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Central Administrative Tribunal  
Principal Bench

O.A. No. 1140 of 1999

New Delhi, dated this the 17th April, 2001

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

S/Shri

1. Diwan Singh,  
Assistant Plumber,  
Civil Construction Wing,  
All India Radio, H.P.T.,  
Kingsway Camp, Delhi.
2. Tej Pal Singh,  
Asst. Wireman,  
Civil Construction Wing,  
A.I.R., H.P.T.,  
Kingsway Camp, Delhi. .... Applicants

(By Advocate: Shri B.S. Mainee)

Versus

1. Union of India through  
the Secretary,  
Ministry of Information & Broadcasting,  
Shastri Bhawan,  
New Delhi-110001.
2. The Director General,  
All India Radio,  
Akashwani Bhawan,  
Parliament Street,  
New Delhi.
3. The Chief Engineer (C),  
Civil Construction Wing,  
All India Radio,  
New Delhi. .... Respondents

(By Advocate: Shri Rajinder Nischal)

ORDER (Oral)

S.R. ADIGE, VC (A)

Applicants seek a direction to Respondents to implement the DG, CPWD's decision contained in O.M. dated 7.5.97 (Annexure A-2) in regard to semi-skilled staff working in Civil Construction Wing of All India Radio also as per provisions of AIR Manual with

with all consequential benefits including arrears of pay.

2. We have heard applicants' counsel Shri Mainee and Respondents' counsel Shri Nischal.

3. Shri Nischal states that respondents would have no objection in extending the benefits contained in the aforesaid O.M. dated 7.5.97 to the present applicants also.

4. In this connection we note that Para 2 of the aforesaid O.M. dated 7.5.97 extends those benefits only in respect of workmen under the work charged category and those who were on the rolls of the CPWD on 1.4.81 and is not applicable to any kind of daily rated workers.

5. Shri Mainee, however, contends that the aforesaid benefits have been extended by CPWD to those who came on their roll even after 1.4.81, on the basis of various Court's decision and by CAT P.B. order dated 27.4.2000 in O.A. No. 2464/96 Shri Liloo Singh Vs. Union of India & Others, these benefits have been extended to a semi-skilled employee of CCW of Ministry of Information & Broadcasting appointed as recently as 1991.

6. We dispose of this O.A. with a direction to Respondents to consider extending the benefits of O.M. dated 7.5.97 to applicants in the present O.A. and other similarly placed semi-skilled staff working in CCW of AIR appointed after 1.4.81 in the light of the benefits said to have been extended to similarly placed staff in CPWD. These directions should be implemented within two months from the date of receipt of a copy of this order. In the event that Respondents deny the aforesaid benefits to any of the applicants before us, Respondents shall record detailed reasons for doing so. No costs.

A. Vedavalli

(Dr. A. Vedavalli)  
Member (J)

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

karthik