External Affairs and other indentors.

7. Preparation of History Sheets and Publication Instructions.
8. Examination of Preliminary proofs and preparation of ancillary originals etc. (i.e. Grid, Colour separation Guides, Shade Originals etc.etc.).
9. Examination/preparation of Final P.O. Ps; ascertaining the correctness of the External/International Boundaries and the Coast line with the available records and Circulars etc.
10. Preparation of Area Statement, and submission of area figures of Indian States/Union territories for each Census of India.
11. Scrutiny of all such maps containing External/International Boundaries and coast line published by the private agencies.
12. Besides the above a Draughtsman has to prepare the Publications used in the Department including all charts, Indexes, Hand Books etc.
13. A Draughtsman has to have a very high standard of technical knowledge also of printing & publishing of all kinds of maps and basic knowledge of field work. This is being confirmed by the Circle Offices by mean of Trade Tests periodically.

14. A Draughtsman has to prepare and supply data for gazetteers published by the Govt. of India.

At the time of recruitment the basic qualification for a Draughtsman is Intermediate with Mathematics. After recruitment the Draughtsman are subjected to a two years of a very high regular standard course of training at Survey Training Institute, Survey of India, Hyderabad encompassing all the duties required of a Draughtsman enumerated above. They are practically trained in the use of all the instruments required of a Draughtsman. The scribing instruments used by the Draughtsman are sophisticated. Its blades/needless are to be prepared by Draughtsman concerned according to line weights. For this, specified training is being given at Survey Training Institute, Hyderabad. Draughtsman not only from other departments of our States & Central Govt. are ~~only from other departments of our States & Central Govt.~~ sent for training/courses to Survey Training Institute, Survey of India, Hyderabad but also from abroad, e.g. Sri Lanka, Nepal, Bhutan, Africa and Iran etd.

For systematic processing of the job mentioned in paragraphs 1 to 23 above, the draughtsmen of the following grades are employed :

1. Draughtsman (Cartographic) Grade IV  
(After completion of the training) of  
two years and after passing the prescribed  
tests.
2. Draughtsman Grade III (After completion  
of 3 years by trade test & subject to  
qualify).
3. Draughtsman Grade II (after completion of  
two years by trade test and subject to  
qualify)
4. Draughtsman (Cartographic) Division I  
(By D.P.C. on vacant posts). The only  
promotion one gets after 30-33 years of  
service. Trade Tests are not promotion  
as per Govt. of India's letter No. F. No.  
10(1)/E-III/88 Govt. of India, Ministry  
of Finance, Deptt. of Expenditure, New  
Delhi dated 13th September 1991 in para  
2 (c).

It is, further to say that the draughtsmen of  
Survey of India employed in various kinds of map making,  
in which fair drawing/cartographic scribing requires a  
high class of accuracy, consistency, uniformity and  
achieving the highest standard of precision mapping".

Therefore it appears that the Draftsmen of Survey of India, the present applicants not only performing the similar nature of work like Draftsmen of CPWD of the corresponding grade rather discharging the very high standard of drawing work which cannot be equated with the Draftsmen of any other department of the Central Govt. offices. Therefore the present applicants deserves rather a higher pay scale than the other Central Govt. offices Draftsmen working in the corresponding grades. But unfortunately the present applicants has been deprived of the revised scale of pay which was granted to the DPWD Draftsmen long back following the award of Board of Arbitration. The non-extension of revised pay scale to the present applicant has violated the principles laid down in Article 14 and 16 of the Constitution of India.

6.11 That the present applicants declare that they are performing similar nature of work which are being performed by the Draftsmen Gr. II in the CPWD. Therefore they are also entitled the benefit of revised pay scale granted under O.M. dated 19.10.94 issued by the Ministry of Finance, Govt. of India, Department of Expenditure.

6.12 That the Survey of India is the National Survey and Mapping Organisation of our country under the Ministry of Science and Technology and is the oldest



Scientific Department of the Govt. of India. It was set up in the year 1767. This is the only Organisation for preparing the maps of land surveys of India and abroad. Therefore the present applicants who are working as Draftsmen Gr. II should not be deprived from the benefit of extension of revised pay scales which was granted to other similarly situated Draftsmen working in other Central Govt. Offices.

