

Central Administrative Tribunal, Principal Bench

Original Application No. 1462 of 2002

M.A. No. 1169/2002

New Delhi, this the 30th day of May, 2002

Hon'ble Mr. Justice Ashok Agarwal, Chairman  
Hon'ble Mr. S.A.T. Rizvi, Member (A)

1. Bhagwan Dass S/o Ram Sarup
2. Ratan Singh S/o Dhani Ram
3. Jitender Singh S/o Jagan Nath Singh
4. Vinod Kumar S/o Shiv Narain Garg
5. Surjeet Singh S/o Kartar Singh
6. Harish Chander S/o Manohar Lal
7. H.S. Sethi S/o A.S. Sethi
8. Jag Mohan Pal S/o Manak Chand
9. Chandan Singh s/o Hukam Singh
10. M.F. Siddiqui S/o M. Azizur Rahman
11. Sat Pal Singh S/o Surat Singh
12. S.L. Katyal S/o Kashmiri Lal Katyal
13. Mahinder Singh S/o Harnam Singh
14. Sat Pal Singh S/o Ghanti Singh
15. S.K. Sharma S/o Hem Chand
16. Palwinder Singh S/o S. Gurbachan Singh
17. Charan Singh S/o Niranjan Singh
18. Mohammed Ali S/o Md. Nasir
19. Radha Krishan S/o late Shri Harichand
20. Bali Ram S/o Shri Mohan Lal

All C/o All India C.P.W.D. (MRM) Karamchari  
Sangathan (Regd) through its President Shri  
Satish Kumar, 4823, Balbir Nagar Extension,  
Gali No. 13, Shahdara, Delhi-32  
....Applicants

(By Advocate: Shri Naresh Kaushik)

Versus

1. Union of India  
Through its Secretary  
Ministry of Urban Development  
Nirman Bhawan, New Delhi
2. The Director General (Works)  
C.P.W.D.  
Nirman Bhawan, New Delhi

- Respondents

O R D E R (ORAL)

By Hon'ble Mr. S.A.T. Rizvi, Member (A)

Foremen on the Mechanical/Electrical and the  
ACR side in the CPWD, 20 of whom are before us in this OA,  
are aggrieved by the respondents' inaction in considering  
their claim for the grant of higher pay scale of  
Rs. 5500-9000 on par with the Foremen working in various

other departments of the Union of India.

2. After the Govt.'s decision on the 5th Central Pay Commission's recommendations had been conveyed on 30.9.97, the applicants herein preferred a representation before the respondent no.1 on 14.4.98 (Annexure -5) bringing to his notice the various ways in which the claim of the applicants has been ignored and they have been discriminated against in the matter of grant of higher pay scale of Rs.5500-9000. When they pursued the matter further, the proposal came up before a committee on 13.6.2000 (Annexure -6). Since the relevant file had not been received back in the concerned administrative section, the matter could not be considered in the aforesaid meeting. The matter was thereafter taken up once again in a subsequent meeting held on 25.4.2001 (Annexure -7) but on this occasion again, no recommendation could be made as the relevant file went missing. At this meeting, it was noted however that the workers in the category of Foremen were getting the same scale of pay as the Junior Engineers and Head Clerks upto the term of the 4th Central Pay Commission and that the anomaly has arisen only in consequence of the recommendations made by the 5th Central Pay Commission. The matter continues to remain where it was on the aforesaid date.

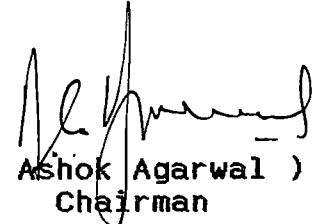
3. The learned counsel appearing on behalf of the applicants submits that the applicants have once again submitted a detailed representation in the matter on 20.3.2002 (page 48 of the paper book) and prior to that a

legal notice was also sent to respondent no.1 on 25.2.2002 (page 46 of the paper book). No action has been taken by the respondents so far.

4. In the circumstances, we find it just and proper to dispose of the present OA at this very stage even without issuing notices with a direction to the respondents to consider the aforesaid pending representations as expeditiously as possible and to pass a reasoned and a speaking order within a maximum of three months from the date of receipt of a copy of this order. We direct accordingly. O.A. is disposed of in the aforesated terms.



( S.A.T. Rizvi )  
Member(A)



( Ashok Agarwal )  
Chairman

/dkm/