

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.170/00985/2016

DATED THIS THE 6TH DAY OF NOVEMBER 2017

HON'BLE DR. K.B. SURESH, MEMBER(J)

HON'BLE SHRI P.K. PRADHAN, MEMBER(A)

1)A.Vijaya Kumar,
Aged about 52 years,
S/o (late) A.Arokia Dass,
Presently working as
Senior Draughtsman,
Chief Quality Assurance Establishment,
(Warship Equipment),
Jalahalli Camp Road,
Yeshwanthpur Post,
Bangalore 560 022.
R/at No.215, 2nd Main Road,
Kasturi Nagar,
Bangalore 560 043.

2.MC.Anantharam,
Aged about 54 years,
S/o M.Chidaanandappa,
Presently working as
Senior Draughtsman,
Chief Quality Assurance Establishment,
(Warship Equipment),
Jalahalli Camp Road,
Yeshwanthpur Post,
Bangalore 560 022.
R/at P-17/2, CQAE(WE),
Residential Colony,
Jalahalli Camp Road,
Yeshwanthpur Post,
Bangalore 560 022.

3)S.Srinivasan,
aged about 58 years,
S/o (late) A.V.Sathyanarayana,
Presently working as
Senior Draughtsman,

Chief Quality Assurance Establishment,
(Warship Equipment),
Jalahalli Camp Road,
Yeshwanthpur Post,
Bangalore 560 022.

R/at resident of No.41, 14th Cross,
Kanakanagar, RT. Nagar Post
Bangalore 560032.

4)Late B.John Benny,
S/o Late A.Benjamin,
Since deceased represented by
his mother Smt. Sarojamma,
worked as Senior Draughtsman,
Chief Quality Assurance Establishment,
(Warship Equipment),
Jalahalli Camp Road,
Yeshwanthpur Post,
Bangalore 560 022.

R/at No.26, 'B' Type Quarters,
Robertson Road,
Frazer Town Post,
Bangalore 560005.

....Applicants

(By Advocate Sathya Narayana Gopal Rao & Associates)

vs.

1.Union of India,
Represented through Secretary,
Ministry of Defence,
South Block, DHQ Post,
New Delhi 110 011.

2. The Additional Director General ,
Directorate of Quality Assurance (Naval),
No.5, West Block,
R.K.Puram, New Delhi 110066.

3.The Chief Quality Assurance Officer,
Chief Quality Assurance Establishment ,
(Warship Equipment),
Jalahalli Camp Road,
Yeshwanthpur Post,
Bangalore 560 022.

4.The Controller,

Controller of Defence Accounts,
Lower Agaram,
Bangalore 560 007. Respondents.

(By Shri S.Prakash Shetty, Sr. Panel Counsel)

O R D E R (ORAL)

HON'BLE DR K.B. SURESH, MEMBER(J)

1. When the matter was taken up today for hearing Shri S.Prakash Shetty, learned counsel for the respondents invites our attention to paragraph 8 which is quoted below:-

“8. It is submitted that the proposal regarding placement of all Draughtsmen of DQA(N) cadre in the revised pay scales as per MoF OM dated 13.3.1984 without requirement of length of service was examined by MoD/Fin in consultation with MoF/DoE which agreed vide MoF UO.No.10(7)/E-IIIB/2014 dated 26.12.2014 (Annexure-R4) for revision of pay scales of Tracer on par with the Draftsmen of CPWD provided their recruitment qualification is exactly similar to D' Man of CPWD. The matter has been under consideration of MoD for a decision on the acceptance of entry level qualification of Tracers as being exactly similar to the D' Man of CPWD. As is apparent from the recruitment qualification stated in para 2 above, RRs of D'Man of CPWD stipulate practical training of 6 months whereas RRs of Tracers of DQAN contain no such condition in Essential Qualifications prescribed for the post. Respondent No.2 has submitted all relevant documents to MoD/D(QA) which is duly considering the matter.”

2. Therefore, in view of this fact, we do not think, we have to keep the matter pending. We, therefore, direct M/o Defence to complete the process within next 3 months time and for the concerned Ministry to grant appropriate benefits to the applicants under law within a further period of one month.

3. OA is disposed of. No order as to costs.

(P.K. PRADHAN)
MEMBER(A)

bk.

(DR. K.B. SURESH)
MEMBER(J)

Annexures referred to by the applicant in OA/170/00985/2016

Annexure A-1: Copy of draft Seniority List of Senior Draughtsman - 2015 dated 18.02.2016.

Annexure A-2: Copy of Ministry of Finance/ Department of Expenditure OM dated 13.03.1984.

Annexure A-3: Copy of Central Public Works Department (CPWD), Recruitment Rules – 1977.

Annexure A-4: Copy of Directorate of Quality Assurance (Navel) (DQA(N)), Recruitment Rules dated 01.08.1984.

Annexure A-5: Copy of Shri Syed Asief Ulla Hussaini's representation letter dated 21.03.2006.

Annexure A-6: Copy of Quality Assurance Establishment (Frigate Project Cell) letter dated 19.08.2002.

Annexure A-7: Copy of undertaking by Respondent No.2 dated 26.06.2012.

Annexure A-8: Copy of order (Oral) by Hon'ble Tribunal dated 04.07.2012.

Annexure A-9: Copy of pay calculation details of Shri Syed Asief Ulla Hussaini's dated 04.09.2012.

Annexure A-10: Copy of Respondent No.2 letter dated 09.03.2016.

Annexure A-11: Copy of Representation of Applicant No.1 dated 14.11.2012.

Annexure A-11: Copy of Representation of Applicant No.1 dated 03.07.2013.

Annexure A-13: Copy of Representation of Applicant No.1 dated 25.06.2014.

Annexure A-14: Copy of Respondent No.2 letter dated 10.07.2015.

Annexure A-15: Copy of Respondent No.3 letter dated 27.07.2015.

Annexure A-16: Copy of Representation of Applicant No.1 dated 05.10.2015.

Annexure A-17: Copy of Representation of Applicant No.1 dated 24.02.2016.

Annexure A-18: Copy of Respondent No.3 letter dated 26.02.2016.

Annexure A-19: Copy of legal Notice.

Annexure A-20: Copy of Respondent No.2 letter dated 06.05.2016.

Annexures referred to by the respondents in the Reply.

Annexure R-1: Copy of Department of Expenditure OM dated 13.03.1984.

Annexure R-2: Copy of letter dated 29.05.2006.

Annexure R-3: Copy of letter dated 05.05.1995.

Annexure R-4: Copy of the MoF U.O.No. 10(7)/E-IIIB/2014 dated 26.12.2014.

Annexure R-5: Copy of the U.O.No. 553(7)/E-IIIB/2000 dated 07.12.2000.

Annexures referred to by the applicant in the Rejoinder

Annexure A-21: Copy of Government of India, Ministry of Labour, Directorate General of Employment and Training letter dated 01.06.1998.

Annexure A-22: Copy of Government of India, Ministry of Defence letter dated 01.07.1998.

Annexure A-23: Copy of Government of India, Ministry of Labour, Directorate General of Employment and Training letter dated 19.04.2000.

Annexure A-24: Copy of Headquarters Eastern Naval Command, Naval Base, Visakhapatnam letter dated 07.02.2003.

Annexure A-25: Copy of CQAE(EFS), Visakhapatnam DO Part-II dated 20.02.2003.

Annexure A-26: Copy of PCDA, Bangalore letter dated 27.02.2012.

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