6.13 That the applicants beg to state that O.M. dated 19.10.94 issued by the Govt. of India, Ministry of Finance during the pendency of their representations which were addressed to the Surveyor General, Survey of India, Dehradun. Therefore the applicants prays that the O.M. which was issued by the Ministry of Finance, Govt. of India vide their letter dated 11.9.87 should be implemented first and after implementation of the O.M. dated 11.9.87 the present applicants should be fitted with the scheme of revised pay scale extended vide O.M. dt. 19.10.94 issued by the Ministry of Finance, Govt. of India to provide the better service career. If only O.M. dtd. 11.9.87 is implemented in the case of the present applicants in that event the applicants would be deprived of better future prospects which was granted/extended by the O.M. dtd. 19.10.94 of the Govt. of India for further advancement in the

34

service career of Draftsman Gr. II, therefore O.M. dated 19.10.94 should also be implemented in respect of the present applicants progressively immediately after implementation of the O.M. dated 11.9.87.

6.14 That the case of the present applicants is covered by the judgement of the Hon'ble Supreme Court delivered in the case of P. Sabita and Ors. Vs. Union of India & Ors. in Civil Appeal No. 3121/81. Similar case also decided by the Hon'ble CAT, Calcutta Bench in the case of O.A. No. 458/86 (Sunil Kumar Bhowmick Vs. Union of India & Ors) whereby the Hon'ble Tribunal was directed to extend the benefit of O.M. dtd. 13.3.84 issued by the Ministry of Finance to the Draftsman Gr. I, II, and III of the Director General, Supply & Disposal, Govt. of India.

Copy of the judgement of Calcutta Bench is enclosed as Annexure-6.

6.15 That the applicants beg to state that in Survey of India the pay scale of the different grade of Draftsmen are as follows :

	Pay Scale	Revised Pay Scale
Gr. IV	Rs. 260-430	Rs. 975-1540
Gr. III	Rs. 330-480	Rs. 1200-1800
Gr. II	Rs. 425-600	Rs. 1350-2200
Divn. I	Rs. 425-750	Rs. 1400-2600

From the above, pay scale, it appears that the Gr. II Draftsmen of Survey of India are placed in the scale of Rs. 425-600 whereas in all other Central Govt. Deptts. including C.P.W.D. Gr. II Draftsmen are placed in the scale of Rs. 425-700. This is highly discriminatory and the same is violative of Article 14 and 16 of the Constitution of India.

6.15 That by the Office Memorandum dated 19.10.94 issued by the Govt. of India, Ministry of Finance, Department of Expenditure to provide a better, ~~unifro~~ uniform future prospect to all the Draftsmen Grade I, II and III of all Central Govt. Offices irrespective of their recruitments qualification. Therefore, in the O.M. dated 19.10.94, the eligibility criteria, laid down for replacement in higher revised pay scale, has prescribed period of working experience in a particular grade. Therefore there is a possibility under O.M. dated 19.10.94. for a particular grade of Draftsmen say for example Draftsmen working in the scale of Rs. 260-430 would attain eligibility after working 7 years for replacement in the higher revised scale of Rs. 330-560 similarly Draftsmen working under the scale of Rs. 330-560, would attain eligibility after serving 5 years in the scale of Rs. 330-560 for replacement in the scale of Rs. 425-700, and again Draftsmen who are working in the scale of Rs. 425-700 would attain eligibility for revised

higher pay scale of Rs. 550-750. It should be noted that this scheme of revised pay scale has been granted by the Government to provide better future prospect to the Draftsmen working in all Govt. of India Offices. Therefore the present applicants are also entitled to the benefit of revised pay scale granted under O.M. dt. 19.10.94 progressively after implementation of O.M. dtd. 11.9.87.

6.16 That if the O.M. dated 11.9.87 is implemented in that event there would not be any scope of further advancement in the service career of the Gr.II Draftsmen working in the Survey of India, as already pointed out earlier, that the next promotion/upgradation in the cadre of Division I Draftsmen in the scale of Rs. 1400-2600 scope is very limited as the same is being done on the basis of All India combined seniority basis; Therefore hardly there is any chance or possibility for Grade II Draftsmen to avail further promotion in the cadre of Draftsmen Division I most of the Draftsmen Grade II used to be retired as Draftsmen Gr. II from the service.

