

Central Administrative Tribunal
Principal Bench

OA No.1273/2002

New Delhi, this the 2nd day of September, 2003

Hon'ble Shri Shanker Raju, Member(J)
Hon'ble Shri R.K.Upadhyaya, Member (A)

Shri Umesh Kumar,
S/o Shri Rajendra Prasad,
Working in 510 Army Base Workshop, Meerut
Shahdara Road Bye-pass Meeurt(UP).

...Applicant.
(By Advocate: Shri V.P.S.Tyagi)

Versus

1. Union of India (Through Secretary),
Ministry of Defence, New Delhi.
2. The AG's Branch, Army Hqrs.,
DHQ P.O., New Delhi.
3. The D.G., E.M.E. (EME CIV),
Army HQrs., DHQ, P.O. New Delhi.
4. The Commandant 510 Army Base Workshop,
Meerut Cantt. (U.P.).

...Respondents.

(By Advocate: Shri K.R.Sachdeva)

ORDER(ORAL)

By Shri Shanker Raju, Member(J)

Heard the parties.

2. Through this OA, applicant has prayed fixation of pay scale of Rs.3050-4590 w.e.f. 1.1.96 on the principle of 'equal pay for equal work' and also grant of pay scale of Rs. 950-1500 from the year 1996. Consideration for grant of ACP has also been claimed.
3. By an order dated 24.5.1996 in OA No.33/95 filed by the same applicant, his prayer for revision of pay scale had been turned down. The present claim is clearly hit by doctrine of resjudicata. However, an alternate prayer has been made that independent of the pay scale as recommended by the CPC, applicant is

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(2)

claiming upgradation under ACP Scheme in the pay scale of Rs.3050-4590 accorded to the similarly circumstance.

4. It is also not disputed that no representation has been filed by the applicant in this regard. As the parity of pay, equation of scale is not within our domain and is left to the Expert Body and decision of the Government, the OA, in the present form, is not maintainable and is dismissed with liberty to the applicant to raise, if so advised, his grievance regarding upgradation under ACP Scheme before the respondents through a representation. No costs.

C.U.Padhyaya

(R.K.Upadhyaya)
Member(A)

S.Raju

(Shanke Raju)
Member(J)

/kdr/