

# K. Venkata Srinu vs The Singareni Collieries Company ... on 21 May, 2026

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

THE HON'BLE SMT.JUSTICE T. MADHAVI DEVI

WRIT PETITION No. 11766 of 2021

DATE: 21.05.2026

Between:

K.Venkata Srinu and Fifteen Others

...Petitioners

AND

The Singareni Collieries Company Limited,  
Rep., by its Chairman-cum-Managing Director,  
Singareni Bhavan, Khairtabad,  
Hyderabad and Two Others.

... Respondents

ORDER

This writ petition is filed seeking a writ of mandamus declaring the action of the respondents in not implementing the National Coal Wage Agreement-X, dated 13.11.2017 w.e.f. 01.07.2016 in the cadre of Non-Executive Grade i.e., Surveyor and Overman in the case of the petitioners and further in not implementing the 3rd PRC dated 25.10.2018 w.e.f. 01.01.2017 in the cadre of Executive E-1 Grade, as illegal, arbitrary, bad in law and violative of Article 14 of the Constitution of India and consequently to direct the respondents to implement the National Coal Wage Agreement-X, dated 13.11.2017 w.e.f. 01.07.2016 in the cadre of Non-Executive Grade and thereafter fix the salary in the cadre of Executive E-1 grade and consequently to implement the 3rd PRC in the cadre of Executive E-1 grade with all consequential and attendant benefits including payment of arrears and to pass such other order or orders.

2. Brief facts leading to the filing of the present writ petition are that the petitioners were working as a Non-Executive cadre with the respondent No.1 Company. The respondent No.1 issued a notification dated 08.02.2016 calling for applications from eligible internal candidates to fill up vacancies in the cadre of Mining Graduate Trainee (internal), E-2 Grade, Junior Survey Officer, E-1 Grade, Programmer Trainee (IT), E-1 Grade, Overman, T&S Grade-B, Junior Chemist/Junior Technical Inspector, T&S Grade-D, Junior Accountant, T&S Grade-B. The petitioners No.1 to 15 herein applied for the post of Junior Survey Officer, E-1 Grade and the petitioner No.16 applied for the post of Programmer Trainee (IT), E-1 Grade. The petitioners were permitted to participate in the selection process and got selected and the petitioners No.1 to 15 were issued provisional appointment order dated 05.08.2016, while petitioner No.16 was also issued provisional appointment order on 06.08.2016. Thereafter, vide office orders dated 24.09.2016, the petitioners No.1 to 15 were issued with posting orders directing them to report to duty at the places referred to them and the petitioner No.16 vide order dated 06.08.2016 itself was directed to report to duty to

GM (IT), Kothagudem and accordingly, all the petitioners reported for duty.

3. It is submitted that the petitioners No.1 to 15 who were working as Surveyors in various mines/areas in the non- executive posts and were drawing salary as per IX-Wage Board recommendations and were subsequently appointed to the post of Junior Survey Officer E-1 Grade vide office order dated 05.08.2016 (supra). It is submitted that subsequently, on completion of three years of service, all the petitioners were promoted as E-2 Grade Officers. It is submitted that subsequent to the appointment as Junior Survey Officers, their salary has to be fixed taking into consideration the Basic + SDA + VDA + Attendance Bonus + one increment in the lower grade in Non- Executive grade i.e., in the cadre of Surveyor, as mentioned in office Circular dated 29.08.2009.