But the O.M. dated 19.10.94 has taken care of for further advancement in service career of Draftsmen Gr. II. Therefore implementation of the O.M. dated 19.10.94 is essential in respect of the

Draftsmen Gr.II of Survey of India, for further advancement of service career of the present applicants. Be it stated that if the O.M. dt. 11.9.87 would have been implemented in time in that event the present applicants would have readily fitted in the present scheme of revised pay scale issued under O.M. dated 19.10.94.

However, the present applicants urged that the O.M. dated 11.9.87 be implemented, firstly, thereafter, the O.M. now issued by the Ministry of Finance under letter dated 19.10.94 be implemented progressively without retrospective effect for further advancement of the service career of present applicants or the Hon'ble Tribunal may be pleased to pass any other order/orders, under the facts and circumstances of the present case.

*A copy of the representation is enclosed as example as Annexure - 6.*

6.17 That this application is made bonafide and for the cause of justice.

7. Reliefs prayed for :

Under the facts and circumstances stated above, the applicants prays for the following reliefs :

1. That the respondents be directed to implement the Office Memorandum No. F.No. 5(13)-E.III/87 dated 11.9.87 in respect of the present applicants, placing the applicants in the pay

scale of Rs. 425-700 notionally with effect from 1.1.1973 and actually from 1.9.1987.

2. That the respondents be directed to replace the applicants in the revised scale of pay under O.M. Issued dated 19.10.94 in terms of the conditions laid down therein, after, implementation of O.M. dated 11.9.87 issued by the Govt. of India, Ministry of Finance, for further career Advancement of the present applicants.
3. That the respondents be directed to pay arrear, monetary benefit only in terms of Office Memorandum No.F.5(13)-E.III/87 dt. 11.9.87 issued by the Govt. of India with effect from 1.1.73 notionally and actually from 11.9.97.
4. To pass any other suitable order/orders regarding replacement of the applicants in the higher revised pay scale in terms of O.M. dated 11.9.87 and O.M. dt. 19.10.94 issued by the Government of India, Ministry of Finance, Deptt. of Expenditure, New Delhi.
5. Cost of the case.

The above reliefs prays on the following amongst other

G R O U N D S

1. For that the applicants are similarly placed Draftsmen, Gr. II like other Gr. II Draftsmen of CPWD, DGSD, MES and also like other Draftsmen working in other Central Govt. Deptts entrusted with similar nature of works rather draftsmen of Survey of India are performing high standard of Drawing works then the Draftsmen of any other Central Govt. Deptt.
2. For that the present applicants were similarly placed like Draftsmen of Ordnance Factories Organisation and the applicants were in the pay scale of Rs. 205-280.
3. For that denial of the benefits explained and prayed amounts to discrimination and is violative of Articles 14 and 16 of the Constitution of the India.

8. Particulars of the I.P.O.

I.P.O. No.	: 885935
Issued from	: G.P.O., Guwahati
Payable at	: G.P.O., Guwahati
Date	: 10-7-95

92  
9.


List of Enclosures

As per Index

V E R I F I C A T I O N

working as

I, Sri Tulsiram Sharma, /Draftsman Gr. II, Survey of India, North Eastern Circle, Shillong do hereby solemnly affirm and declare that the statements made in this application are true to my knowledge and belief and am competent to sign this verification on behalf of all the applicants in this application. I have not suppressed any material fact and I sign this verification on this the      day of July, 1995 at Guwahati.

  
(TULSIRAM SARMA)  
SIGNATURE



## ANNEXURE - 1

F. No. 5(13)-E.III/87  
Government of India  
Ministry of Finance  
Department of Expenditure

New Delhi, the 11th Sept. 1987

## OFFICE MEMORANDUM

Subject :- Recommendation of the Third Central Pay Commission - Pay Scale of Draughtsmen-Revision of.

The undersigned is directed to state that the Government had accepted the recommendation of the Third Central Pay Commission contained in para 81(iii) of Chapter 14 of its Report relating to replacement scales of Rs. 330-560 and Rs. 425-700 to be prescribed in the given ratio to the Draughtsmen in the pre-revised scale of Rs. 205-230.

2. The above decision was challenged by a section of employees of the Ordnance Factories Organisation, Ministry of Defence, in the Supreme Court of India. The Hon'ble Court in its judgement delivered on 1st May, 1985, in the Civil Appeal No. 3121 of 1981 P. Savita and Others versus Union of India - accepted the appeal and allowed the replacement scale of Rs. 425-700 to those Draughtsmen also who had previously been given the scale of Rs. 330-560 on the basis of the above recommendation of the Pay Commission. Action has been taken separately to implement the judgement of the Hon'ble Court.

