

CENTRAL ADMINISTRATIVE TRIBUNAL:PRINCIPAL BENCH

OA.No.2641 of 1999

New Delhi, this 3rd day of May 2001

HON'BLE SHRI KULDIP SINGH, MEMBER(J)

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1. Class IV Employees Association
Ministry of External Affairs
New Delhi, through its Secretary
Shri B.L. Meena
2. Gajraj Singh
President
Class IV Employees Association
Ministry of External Affairs
New Delhi
3. B.L.Meena
Secretary
Class IV Employees Association
Ministry of External Affairs
New Delhi

... Applicants

(By Advocate:Shri A.K.Sinha - non present)

versus

1. Union of India, through
Secretary
Ministry of External Affairs
South Block
New Delhi
2. Union of India, through
Secretary
Ministry of Finance
North Block
New Delhi
3. Union of India, through
Secretary
Ministry of Personnel & Public
Grievances & Pensions
Department of Personnel & Training
North Block
New Delhi

... Respondents

(By Advocate: Shri V.S.R.Krishna)

ORDER(Oral)

This OA has been filed by Class IV
Employees Association, Ministry of External
Affairs, New Delhi (Association, for short). The

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Association is aggrieved by the fact that respondents have issued an order dated 9.7.1999 whereby they have granted foreign allowance to applicants, peons and security guards in a mission, as compared to the Chauffeurs. The applicants who are Class IV staff are denied overtime allowances whereas Chauffeur are given overtime allowance and their foreign allowance is at par with LDC, UDC and Assistants which the applicants claim as arbitrary, illegal and discriminatory. Therefore, they pray for a direction to the respondents for parity in foreign allowance and grant of overtime as granted in case of Chauffeurs.

2. Respondents have contested the OA and stated in their counter affidavit applicants wants to have foreign allowance as well as overtime allowance in comparison to Chauffeurs. They have opposed the relief prayed by applicants. This OA was on board for last so many days. The ordersheets show that even on the earlier occasion proxy counsel for applicants had been making requests and and seeking adjournments. Today no one has appeared for applicants. Only Shri V.S.R.Krishna, learned counsel for respondents has appeared. So, I proceed to decide this case under Rule 15 of the CAT(Procedure)Rules, 1987.

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3. The main grievance of applicants is that they want parity in pay scales with Chauffeurs in regard to foreign allowance and overtime allowance. Learned counsel for respondents opposes the same on the ground that applicants are Class-IV employees who are included in separate category whereas Chauffeurs in Indian Missions abroad are Group 'C' officials included in the 'Basic Category' who are entitled to foreign allowance as payable to the said category. So, applicants cannot claim parity with Group 'C' employees. I find that none of the grounds stated by applicants in para-5 of the OA show that there is any discrimination against Class-IV employees in regard to payment of foreign allowance and overtime allowance. I find that the OA has no merit and the same is dismissed. No costs.


(Kuldip Singh)
Member(J)

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