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Central Administrative Tribunal
Principal Bench

New Delhi, dated this the 29th MARCH, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

1. O.A. No. 1026 of 1999

1. Shri D.K. Verma,
Assistant,
D.G. I.T (Inv.)
R/o 23, Income Tax Colony,
Uttari Pitam Pura, Delhi-110034.
2. Mrs. Mudita Saxena,
Assistant. ... Applicants

(By Advocate: Shri M.L. Ohri)

Versus

1. Union of India through
the Secretary,
Ministry of Finance,
Dept. of Revenue, North Block, New Delhi.
2. The Secretary,
Ministry of Finance,
Dept. of Expenditure,
North Block,
New Delhi.
3. The Secretary,
Ministry of Personnel, Public Grievances
and Pensions,
Dept. of Personnel & Training,
New Delhi.
4. The Chairman,
Central Board of Direct Taxes,
Ministry of Finance,
Dept. of Revenue,
North Block, New Delhi.
5. The Director General of
Income Tax (Investigation),
Mayur Bhawan,
4th Floor,
Connaught Place,
New Delhi-110001. ... Respondents

(By Advocate: Shri V.P. Uppal)

2. O.A. No. 1278 of 1999

- Shri K.G. Mathur,
Assistant,
O/o the D.G. Income Tax (Inv.),
R/o Qr. No. 519, Sector-9,
R.K. Puram,
New Delhi-110066. ... Applicant
(By Advocate: Shri M.L. Ohri)

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Versus

1. Union of India through
the Secretary,
Ministry of Finance,
Dept. of Revenue, North Block, New Delhi.
2. The Secretary,
Ministry of Finance,
Dept. of Expenditure,
North Block,
New Delhi.
3. The Secretary,
Ministry of Personnel, Public Grievances
and Pensions,
Dept. of Personnel & Training,
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Central Board of Direct Taxes,
Ministry of Finance,
Dept. of Revenue,
North Block, New Delhi.
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4th Floor,
Connaught Place,
New Delhi-110001. ... Respondents

(By Advocate: Shri V.P. Uppal)

ORDER

S.R. ADIGE, VC (A)

As these two O.As involve common questions of law and fact they are being disposed of by this common order.

2. Applicants in both the O.As who are Assistants in the Director General of Income Tax (Investigation) seek placement in the pay scale of

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Rs.1640-2900 w.e.f. 1.1.86 (revised to Rs.5500-9000 w.e.f. 1.1.96 as per Fifth Pay Commission).

3. We have heard both sides.

4. It is true that some of applicants' colleagues have been placed in the aforesaid scale, pursuant to orders passed in certain O.As by different Benches of the Tribunal, but the entire question whether Stenographers Grade II and Assistants of subordinate and attached offices of Govt. of India are entitled to pay scale of Rs.1640-2900, since revised to Rs.5500-9000 w.e.f. 1.1.96 applicable to Stenographers Grade 'C' and Assistants working in the Central Secretariat offices has been adjudicated upon by CAT, Full Bench in its ruling dated 15.3.2001 in O.A. No. 1901/99 M.V.R. Rao & Others Vs. Union of India & Others and other connected cases.

5. That ruling dated 15.3.2001 which was handed down by a five member Bench, (in which one of us S.R. Adige, VC (A) was a party) has conclusively held that Stenographers Grade II and Assistants in subordinate and attached offices of Government of India are not entitled to the pay scale of Rs.1640-2900 applicable to Stenographers Grade 'C' and Assistants working in the Central Secretariat Service.

6. As applicants are Assistants working in one such subordinate/attached office of Government of India and we are bound absolutely by the aforesaid mentioned Full Bench ruling dated 15.3.2001, we find ourselves unable to grant the relief prayed for by applicants in the present set of O.As.

7. These two O.As are, therefore, dismissed.
No costs.

8. Let a copy of this order, be placed in both O.A. case record.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

S.R. Adige

(S.R. Adige)
Vice Chairman (A)

/GK/