3. The question of extension of the benefit of the judgement of the Supreme Court to the similarly placed Draughtsmen in other Ministries/Departments of the Government of India has been under consideration of the Government. President is now pleased to decide that the Draughtsmen as were in the pay scale of Rs. 330-560 based on the recommendations of the Third Central Pay Commission as preferred to in para 1 above, may be given the scale of Rs. 425-700 notionally from 1.1.1973 and actually from 1.9.1987.

Sd/- B KUMAR  
UNDER SECRETARY TO THE GOVT. OF INDIA

To

All Ministries/Departments etc.

Attended  
@ while  
f.w.

संख्या स्था02-45276 /1904-पी0सी0/IV

भारतीय सर्वेक्षण विभाग

महासर्वेक्षक का कार्यालय

पोस्ट बक्स संख्या 37

देहरादून {उ0प्र0}-भारत

दिनांक 13 नवम्बर, 1987

कार्तिक, 1909 {शुक्र}

निम्नलिखित पत्र की प्रतिलिपि परिनि0 आ0मा0के0/अं0मा0के0/  
नि0अं0मा0के0/नि0आ0मा0के0/नि0स0ह0/नि0द0पू0स0/नि0मा0प्र0/  
नि0ग0उ0स0/नि0पू0उ0स0/नि0स0/स0/नि0पू0स0/नि0ज्यो0एवं अनु0शा0/  
नि0प्रा0प्र0मा0उ0सं0/नि0म0स0/नि0उ0स0/नि0अनु0एवं विकास/नि0द0म0स0/  
नि0पू0स0/नि0द0स0/भंडार अधिकारी, सर्वे0 को सूचनार्थ, मार्गदर्शन एवं  
आवश्यक कार्यवाही हेतु ।

प्रतिलिपि: - निदेशक, सर्वे0 प्रशि0 एवं मा0उ0केन्द्र/उप निदेशक,  
सीमा सेल को सूचनार्थ ।

प्रतिलिपि: - स्थापना एवं लेखा अधिकारी {प्रशा0} को सूचनार्थ,  
मार्गदर्शन एवं आवश्यक कार्यवाही हेतु ।

प्रतिलिपि: - स्था01/स्था03/गोपनीय/बजट/जे0सी0एम0/का0अ0एकक/  
हिन्दी/तकनीकी/रिकार्ड/केन्द्रीय प्राप्ति एवं निर्गम/  
कानूनी सेल अनुभाग {म0स0का0} को सूचनार्थ ।

प्रतिलिपि: - 1- अध्यक्ष गुण । सिविल अधिकारी एसोसिएशन ।  
2- जनरल सचिव गुण ।।  
3- महासचिव सर्वेयर एसोसिएशन ।  
4- महासचिव गुण ।।। सेवा एसोसिएशन ।  
5- महासचिव लिपिक वर्गीय कर्मचारी एसोसिएशन ।  
6- महासचिव भारतीय सर्वेक्षण विभाग कर्मचारी

लास चतुर्थ एसोसिएशन ।।

प्रतिलिपि: - गार्ड फाइल ।

A copy of the undermentioned paper is forwarded to  
PD/MCC/DMC/DDMC/DMCC/DSA/DSEC/DMP/DNWC/LNEC/DSTI/DEC/DG&RB/  
DPMPP/DCC/DNC/D&D/DSCC/DWC/DSC/SPS for information, guidance  
& necessary action.

Copy to: - DCST&MP/DD Boundary Cell for information.

Copy to: - E&AO (Adm.) for information, guidance &  
necessary action.

Copy to: - E1/E3/C/S/JCM/WSU/Hindi/Tech./Record/  
CR&I/Legal Cell Sections (SGO) for information.

- Copy to:-
1. The Chairman, Class I Civilian Officers Association.
  2. The General Secretary, Class II.
  3. The General Secretary, Surveyors Association.
  4. The Secretary General, Class III Service Association.
  5. The Secretary General, Ministerial Staff Association.
  6. The General Secretary, Survey of India Karamchari Class IV Union.

Copy to:- Guard File.

