

Central Administrative Tribunal  
Principal Bench

O.A. No. 2798 of 1999

16

New Delhi, dated this the 1<sup>st</sup> March 2002

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

Shri M.C. Sukumaran,  
S/o Shri M.K. Vealayudhan,  
R/o 101, Krishna Colony,  
Naya Khera, Jaipur.  
Working as Office Supdt. Gr. II,  
O/o Headquarters Chief Engineer,  
Military Engineering Services,  
Jaipur. ... Applicant

(By Advocate: Ms. Anjali Doshi)

Versus

1. Union of India through  
the Secretary,  
Ministry of Defence,  
New Delhi.
2. Engineer-in-Chief,  
Army Headquarters,  
Kashmir House,  
DHQ P.O., New Delhi-110011.
3. Chief Engineer,  
Headquarters Southern Command,  
Engineers Branch, Pune-411001.
4. Chief Engineer,  
M.E.S., Jaipur, Power House Road,  
Jaipur. ... Respondents

(By Advocate: Shri R.P. Aggarwal)

ORDER

S.R. ADIGE, VC (A)

In this O.A. filed on 9.12.97 applicant  
impugns Respondents' order dated 7.6.95 (Annexure  
A-1) and dated 8.2.97 (Annexure A-2) and seeks  
placement in the scale of Rs.425-700 in terms of  
circular dated 6.1.77 (Annexure A-5) w.e.f. 6.1.77  
itself with consequential benefits.

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(17)

2. By Cabinet Secretariat (Dept. of Personnel), circular dated 6.1.77 revised scales were notified for Stenographers working in Subordinate offices of Govt. of India. Para 4 of that circular stated that according to DOPT O.M. dated 29.1.72 Stenographers on pre-revised scale of Rs.210-425 were to be provided to Secretaries to Government of India. This provision had come up for consideration in the meeting of National Council (JCM) held on 3.8.73 and the staff side had felt that Stenographers in this <sup>grade</sup> ~~category~~ should be allowed to officers of and above the level of Deputy Secretary to Govt. of India. This demand had been examined carefully and it had been decided that the scale of Rs.425-700 (the revised scale of pay for Stenographers in the scale of pay of Rs.210-425) may be allotted to posts of Stenographers attached to officers in subordinate offices drawing pay in the scale of Rs.1500-2000 and above.

3. Applicant contends that since 19.5.1965 he was attached to officers in subordinate offices drawing pay in the scale of Rs.1500-2000, and therefore, he is entitled to pay on the scale of Rs.425-700 w.e.f. 6.1.77 onwards.

4. Heard both sides.

5. It is clear that what para 4 of circular dated 6.1.77 actually meant was that officers in subordinate offices in the pay scale of Rs.1500-2000

(18)

and above should be provided with stenographers in the revised scale of Rs.425-700 instead of restricting such stenographers only to Secretaries to Government of India. This para cannot be construed to mean that <sup>a</sup>Stenographers in a lower pay scale is to be granted the higher pay scale of Rs.425-700 merely because he happens to be attached to an officer in a subordinate office in the pay scale of Rs.1500-2000.

6. That apart, it is not denied that applicant who was initially appointed as Stenographer, subsequently opted for the clerical cadre, and was promoted as Office Superintendent Grade II w.e.f. 12.7.93.

7. Having switched over from Stenographer Grade to the clerical grade, applicant cannot now legitimately seek to advance a claim for upgradation of his salary as a Stenographer on the basis of a circular whose objective was only to state that officers in a certain pay scale would be entitled to stenographers in a particular grade.

8. The O.A. is dismissed. No costs.

A. Vedavalli

(Dr. A. Vedavalli)  
Member (J)

karthik

S.R. Adige

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