4. It is submitted that X-National Coal Wage Agreement was signed on 13.11.2017, wherein it was agreed to be implemented with effect from 01.07.2016 and therefore, the petitioners who were working in the Non-Executive grade as on 01.07.2016 were eligible for the wage revision as per X-Wage Agreement in Non-Executive grade. According to them, the salaries have to be revised first and thereafter, have to be determined in the post of Junior Survey Officer E-1 Grade and Programmer Trainee (IT) E-1 Grade, from the date of appointment in the said post i.e., from 05.08.2016, but instead, the respondents have revised the salaries of the petitioners by taking into consideration the IX-Wage Board Agreement only and thereafter have implemented the 3rd PRC in respect of Executive E-1 Grade Officers w.e.f. 01.01.2017 and even E-2 Grade. Aggrieved by the said anomaly, the petitioners claim to have submitted representations on 06.12.2017, 03.11.2019, 05.11.2019, 28.11.2019 and 19.03.2021, but no action was taken by the respondents. It is submitted that the petitioners No.1 to 15 were thereafter, promoted to the post of E-2 Grade (Survey Officers) w.e.f. 01.09.2019 and petitioner No.16 was promoted to the post of E-2 Grade (Programmer IT) w.e.f. 01.09.2020 and had the revision of pay scales been properly implemented by taking into consideration the X-Wage Board Agreement in the cadre of Non-Executive and also the 3rd PRC in the Executive cadre, all the petitioners would have been drawing more salary in E-1 and E2 Grades and denial of the same by the respondents is without any proper cause. Therefore, the petitioners have filed the present writ petition.

5. Learned counsel for the petitioners, while reiterating the above submissions, submitted that vide Circular reference No.CRP/PER/C/16/2112, dated 27.08.2010, the respondent company had issued guidelines for revision of scales of pay of the executives who were recruited on or after 01.01.2007 through internal notification, according to which, the total pay as Non- Executive on the date of promotion to Executive Grade on or after 01.01.2007 will be arrived at by adding together Basic Pay + SDA + VDA + Attendance Bonus in Non-Executive grade as on the date of promotion and one increment in lower grade will be further added to the said amount and the amount so arrived at will be reduced by an amount equivalent to executive VDA as on the date of promotion and the notional pre-revised Basic Pay in Non- Executive grade thus arrived will be fixed in the respective executive revised pay scale as per Circular No.CRP/PER/C/16/1214, dated 15.05.2009. It is submitted that accordingly, the petitioners scale of pay in Executive (E-1) Grade was fixed by taking into consideration the wage drawn by them in non-executive cadre as on 05.08.2016/ 06.08.2016, but the X- National Coal Wage Agreement was signed subsequently on 13.11.2017, to implement the

revised wage structure to all the employees who were on the rolls of the company as on 30.06.2016 and continued to be on the rolls on 01.07.2016 and therefore, according to the petitioners, since they were all in the cadre of workman as on 01.07.2016, they are entitled for revision of their wages and the respondents have also revised the wages of the petitioners accordingly in the cadre of workman as per X-National Coal Wage Agreement. However, while fixing their scale of pay in Executive (E-1) cadre, which had to be revised as per Circular dated 27.08.2010, the same was not done and therefore, the petitioners have incurred huge financial loss. It is submitted that the respondent company revised pay scales for all the executives working in the company through Circular Reference No.CRP/PER/C/016/2949, dated 25.10.2018, w.e.f. 01.01.2017 (3rd PRC) and therefore, the petitioners are entitled for revision of their pay in the Executive (E-1) Grade as per the Circular dated 25.10.2018, but instead, the respondents revised the scale of pay of the petitioners as per 3rd PRC basing on the scale of pay fixed at the time of appointing them as Executive (E-1) Grade i.e., as on 05.08.2016/06.08.2016. Thus, causing injustice to the petitioners.