( K.G. BEHL ) LT.COL.,  
ASSISTANT SURVEYOR GENERAL,  
for SURVEYOR GENERAL OF INDIA.  
PHONE: 27051/35.

Ak/

PAPER FORWARDED

(i) O.M.No. 7(21)-E.III/87 dt.17.8.1987 and (ii) O.M. No. F.5(13)-E.III/87 dt.11.9.1987 from Ministry of Finance (Department of Expenditure) both (received under DST's No. 1-9/87-Cdn dt.17.9.1987 and dated 19.10.1987).

(i) O.M.No.7(21)-E.III/87 dt.17.8.1987.

Subject:- Central Civil Services (Revised Pay) Rules, 1986-  
grant of increment in the revised scales to  
persons drawing pay at the maximum of the pre-  
revised scales of pay.

.....

The undersigned is directed to refer to third and Fourth proviso to Rule 8 of the Central Civil Services (Revised Pay) Rules, 1986, which read as follows:-

"Provided also that in the case of persons who had been drawing maximum of the existing scale for more than a year as on the 1st day of January, 1986 next increment in the revised scale shall be allowed on the 1st day of January, 1986;

Provided also that in the case of Government servants who were in receipt of an adhoc increment on their stagnating for more than two years at the maximum of existing scale of pay as on the 1st day of January, 1986 one more increment in the revised scale shall be allowed to them on the 1st day of January, 1986, in addition to the increment already allowed under the preceding proviso"

.....

## ANNEXURE-2

Copy to :

1. The Chairman, Class I Civilian Officers Association.
2. The General Secretary, Class II.
3. The General Secretary, Surveyors Association.
4. The Secretary General, Class III Service Association.
5. The Secretary General, Ministerial Staff Association.
6. The General Secretary, Survey of India, Karamchhari Class IV Union.

Copy to :- Guard File.

Sd/- K.G.BEHL, LT. COL.  
ASSISTANT SURVEYOR GENERAL  
for SURVEYOR GENERAL OF INDIA  
Phone : 27051/35

PAPER FORWARDED

(i) O.M. NO. 7(21)-E.III/87 dt. 17.8.1987 and (ii) O.M. No. F 5(13)-E.III/87 dt. 11.9.87 from Ministry of Finance (Department of Expenditure) both (received under DST's No. 1-9/87-Cdn dt. 17.9.87 and dated 19.10.1987).

(i) O.M. No. 7(21)-E.III/87 dt. 17.8.87

Subject :- Central Civil Services (Revised Pay) Rules, 1986- grant of increment in the revised scales to persons drawing pay at the maximum of the pre-revised scales of pay.

The undersigned is directed to refer to third and Fourth proviso to Rule 8 of the Central Civil Services (Revised Pay) Rules, 1986, which read as follows :

"Provided also that in the case of persons who had been drawing maximum of the existing scale for more than a year as on the 1st day of January, 1986 next increment in the revised scale shall be allowed on the 1st day of January, 1986;

*Attested  
O.M. No.  
Adv.*

Provided also that in the case of Government servants who were in receipt of an adhoc increment on their stagnating for more than two years at the maximum of existing scale of pay as on the 1st day of January 1986 one more increment in the revised scale shall be allowed to them on the 1st day of January, 1986, in addition to the increment already allowed under the preceding proviso".

A question whether in cases where Government servants stagnate in the pre-revised scale of pay exactly for one/two years as on 1.1.86, additional increment(s) can be granted on 1.1.1986 under the aforesaid proviso to Rule 8 of the CCS(RP) Rules, 1986 has been under consideration of the Government of India. The President\* is now pleased to decide that in such cases where a Government servant had stagnated exactly for one/two years at the maximum of the pre-revised scale of pay as on 1.1.1986, he shall be granted additional increment(s) on 1.1.86 under the Third/Fourth proviso to Rule 8 of the CCS(RP) Rules, 1986. Action to amend the CCS(RP) Rules, 1986 is being taken separately.

3.

(ii) O.M. No. F. 5(13).E.III/87 dt. 11.9.87.

Subject :- Recommendation of the Third Central Pay Commission-Pay Scale of Draftsmen - Revision of.

The undersigned is directed to state that the Government had accepted the recommendation of the Third Central Pay Commission contained in para 81 (iii) of Chapter 14 of its Report relating to replacement scale of Rs. 330-560 and Rs. 425-700 to be prescribed in the given ration to the Draftsmen in the pre-revised scale of Rs. 205-280.

