

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.560 of 1999

New Delhi, this 17th day of May, 2000

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Smt. Shanta Shastry, Member(A)

1. U.P. Kuhela
S/o Late Shri Sundu Ram
R/o 1/1961-A Gasli No.23
Modern Shahdara, Delhi-32.
2. Dayabir Singh
S/o Late Shri Harcharan Singh
R/o G-12 Chankya Puri
New Delhi-21.
3. Kailash Tuteja
W/o Desh Raj Tuteja
R/o 67/8 R.K.Puram
New Delhi-22.
4. Kesho Ram
S/o Shri Ram Chander
R/o 59/4332 Negarpura
Karol Bagh, New Delhi.
5. Bhim Singh
S/o Shri Lal Chand
R/o V&P Dundahera, Gurgaon.
6. Jagat Singh
S/o Late Shri Hari Chand
R/o K-2/36 Mohan Garden
New Delhi-59.
7. Bhusan Dutt
S/o Late Shri Sham Singh
R/o J-99 Sector-22, Noida.
8. Rajbir Singh
S/o Late Shri Kidku Ram
R/o H.No.112, Village Pigipur
Delhi-35.
9. N.S. Adhikari
S/o Shri Diwan Singh
R/o H.No.5614 Gali No.115
B-Block Arora Farm, Sant Nagar
Burari, Delhi-9.
10. Harinder Kaur
S/o Shri Manjit Singh
R/o A-125 Dayanand Col. Lajpat Ngr-IV
New Delhi.
11. S.R. Jyotishi
S/o Shri A.L. Jyotishi
R/o RX/B-37 Bindapur Ext. Uttam Ngr
New Delhi. Applicants

(By Advocate:Shri Deepak Verma)

versus

1. The Secretary
Ministry of Water Resources
Shram Shakti Bhawan, Rafi Marg
New Delhi.
2. The Secretary
Dept. of Expenditure
Ministry of Finance
North Block
New Delhi.
3. The Chairman
Central Water Commission(CWC)
Sewa Bhawan, Sector-1, R.K.Puram
New Delhi-110066. Respondents

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

Order (oral)

By Reddy, J.

The applicants are Data Entry Operators (for short, DEO) in the Central Water Commission. In pursuance of the Sheshagiri Committee recommendations the Government of India introduced revised pay structure for DEO cadre, in various departments with effect from 11.9.1989. The date of implementation of the scheme was challenged in a number of OAs and the Principal Bench by an order dated 9.1.1998 in OA.955/97 allowed the refixation of pay with effect 1.1.1986 instead of 11.9.1989. The applicants seek the same benefit of revision of pay scale with effect from 1.1.1986 instead of 11.9.1989.

2. The learned counsel for the respondents however raised the preliminary objection of limitation. Respondents do not however dispute the facts. The learned counsel for the

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respondents however submits that it is open to the applicants to make a representation which shall be considered by the respondents in accordance with the judgements rendered in other UAs.

(b)

3. We have given careful considerations to the facts and the arguments advanced by the learned counsel on either side.

4. This case is clearly covered by several judgements of the Tribunal including that on UA.No.2449/98 dated 21.1.2000, in which one of us is a member, where we have held that the OA is not barred by limitation and the applicants were entitled for proper fixation of pay with effect from 1.1.1986 till 11.9.1989. Arrears of pay were not granted to the applicants therein.

5. We do not see any point in directing the applicants to make a representation to the respondents as the respondents are aware that there are so many judgements in this matter granting the revised pay scale with effect from 1.1.1986.

6. In the circumstances, the OA is allowed. The applicants are entitled for fixation of pay with effect from 1.1.1986 till 11.9.1989. The

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applicants are, however, not entitled to consequential monetary benefits or any arrears.

No costs.

Shanta Shastr

(Mrs. Shanta Shastr)
Member(A)

Am Rajagopala Reddy

(V. Rajagopala Reddy)
Vice Chairman(J)

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