

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 2246/1999

New Delhi, this the 19th day of December, 2000

Hon'ble Mr. Justice V.Rajagopala Reddy, VC (J)  
Hon'ble Sh. Govindan S. Tampi, Member (Admn)

In the matter of :-

1. Mrs. S.Indira Rajaram,  
Sr. Investigator,  
N.S.S.O. (Co-ordination)  
Dept. of Statistic & Programme  
Implementation, Sardar Patel Bhawan  
Sardar Marg, New Delhi.
2. Mr. Riyazuddin  
WZ-143, Ringh Road  
Naraina,  
New Delhi - 7.

...Applicants

(By Advocate : Sh. Ashwini Bhardwaj)

V E R S U S

1. Union of India, through  
Secretary to the Govt. of India  
Ministry of Planning and Programme  
Implementation, Deptt. of Statistics  
& Programme Implementation,  
Sardar Patel Bhawan, Sansad Marg,  
New Delhi - 110001
2. Director General & Chief Executive Officer  
Government of India,  
Ministry of Planning and Programme  
Implementation, Deptt. of Statistics &  
Programme Implementation, National Sample  
Survey Organization, Data Processing Division  
Headquarters, Sardar Patel Bhawan, Sansad Bhawan,  
New Delhi - 110001.
3. The Dy. Director General, (Adm)  
Data Processing Division  
N.S.S.O.  
Ministry of Planning & P.I.  
164, G.L.T. Road,  
Calcutta - 700035,  
WEST BENGAL.

...Respondents.  
(By Advocate : Sh. Vinod Kumar, Proxy for Sh. Rajender Nischal.)

O R D E R (ORAL)

Justice V.Rajagopala Reddy,

Heard the counsel for the applicant. None  
appears for the respondents.

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2. The only relief that is asked for in this OA is to extend the benefits of the judgment dated 25-9-98 passed by the Hon'ble Supreme Court in Civil Appeal No. 5008/98 in granting the higher pay scale of Rs. 1600-2660 w.e.f. 1-1-86, with all consequential benefits.

3. The applicants were initially recruited as Data Processing Assistants in the pay scale of Rs. 330-560. In 1988, they were selected and appointed on the post of Sr. Investigator in the Central Statistical Organisation, Ministry of Planning in the pay scale of Rs. 1640-2900. In view of the OM dated 11-9-89, the applicants' pay has been revised to the higher scale of Rs. 1600-2660 w.e.f. the date of the OM. However, in view of the judgment of the Supreme Court in Civil Appeal No. 5008/98 dated 25-9-98, benefit of higher pay scale has been extended to others w.e.f. 1-1-86. The applicants filed a representation, for granting benefit w.e.f. 01.01.1986, to the applicants also, but same has been rejected by the impugned order dated 14-5-99 stating that the judgment of the Supreme Court was applicable only to the 48 applicants in that case, who were directly recruited as a Data Processing Assistants.

4. But, in view of the Full Bench judgment of this Tribunal. Babu Lal & Ors. Vs. UOI & Ors. OA 2639/99 dated 3 1-7-2000, the applicants are also entitled for the higher scale w.e.f. 1-1-96. However, by an order dated 14-11-2000, the respondents fixed the higher scale w.e.f. 1-1-86, but the arrears of pay and allowances were not granted from the said

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date. The arrears of pay and allowances were granted from the date of the order. But in view of the Full Bench judgment, the applicant are entitled for the arrears of pay and allowances also w.e.f. 1-1-86.

5. OA is, therefore, succeeds. The respondents are directed to pay the arrears of pay and allowances on the basis of the revised pay scale of Rs. 1640-2900 w.e.f. 1-1-86 to the applicants. OA is accordingly allowed. In the circumstances, we do not order any costs.

(Govindan S. Tampi)  
Member (Admn)

/vikas/

*V. Rajagopala Reddy*  
(V. Rajagopala Reddy)  
Vice-Chairman (J)