*Accepted  
@ Mr. Adv.*

46

2. The above decision was challenged by a section of employees of the Ordnance Factories Organisation, Ministry of Defence, in the Supreme Court of India. The Hon'ble Court, in its judgement delivered on 1st May, 1985, in the Civil Appeal No. 3121 of 1981 P. Savita and Others versus Union of India- accepted the Appeal and allowed the replacement scale of Rs. 425-700 to those Draftsmen also who had previously been given the scale of Rs. 330-560 on the basis of the above recommendation of the Pay Commission. Action has been taken separately to implement the judgement of the Hon'ble Court.

3. The question of extension of the benefit of the judgement of the Supreme Court to the similarly placed Draftsmen in other Ministries/Departments of the Government of India has been under consideration of the Government. President is now pleased to decide that the Draftsmen as were in the pay scale of Rs. 205-280 prior to 1.1.1973 and were placed in the scale of Rs. 330-560 based on the recommendations of the Third Central Pay Commission as referred to in para 1 above may be given the scale of Rs. 425-700 notionally from 1.1.1973 and actually from 1.9.1987.

// 3. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue after consultation with the Comptroller and Auditor General of India.

Attested  
@  
Adv.

## ANNEXURE-3

No. F.6 (59)-E.III/82

GOVERNMENT OF INDIA  
 MINISTRY OF FINANCE New Delhi the 13th March  
 (Department of Expenditure) '84

OFFICE MEMORANDUM

Subject :- Revision of Pay Scale of Draftsmen III, II and I in all Government of India Offices on the basis of the Award of Board of Arbitration in the case of Central Public Works Department.

The undersigned is directed to state that a committee of the National Council (Joint Consultative Machinery) was set up to consider to the request of the staff side that following revised scales of pay allowed to the Draughtsmen Grade I, II and III working in Central Public Works Department on the basis of the Award of board of Arbitration may to extend to Draughtsman Grade III, II, I in all Government of India offices :-

	ORIGINAL SCALES	REVISED SCALES ON THE BASIS OF AWARD
Draughtsman Grade I	Rs. 425-700	Rs. 550-750
Draughtsman Grade II	Rs. 330-560	Rs. 425-700
Draughtsman Grade III	Rs. 260-430	Rs. 330-560

2. The President is now pleased to decide that the scales of pay of Draughtsman Grade III, II and I in offices/ Department of the Government of India, other than the Central Public Works Department, may be revised as above provided their recruitment qualification are similar to those prescribed in the case of Draughtsman in Central Public Works Department. Those who do not fulfil the above qualification will continue in the pre-revised scales. The benefit of this revision of pay of scale should be given notionally with effect from 13.05.82, and the actual benefit being allowed w.e.f. 01.11.83.

3. Hindi version will follow.

Sd/- Illegible

Dy. Secy. to the Govt. of India  
 To All Ministries/Departments of the Govt. of India (as per standard list with \_\_\_\_\_ copies).

Attested  
 Colm  
 Adv.

No. 13(1)-IC/91  
Government of India  
Ministry of Finance  
Department of Expenditure

New Delhi the 19th Oct.1994

OFFICE MEMORANDUM

Subject : Revision of pay scales of Draughtsmen Grade I, II and III in all Government of India Offices on the basis of the Award of Board of Arbitration in the case of Central Public Works Department.

The undersigned is directed to refer to this Department's O.M. No. F(59)-E.III/82 dated 13.3.84 on the subject mentioned above and to say that a Committee of the National Council (JCM) was set up to consider the request of the Staff Side that the following scales of pay allowed to the Draughtsmen Grade I, II and III working in CPWD on the basis of the Award of Board of Arbitration may be extended to Draughtsmen Grade I, II & III irrespective of their recruitment qualification, in all Government of India Offices.

