

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/21/438/2019

Dated: 29/10/2019

Between

- 1 . Ch.Arun Kumar ,S/O Rajaiah, Aged About 30
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No: 6-1-136,1st Floor,
Opp: Z.P Guest House,
Subhash Nagar, Dist:Nizamabad
Telangana-503002
2. N.Rajender, S/O-Chandraiah, Aged About 32
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad.
H.No-7-24/A,BC Colony,
Vill:Kannala, Mdl:Palakurthy
Post:Basant Nagar, Dist:Peddapally,
Telangana-505187
- 3 . E.Shiva Kumar, S/O Boomaiah, Aged About 33
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No-3-75, Angadi Bazar,
Vill&Mdl: Luxettipet, Dist: Mancherial,
Telangana -504215
- 4 . Challa Madhukar ,S/O Thirupati, Aged About 31
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No:2-52,Vill Rajannapet,
Mdl: Yellareddy pet,
Dist Rajanna Siricilla,Telangana 505305.
- 5 . M.Tirupati Naidu, S/O Satyamnaidu(Late), Aged About 39
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
Vill:Allupalteru, Post:Palteru,
Mdl:Badangi, Dist:Vijayanagaram,
Andhra Pradesh-535578
- 6 . Kailash Rathod ,S/O Venkatram Rathod, Aged About 38
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No:1-83, Vill: Anarpally,
Mdl: Kerameri , Dist: Komarambheem Asifabad,
Telangana -504293

7. Gopu Sateesh,S/O Rama Swamy, Aged About 33
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No.6-9-239,Kotha Colony,
Dhamasalapuram,
Khammam,Telangana-507003
8. C Manohar Reddy,S/O Govardhan Reddy, Aged About 35
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No:1-30,Near Hanuman Temple
Vill:Daspally, Mdl: Telkapally,
Dist: Nagarkurnool,Telangna-509385
9. Kaja Srinivasarao, S/O Venkateswararao (Late), Aged About 33
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No.6-471/1, Flat No.2, Hmt Road,
Dwaraka Nagar, Chintal,
Mdl:Quthbullapur,
Dist:Medchal ,Telangana- 500054
10. Sudhakar Jaladi,S/Okotaiah, Aged About 27
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
Vill:Gopavaram,Mdl:Konijerla,
Dist:Khammam,Telangana-507305
11. Sd.Ismail,S/O Sd.Osman, Aged About 30
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No: 2-30,Vill: Chittanoor,
Mdl: Marikal.
Dist:Mahabubnagar,Telangana-509409
12. P Sanjeev Kumar,S/O. Rajaiah, Aged About 32
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No: 4-90/7,Vill:Theegalaguttapalli,
Mdl& Dist:Karimnagar, Telangana-505001
13. Kursenga Vishnuvardhan,S/O. Lawman, Aged About 34
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
Dharmaram (Vill) Hazipur (Post & Mandal)
Mancheria Dist ó 504 207
14. Rasoori Ramakrishna, S/O Rajanarsaiah, Aged About 34
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad

H.No: 10-5-197/1, Street: Shivajinagar,
Kisannagar, Dist: Karimnagar, Telangana-505001

15. V.Aneel Kumar S/O.Chandraiah, Aged About 33
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad, H.No.1-1,Vill:Rudravaram ,
Mdl:Vemulawada Rural
Dist:Rajanna Siricilla,Telangana-505402.
16. Thota Krishna Rao, S/O T.Srinivas Rao (Late), Aged About 36
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad, H.No: 7-7-187, Kapuwada,
Vill&Mdl: Hanamkonda,
Dist: Warangal(Urban),Telangana-506001
- 17.Kondigari Buchaiah,S/O.Venkaiah (Late), Aged About 32
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad, H No.1-126 Vill:Arutla,
Mdl:Manchal, Rangareddy (Dist), Telangana-501506
18. J Raghupathy , S/O Saamya , Aged About 29
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H No :-3-51, Vill: Sarlaravulapally,
Mdl: Kandukur ,Post: Muchrrla,
Dist: Rangareddy Telangana 509358
19. B.Srinivasa Rao, S/O Ramulu, Aged About 30
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No:1-09,Vill:Jankinagar,
Mdl:Chilkuru,Dist:Suryapet,
Telangana-508206
- 20 .L.Gopal Reddy,S/O.Ramakrishna Reddy, Aged About 33
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H. No:2-1,Vishwanath Poor Village,
Post:Thangalapally,Mdl:Kondurg,
Ranga Reddy Dist,Telangana-509207
- 21.K.Srinivasa Rao, S/O.Venkateshwar Rao, Aged About 28
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
Vill:Kistaram,Post:Chinnakorukondu,
Mdl:Kalluru,Dist:Khammam,
Telangana-507209
22. D.Sunil Kumar,S/O.Devadar, Aged About 30
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad

