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**CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH**

**Original Application No. 1398 of 2001**

New Delhi, this the 5th day of March, 2002

**Hon'ble Mr. V.K. Majotra, Member (A)**  
**HON'BLE MR. Kuldip Singh, Member (J)**

Shri K.L. Ohri  
aged 58 years  
S/o Late Amar Nath Ohri  
R/o JG-1, Vikas Puri,  
New Delhi.

**-APPLICANT**

(By Advocate: None)

Versus

1. Union of India  
Through Secretary,  
Ministry of Labour,  
Sharam Shakti Bhawan,  
Rafi Marg,  
New Delhi.

2. Director General of Employment  
and Training,  
Sharam Shakti Bhawan,  
Rafi Marg,  
New Delhi.

**-RESPONDENTS**

(By Advocate: Shri R.P. Relan, Counsel)

**ORDER (ORAL)**

**By Hon'ble Mr. Kuldip Singh, Member (Jud1)**

The applicant has assailed an order Annexure A-1 dated 27.10.2000 whereby his representation for stepping up of his pay vis-a-vis his junior colleague Smt. Shiela Ahuja had been rejected on the ground that Smt. Ahuja was drawing more pay than the applicant in the pay scale of Senior Investigator which was also in the feeder grade of Junior Investigator so the request of the applicant for stepping up of his pay on that ground was rejected.

2. Though no one had appeared for the applicant to represent the case but the case was taken up for hearing. On going through the grounds taken up by the

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applicant we find that the applicant has simply stated that since Smt. Ahuja is junior to the applicant so his pay should be stepped up.

3. As against this, Shri Relan appearing for the respondents submitted that under the provision of FR 22-C which is now FR 22(1)(a)(i) the applicant though senior but was drawing lesser pay in the lower posts as well as in the feeder grade to the lower post as such the benefit of stepping up of pay cannot be granted to the applicant. In this regard the respondents have referred to Government instructions as per paragraph 22 as given in Swamy's Compilation of FR 22(1)(a)(i) in the 1999 Edition wherein it has been mentioned that if an anomaly in fixation of pay has arisen due to direct application of FR 22C under the FR 22(1)(a)(i) only that anomaly has to be removed but in case where the junior was drawing more pay in the feeder cadre or in the lower post then stepping up of pay of senior is not in order.

4. In this case anomaly has not arisen because of the application of FR 22(1)(a)(i) while fixing the pay but it was due to the fact that the so called junior employee with whom the applicant is comparing his pay for stepping up was already getting higher pay in the feeder post because of other factors. Her pay has not been fixed higher than the applicant because of application of FR 22(1)(a)(i) so the applicant cannot ask for removal of anomaly in fixation of pay under FR 22(1)(a)(i).

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5. In view of these circumstances, we find that the OA does not call for any interference and the same is dismissed. No costs.

*Kuldeep Singh*  
(Kuldeep Singh)  
Member (J)

*V.K. Majotra*  
(V.K. Majotra)  
Member (A)

Rakesh