

Central Administrative Tribunal
Principal Bench

O.A. No. 2143 of 2002

New Delhi. this the 12th day of August, 2002

HON'BLE SMT.LAKSHMI SWAMINATHAN, VICE-CHAIRMAN (J)
HON'BLE MR. V.K.MAJOTRA, MEMBER (A)

Shri K.C.Dhingra
S/o Shri Inder Bhan Dhingra,
Retired Loco Inspector, Northern Railway,
R/o C/o Mr.P.K.Sharma,
Street No.5, Prahla Pur,
New Delhi.
(By Advocate: Shri H.P.Chakravorty)

Versus

1. The Union of India,
The Chairman, Railway Board,
Rail Bhawan, Principal Secretary,
Government of India,
Ministry of Railways,
Rafi Marg, New Delhi-110001.
2. The General Manager,
Northern Railway,
Baroda House,
3. The Divisional Railway Manager,
Northern Railway, Moradabad

... Respondents

ORDER(ORAL)

By Hon'ble Smt.Lakshmi Swaminathan. Vice-Chairman(J).

Heard Shri H.P.Chakravorty, learned counsel for the applicant. He has drawn our attention to the notice issued by the respondents in December, 1999.

The relevant portion of this notice reads as follows:

On the representation of the Employee regarding stepping up of pay of Loco running supervisor over Shri M.L.Bhatnagar Loco Inspector/MB who is junior to him, whose pay has been fixed to Rs.10500/- in scale 6500-10500 w.e.f. 7.10.96 has been examined in terms of Rly. Board letter No.PC-V/97/RSRP/i dated 8.10.97, where a senior Rly. servant promoted to the higher post before 1.1.96 draw less pay in the revised scale than his junior, who is promoted to the higher post on and after 1.1.96. The pay of senior Rly. Servant should be stepped up to an amount equal to the pay as fixed for his junior in that higher post. The stepping up should be done

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with effect from the date of promotion to the junior Rly. servant w.e.f. 7.10.96. Accordingly the pay of the under noted staff working in scale 6500-10500/7450-11500 (RSRP) stepped up equal to Shri M.L.Bhatnagar promoted as PRC/MB vide this office order No.727EP/LRS/96/EP-Insp. dated 29.8.96 and whose pay has been fixed to Rs.10500/- in scale 6500-10500 w.e.f. 7.10.96 who is junior to all of them.

2. Learned counsel for the applicant relies on the seniority list of the PRC/Loco Supervisors in the scale of Rs.2000-3200 for promotion to the scale of Rs. 2375-3500 (Annexure A-2). In this list, Shri M.L.Bhatnagar's name is shown as serial no. 21 whereas applicant's name is shown as serial no.16. Shri H.P.Chakravorty, learned counsel has submitted that all persons senior to Shri M.L.Bhatnagar, in the aforesaid list, excepting the applicant, have been granted the stepping up of pay, in terms of the aforesaid direction in December, 1999. However, the applicant's claim for the same benefits has not been granted ~~to~~ by the respondents till date. He has submitted that the applicant had made a representation on 24.1.2000 (Annexure A-4) for stepping up of his pay, on the ground that Shri M.L.Bhatnagar belongs to the same cadre and seniority group. In paragraph 4.10 of the OA, the applicant has stated that his matter has been processed by the concerned branch of the respondents and finally they have rejected his claim on 15.02.2002.

3. Having regard to the relevant facts and issues mentioned above and the submissions made by the learned counsel for the applicant, particularly having regard to the notice issued by the respondents in

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December, 1999, we consider it appropriate to direct the respondents to consider the claim of the applicant for stepping up of his pay with effect from 7.10.1996 as Loco Inspector, which is the date when juniors to him, as submitted by the learned counsel, were given the higher pay. The respondents shall pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order, with intimation to the applicant.

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

V.K. Majortra
(V.K. Majortra)
Member(A)

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Vice-Chairman(J)

/kd/