

Central Administrative Tribunal, Principal Bench

O.A. 1763/1999

New Delhi, this the 27th day of November, 2000

Hon'ble Mr. Kuldip Singh, Member (J)
Hon'ble Mr. M.P. Singh, Member (A)

1. Mrs. Urmil Jaitley w/o K.K. Jaitley
D-535, Sarojini Nagar, New Delhi
2. Mrs. Swarn Prabha w/o J.K. Bhanot
RDA-18 Sector-VI, R.K. Puram, New Delhi.
3. Mrs. R.K. Chadha w/o Sh.S.S. Chadha
C4D/67-B, Janak Puri, New Delhi.
4. Mrs. Vijay Abrol w/o Shri B. Mohan Abrol
G/613 Sarojani Nagar, New Delhi.
5. Mrs. Saroj Dala Bhatnagar w/o Sh.U.C. Bhatnagar
G-256/Nauroji Nagar, New Delhi.
6. Mrs. Surekha Kakaria w/o Shri Prikashet Kakaria
B-D 926 Sarojani Nagar, New Delhi.
7. Mrs. Shanti Sharma w/o Shri B.B. Sharma
AGI-165D, Vikaspuri, New Delhi
8. Mrs. Krishna Dhall w/o Shri Rajinder Kumar
B-292, Nanakpura, New Delhi
9. Mrs. Vidyawati w/o Shri Madan Mohan
AE/163, Shalimar Bagh, New Delhi
10. Mrs. Usha Kiran w/o Shri V.K. Choudhary~
A-295, Shivalik Panchsheel Gitanjali Rd., N. Delhi
11. Mrs. Suvashi Kachhap w/o Shri A. Kachhap
X-221, Sarojini Ngr., New Delhi
12. Mrs. Godliba Xalxo w/o Sh. D. Xalxo
16/Sector 7, R.K. Puram, New Delhi
13. Mrs. Chanchal Dhingra w/o Shri R.G. Dhingra
B1/43, Lajpat Ngr, New Delhi
14. Mrs. Ranjit Nankwal w/o Shri Sukhdev Singh
Sector - IV/1236, R.K. Puram, New Delhi
15. Mrs. Nirmaljit Kaur w/o Shri Dilbagh Singh
Type II 92, N.W. Moti Bagh, New Delhi Applicants

(By Advocate: Shri Deepak Verma)

Versus

1. The Secretary,
Deptt. of Statistics
Ministry of Planning and P.I.
Sardar Patel Bhawan, Sansad Mg., New Delhi

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2. The Secretary
Deptt. of Expenditure, Ministry of Finance
North Block, New Delhi

3. The Executive Engineer/DDG
Computer Centre, Deptt. of Statistics
East Block-10, R.K. Puram, New Delhi Respondents

(By Advocate: Shri R.V. Sinha)

ORDER (ORAL)

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

The applicants who are claiming to be working as Data Entry Operators (in short 'DEO') have prayed for extension of benefits of the judgement dated 29.5.98 in O.A.1599/97 passed by the Principal Bench of the Tribunal whereby the similarly situated persons had been allowed pay fixation in their respective grade w.c.f. 1.1.86 instead of 11.9.89 with consequential monetary benefits.

2. The applicants submit that the Seshagiri Committee was constituted by the Govt. of India on the recommendations of the IVth Pay Commission for the purpose of Re-organisation and Rationalisation of Electronic Data Processing (in short 'EDP') posts. The Govt. had accepted the recommendations of the Seshagiri Committee and introduced revised pay-structure for EDP posts in various departments w.c.f. 11.9.89. This date of implementation of the Scheme i.e. 11.9.89 was challenged in a number of cases before the Central Administrative Tribunal and the Tribunal allowed the respective pay-scales w.c.f. 1.1.86 instead of 11.9.89 with consequential monetary benefits. The applicants claim that they are also covered by the Ministry of Finance (DOE)

Implementation Cell OM dated 11.9.89 vide which the recommendations of the Seshagiri Committee were made applicable to the various EDP posts. They also claim that they are entitled to the respective EDP pay scales w.e.f. 1.1.1986 as observed by the Tribunal in OA Nos. 1599/97, 1759/97 and 955/97, being similarly situated. (13)

3. Learned counsel for the applicants relied upon a Full Bench judgement dated 31.7.2000 in O.A.No.2639/99 wherein the question was "whether EDP staff working in different departments are entitled to parity in the pay scales with other EDP staff who have been granted pay scale w.e.f. 1.1.86, or w.e.f. 11.9.89, as has been granted to them by the office memorandum dated 11.9.89." In the concluding para of its judgement, the Full Bench observed that applicants were entitled to the benefits of the O.M. dated 11.9.89 with effect from 11.1.86 with consequential benefits.

4. Learned counsel for respondents Shri Sinha submitted that those applicants who have not completed nine years of service, are not entitled to the benefits claimed for by them.

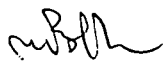
5. After hearing learned counsel for the applicants as well as respondents, we feel that since the applicants before us are also DEOs working in different in EDP units, they are entitled to the same

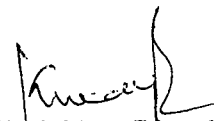
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benefits as extended to the applicants in O.A.Nos.1599/97, 1759/97, 955/97 and O.A.2639/99. We, therefore, allow this O.A. with a direction to the respondents that they shall grant the applicants the respective pay scale w.e.f. 1.1.1986 instead of 11.9.1989 and re-fix their pay accordingly, subject to fulfilment of other eligibility conditions. Applicants shall also be entitled to the consequential monetary benefits flowing from such re-fixation.

6. The above directions should be implemented within a period of 3 months from the date of receipt of a copy of this order. No costs.


(M.P. Singh)
Member (A)


(Kuldip Singh)
Member (J)

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