H.No:3-57,Vill:Bramanpally,
Mdl:Madgul, Dist: Rangareddy
Telangana-509327

23. R. Venkatesh, S/O. Sathyanarayana, Aged About 28
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
Vill:Rapally, Mdl:Hajipur
Dist: Mancherial,Telangana ó 504 207.
24. Batthina Divakar, S/O.Mohanarao, Aged About 27
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No:1-155,Vill:Morampalli Banjar,
Mdl:Bhurgamphad,Dist,Bhadradi,
Telangana-507114
- 25.K Rakesh Babu,S/o K Veeranna, Aged About 31
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No 5-11/27a, Teachers Colony,
Vill& Man: Aiza,Dist: Jogulamba,
Telangana-509127
26. Tadaveni Kumaraswamy,S/O Ramulu, Aged About 28
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No:1-149Vill:Endapally,Mdl:Velgatoor
Dist:Jagtial,Telangana-505526
27. S. Soujanya, D/O. Prathap Reddy, Aged About 26
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad,
H.No: 2-89/1, Thornal (Vill)
Siddipet (Man& Dist.),Telangana ó 502 114
28. K. Sarika,D/O. Ramesh Babu (Late), Aged About 22
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No: 14-5-646, Javahar Nagar, Mdl :Godawarikhani.
Peddapalli (Dist),Telangana ó 505 214
29. K. Srinivas,S/O. Yellaiah, Aged About 32
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No: 19-56/1
Adarshnagar, Prashanth Nagar,
Siddipet (Dist),Telangana ó 502 103

30.Ch Thirupathi S/O Ramulu Aged About 27
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No:2-44,Vill:Jannepally,
Man:Navipet,Nizamabad(Dist),
Telangana-503246

31. A.Rajendar s/o Chandraiah Aged About 26,
Occupation Field Investigator , In O/O DDG,
NSSO (FOD) Hyderabad
H.No:4-92,Vill:Kunaram
Man:Sri ram pur, Pedapally(Dist),
Telangana-505174

... Applicants

AND

Union of India rep. by

1. The Secretary to Govt of India,
Ministry of Statistics & Programme Implementation,
NSSO (FOD), R.K. Puram,
NEW DELHI.

2. The Deputy Director General,
Ministry of Statistics & Programme Implementation,
NSSO(FOD), Zonal Office, Kendriya Sadan,
Koramangala, Bengaluru- 560034.

3. The Deputy Director General,
Ministry of Statistics & Programme Implementation,
NSSO(FOD) Regional Office, AP,(North) Region,
1st Floor, R & B Complex, AC Guards, Mahaveermarg,
Hyderabad-500 004.

... Respondents

Counsel for the Applicants : Mr. K. Siva Reddy

Counsel for the Respondents : Mrs. K. Rajitha, Sr. CGSC

CORAM :

Hon'ble Mr. A.K. Patnaik, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member

ORAL ORDER

[A.K. Patnaik, Judl. Member]

Heard Sri K. Siva Reddy, learned counsel for the applicants and Smt. K. Rajitha, learned Senior Standing Counsel, who usually appears on behalf of Union of India. She has been served a copy of the O.A. along with its annexures in the Court hall itself.

2. This O.A. has been filed u/Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

õ(i) to declare the action of the respondents in non-regularizing the services of the applicants as Junior Statistical Officer and non-paying the scale of pay though they extract the same work on the principle of equal pay for equal work and non-paying the minimum wages and other allowances to the applicants, which were paid to the employees, who were engaged on contract by the private agency for the same work from 1.1.2018 and the same is arbitrary, illegal and violative of Articles 14, 16 & 21 of the Constitution of India and set aside the same;

(ii) Consequently direct the respondents to pay the minimum scales of pay of Junior Statistical Officer or at least pay an amount of Rs.19590/- per month and other allowances on par with other employees engaged for the same work by the Private Agency from 1.1.2018 with all consequential benefits.ö

3. The brief facts of the case are that the applicants are engaged on contract basis after giving advertisement and after undergoing the selection in the year 2008 and every year their period of contract was extended till 2014. Since the respondents have not given any advertisement in the year 2014, the employees approached the courts. When the respondents intended to engage the employees on contract basis through private agency, the applicants approached this Tribunal and obtained stay. In the year 2018 the respondents

have an amount of Rs.19590/- to the employees, who were engaged through private agency but the same was not paid to the applicants. Hence, this O.A. is filed on the principles of equal pay for equal work.

4. It is submitted by the learned counsel for the applicants that the applicants have preferred representations to the respondents for increase of salaries to Field Investigators working in MOSPI, NSSO (FOD). The representation dated 21.6.2017 made by applicant No.4 is annexed to the O.A. as Annex.A-7. However, it is submitted that the applicants have not received any response from the respondents.

5. In view of the above, we dispose of this O.A. by directing the respondents to consider and dispose of the Annex.A-7 representation of applicant No.4 and also the similar representations filed by the remaining applicants as per the rules and regulations governing the field and the result shall be communicated by a reasoned and speaking order, within a period of six weeks from the date of receipt of a copy of this order. If the applicants are found eligible, their services may be regularised and their salaries may be hiked within six weeks thereafter.

6. With the aforesaid direction, the O.A. is disposed of. There shall be no order as to costs.

(B.V. SUDHAKAR)
ADMN. MEMBER

(A.K. PATNAIK)
JUDL. MEMBER

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