6. Learned Standing Counsel appearing for the respondents, has relied on the averments made in the counter affidavit confirming the factual position of the promotion of the petitioners from workman cadre to E-1 cadre and thereafter E-2 Grade with effect from the dates mentioned by the petitioners. It is submitted that the tenure of revision of pay scales for Executives and Non-Executives is ten years and five years respectively and the petitioners were working as Non-Executives when they were promoted to Executive cadre and therefore, the pay was fixed as per IX-National Coal Wage Agreement and after the promotion as Executive cadre, the 3rd PRC applicable to the Executives was applied to the petitioners as well i.e., 01.01.2017. It is stated that the petitioners who were appointed in between 01.07.2016 to 31.12.2016 (intervening period of tenure of revision of pay-scales for Executives and Non-Executives) demanding for revision of Executive pay scales on fitment in NCWA cannot be agreed to since they were already given fitment in executive cadre as they became executives as on 01.01.2017 and any extension of such benefit would amount to twofold increase which is not lawful. It is stated that in the case of Executives, perks @ 35% will be paid, whereas in the case of Non-Executives, there is no such wage component and therefore, the intervening period for X-Wage Agreement for Non-Executives and 3rd PRC for Executives is 01.07.2016 to 31.12.2016, the Executives who were appointed from NCWA (Non-Executive cadre), will receive the pay fixation based on pre-revised pay only and there is no injustice caused to the petitioners. It is submitted that since for the Non-Executives, the pay revision is for every five years, and for Executives, it is ten years, the Non-Executives are getting two revisions of pay scales in a single tenure of Executive pay scales and therefore, the respondent company has adopted the pay scales of CIL in toto including the guidelines issued on pay anomalies of executives. It is stated that in the case of CIL, the representations of the Sub- ordinate Engineers (whose cadre strength is reckoned in NCWA cadre) to revise their basic pay on par with the juniors who were appointed in the subsequent Wage Boards, the CIL management has given an opportunity to revert back to their substantive posts in Non-Executive cadre, as a very special case vide order dated 31.05.2013, however, no such guidelines were issued in the respondent company and therefore, according to the respondents, the petitioners have not made out any case for pay revision.

7. Learned counsel for the petitioners also relied upon the averments made in the reply affidavit and submitted that the petitioners are entitled to benefit under X-National Coal Wage Agreement and

also revision of pay in terms of 3rd PRC since the Circular referred to by the respondents does not put any such restrictions. He also filed a calculation sheet to demonstrate the disparity in fixation of pay as per 2nd PRC instead of 3rd PRC in the Executive cadre.

8. Having regard to the rival contentions and the material on record, this Court finds that the eligibility of the petitioners to their fixation of pay in the Non-Executive cadre as on 01.01.2017 in accordance with the revised X-NCWA is not in dispute. The only dispute is with regard to the extension of 3rd PRC to the petitioners in the Executive cadre. A copy of the 3rd PRC dated 25.10.2018 is filed at pages 34 to 45 of the writ papers and as per Clause (XV) of the Circular, the revised pay scales will be applicable only for Executives who were on the rolls of the company as on 31.12.2016 and continued thereafter and the Executives who joined the company on or after 01.01.2017 would be deemed to have been appointed in the revised scale of pay and benefits as applicable. The PRC does not mention that the revision will be applicable only to such of the Executives who have put in ten years of service as Executives. As long as the employees are on roll of the company as Executives as on 31.12.2016, they are eligible for pay revision. In this case, the petitioners were promoted to the Executive grade in August, 2016 itself and therefore, were on roll on the prescribed day of 31.12.2016 and therefore, they are entitled to the 3rd PRC. Though the petitioners have made representations, they have not been disposed of by the respondents even till the date of hearing of the matter. Admittedly, the X-NCW agreement was signed subsequent to the promotion of the petitioners and the 3rd PRC also has been issued subsequent to promotion of the petitioners as Executive-I. The petitioners are therefore, eligible for the pay revisions with the respective dates of appointment. Therefore, the petitioners are eligible for both the revisions. Though the respondent company has implemented the X- NCW agreement in the non-executive cadre, it has failed to give the effect of 3rd PRC to the petitioners, which is illegal and arbitrary. Therefore, the respondents are directed to re-fix the salary of the petitioners by implementing the 3rd PRC to the petitioners in the E-1 cadre and thereafter, pay the arrears of pay and all the consequential benefits to the petitioners with interest @ 6% per annum. The respondents shall make the payment of benefits to the petitioners within a period of four (4) months from the date of receipt of a copy of this order.

9. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

10. Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

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JUSTICE T.MADHAVI DEVI Date: 21.05.2026 bak THE  
HONOURABLE SMT JUSTICE T.MADHAVI DEVI WRIT PETITION No. 11766 of 2021 DATE:  
21.05.2026 bak