	Original Scale (Rs.)	Revised scale on the basis of the Award
Draughtsmen Grade I	425-700	550-750
Draughtsmen Grade II	330-560	425-700
Draughtsmen Grade III	260-430	330-560

2. The President is now pleased to decide that the Draughtsmen Grade I, II and III in offices/departments of the Government of India Other than in CPWD may also be placed in the scales of pay mentioned above subject to the following :

- (a) Minimum period of service for placement from the post carrying scale of Rs. 975-1540 to Rs. 1200-2040 (pre-revised scale Rs. 260 to 430 to Rs. 330-560). 7 years
- (b) Minimum period of service for placement from the post carrying scale of Rs. 1200-2040 to Rs. 1400-2300 (pre-revised Rs. 330-560 to Rs. 425-700). 5 years
- (c) Minimum period of service for placement from the post carrying scale of Rs. 1400-2300 to Rs. 1600-2660 (Pre-revised Rs. 425-700 to Rs. 550-750). 4 years

*Approved  
Chk  
for*



- 2 -

3. Once the Draughtsmen are placed in the regular scales, further promotions would be made against available vacancies in higher grade and in accordance with the normal eligibility criteria laid down in the recruitment rules.

4. The benefit of this revision of scales of pay scale be given with effect from 13.5.82 notionally and actually from 1.11.83.

Sd/- SHYAM SUNDER

Under Secretary to the Government of India

To

All Ministries/Departments of the Government of India (As per standard list with usual number of spare copies).

*As per  
Circular  
Adm.*

## ANNEXURE-5

GOVERNMENT OF INDIA  
MINISTRY OF SCIENCE & TECHNOLOGY  
Department of Science & Technology  
Technology Bhawan, New Delhi

No. 1-12/93-Cdn

Date 11th November, 94

To

1. Surveyor General of India  
S.O.I.  
Block-8, Hathibarkala Estate  
Dehradun (UP)-248001
2. The Director General of Meteorology  
I.M.D., Lodhi Road,  
New Delhi-110003
3. The Director,  
NATMO  
MSO Bldg., DF Block  
7th Floor, Salt Lake  
Calcutta-700064

Subject :- Revision of pay scales of Draughtsmen Grade I, II and III in all Government of India Offices on the basis of the Award of Board of Arbitration in the case of Central Public Works Department.

Sir,

I am directed to forward herewith a copy of Ministry of Finance (Deptt. of Expenditure)'s O.M. No. 13(1)-IC/91 dated the 19th October, 94 on the above subject for information, guidance and necessary action.

Yours faithfully,

Sd/- KAMAL PRAKASH  
Section Officer

*Attended  
Calcutta  
Adv*

To  
The Surveyor General  
Survey of India  
DEHRADUN 240 001

ANNEXURE - 6

(Through : Proper Channel)

Sub: REVISION OF PAY SCALES.

Sir,

With reference to O.M. No. 5(13X-E.III/87 dated 11.9.87 from Ministry of Finance (Deptt. of Expenditure) received under S.G.'s No. E.2-45276/1904-P&C/IV dated 13.11.87 it is requested that as per the recommendations of Second Central Pay Commissions the pay scale of D/Man Gde. II was 205-280. This pay scale as per the recommendations of Third Central Pay Commission was initially given as 330-560 and keeping in view of the appeal of ~~xxxx~~ the employees working as Draftsman was latter on granted as 425-600. This still keeps some more disparity in the maximum because this pay scale should have been given as 425-700.

2. As per Finance Ministry's O.M. quoted above, Hon'ble President is now pleased to decide that the Draftsman Gde. II as were in the pay scale of 205-280 prior to 1.1.73 may be given the scale of Rs. 425-700 notionally from 1.1.73 and actually from 1.9.87. Inspite of S.G.'s letter quoted above, the decision of revision of pay scale of Draftsman by Hon'ble President of India, has not been implemented for Draftsman Gde. II.

3. Sir, in this respect I request that I am working as Draftsman Gde. II w.e.f. 1-1-1986. Hence, in view of Ministry of Finance O.M. referred above and Honourable President of India's decision, I may be given the pay scale of 425-700 notionally from 1.1.73 and actually from 1.9.87 and in Fourt Central Pay Commission be fixed indentical to this scale i.e. 1400-2300 and be given all financial benefits from the restrospective dates.

4. Further, since the Fifth Central Pay Commission has been constituted, it is requested to fix this Draftsman Gde. II pay scale to that, pay scale where, the 1400-2300 is to be upgraded.

*Accepted  
Chh  
sdw*

ANNEXURE-

- 2 -

An early action is requested, please.

Yours faithfully,

Sd/- (Tulsiram Sharma)  
D/Man Gde.

Place :

Date 23-11-1986.

No.  
Shillong

D.O. (NEC)

Attested  
Chakrabarti  
Adh