

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 526/99

New Delhi, this the 17th day of November, 2000

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

In the matter of :-

Sh. Chander Singh, S/o Sh. Ummed Singh
age about 52 yrs. working as Ferro Printer
CPHEED and r/o G-23, Shreenivaspuri,
New Delhi.

...Applicant.
(By Advocate : Sh. P.L.Nimroth)

V E R S U S

1. Union of India through
Secretary, Ministry of Urban Affairs
Employment, Nirman Bhawan
New Delhi - 110001.
2. The Secretary
Ministry of Finance
Dept. of Expenditure, Implementation Cell
North Block, New Delhi.
3. The Director General of works,
Central Public Works Department
Nirman Bhawan, New Delhi.

...Respondents.
(By Advocate : Sh. K.C.D.Gangwani)

O R D E R (ORAL)

Shri Govindan S. Tampi,

1. The relief sought in this application is the revision of the scale of pay of the applicant, a Ferro Printer in Central Public Health and Environmental Engineering Organisation, (CPHEED) from Rs. 825-1200/- to Rs. 975-1540/- w.e.f. 1-1-1988 following the judgment of the Tribunal in OA No. 74/1988 dated 28-7-93.

2. The applicant is working as a Ferro Printer in Central Public Health & Environmental Engineering Organisation, Nirman Bhawan, New Delhi, since 5-6-1970 and he performs functions and responsibilities equivalent to Ferro Printers in CPWD.

In terms of the decision of this Tribunal dated 28-7-93 in OA No. 74/1988, Engineering Drawing Staff Association of the CPWD were given the benefit of the pay-scale of Rs. 975-1540/-. The applicant in this case also seeks the same benefit. He says that he has been making repeated representations for the purpose, but he has not succeeded and hence this approach to this Tribunal.

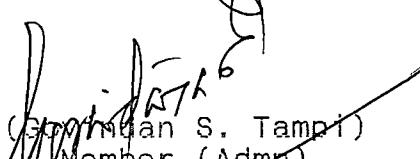
3. Heard the counsel for both the applicant and the respondents. We have also perused the records. Sh. Nimroth, learned counsel for the applicant pleads that as his client has been performing the duties which are admittedly the same as those being performed by the Ferro Printers in CPWD, ^{him} there was no reason to have denied ~~them~~ the benefits. In fact, he says subsequently w.e.f. 3-7-96, the benefit has been given, but according to him, he should have been given it from the earlier date as ^{in CPWD} given to those Ferro Printers ₂ Contesting the claim made on behalf of the applicant. Sh. K.C.D.Gangwani, the learned counsel for the respondents, points out that in the case of this individual Sh. Chander Singh, his pay scale has been revised w.e.f. 3-7-96. He admits that the job performed by the applicant is equivalent to Ferro Printers in CPWD, but ^{his} ~~they~~ having come at such a late stage, ^{he} ~~they~~ cannot get the benefit from earlier date, Sh. K.C.D.Gangwani pleads.

3. We have carefully considered the matter. It is admitted that the applicant who is a Ferro Printer in Central Public Health & Environmental Engineering Organisation and the Ferro Printers in

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CPWD are performing the same functions. They are also under the same apex Organisation and it is not disputed by the respondents. But, it is brought on the record that the pay of the applicant also has been revised w.e.f. 3-7-96 and he also given the replacement scale, following the adoption of the recommendations of the 5th Pay Commission. That being the case, the applicant, who has come at such late before us cannot claim that he should have been given the benefit from a much earlier date. He had also not raised any ground to justify the delay. He has, therefore, not made any case for our interference.

4. The application, therefore, fails and is accordingly dismissed. No order as to costs.


(Srinivasan S. Tampli)
Member (Admin)

/vikas/


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