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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA No. 1534/98

New Delhi this the 24th August, 1998.

Hon'ble Shri N. Sahu, Member (A)
Hon'ble Dr. A. Vedavalli, Member (J)

1. Shri R.C. Bhatt
S/o Sh. M. R. Bhatt
R/o 276, Laxmibai Nagar,
New Delhi.
 2. Km. Sudesh Kapoor
D/o S.L. Kapoor
R/o D-32, Hans Apartments
Shahdra, Delhi - 110 032.
 3. Shri D.N. Bisht
S/o Sh. C.P. Bisht
R/o 907, Laxmibai Nagar
New Delhi - 110 023.
 4. Sh. Dinesh Chandra
S/o Sh. R.D. Sharma
R/o 21-D, CGH Complex,
Vasant Vihar, New Delhi.
 5. Sh. Sant Ram
S/o Sh. Assa Ram
R/o 165-B, U.S. Block
Mandawali, Delhi - 110 092.
 6. Smt. Veena Kashyap
W/o Sh. R.K. Kashyap
R/o C-41, Chandra Nagar, Delhi.
 7. Smt Poonam Oswal
W/o Sh. S. Lal
R/o 1, Nirman Vihar
Delhi - 10 092
 8. Sh. Chaman Singh
S/o S.S. Rawat
R/o 14/842, Lodhi Colony
New Delhi - 110 003.
 9. Smt Usha Sharma
W/o Shri S.K. Sharma,
R/o 88-P, Sector-IV, Gole
Market, New Delhi.
 10. Smt. Asha Batra,
W/o Shri Yash Batra
R/o D-32, Hans Apartments,
Shahdra, Delhi-32
 11. Rakesh Verma
S/o Shri Vishambar Dayal,
R/o 5/74, Yamuna Vihar,
Delhi-110 053.
- Ramesh*

12. Shri S.C. Sharma,
S/o Sh. S.H. Sharma,
R/o G-47, Post Office Street,
Jagjit Nagar, Delhi.

13. Shri Mukesh Kumar
S/o Shri Om Prakash
R/o 67/108, Sector-III,
Gole Market, New Delhi

.....Applicants

(By Advocate: Shri M.K. Gupta)

Versus

1. Union of India
through the Secretary,
Department of Official Language
Ministry of Home Affairs,
Lok Nayak Bhawan, Khan Market
New Delhi-110 003

2. The Secretary
Deptt. of Expenditure
Ministry of Finance
North Block, New Delhi.

3. The Joint Secretary(Implementation)
5th Central Pay Commission
Ministry of Finance
Room No. 203, Trikut-1,
Bhikaji Cama Place,
R.K. Puram, New Delhi.

.....Respondents

(By Advocate: None)

ORDER (Oral)

By Hon'ble Shri N. Sahu, Member (A)

1. Applicants are allowed to join together under Rule 4(5) of CAT (Procedure) Rules.

2. Heard Shri M.K. Gupta, counsel for the applicant. The applicants are working as Assistant Director (Typewriting/Shorthand). They are aggrieved by the in-action of the respondents in not-revising the pay scales of the posts held by them. The benefit of such a revision has been allowed to the officials working in the same department as Assistant Director by an order dated 26.6.98. The reason given was that the 5th Pay Commission recommendations in the English version, at para 70.124 recommended that Asstt.

K. S. S. S. S.

Director be given the scale of 2500-4000(pre-revised) but inadvertently mentioned the number of posts wrongly in the English version. This mistake was pointed out by the Joint Secretary Official Languages by his letter dated 18.2.97 whereupon necessary orders for correction of the Member Secretary of the 5th Pay Commission were issued. Accordingly the correction was made in the Hindi version. In the place of 55 posts shown against "Assistant Directors" in the English Version, the Hindi version substituted 96 posts. The respondents are familiar with this simple in-advertent mistake already pointed out to them officially by the authorities. Applicants should have secured the higher scale allowed to the other Asstt. Directors in the same department. This could not be done because the posts for which new pay scale was proposed in para 70.124 had fallen short of the actual number. Accordingly a detailed representation to respondent No.1 was made on 10.2.97 which is Annexure A-3 to this O.A. Another representation dated 14.2.97 followed by various reminders were also submitted to the 5th Pay Commission as well to other authorities including the respondents. Under these circumstances we think it a fit case to direct respondent No.1 to dispose of the representation in consultation with Respondents No.2 and 3 of the O.A. We accordingly direct the Secretary, Department of Official Languages, Ministry of Home Affairs impleaded in this O.A. as Respondent No.1 to consider the applicant's representation dated 10.2.97, 15.5.97 and 11.8.97 in consultation with Respondents No. 2 & 3 viz: Secretary of Department of Expenditure and Joint Secretary, 5th Central Pay Commission within a period of six weeks from the date of receipt of a copy of this

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order. From the pleadings it appears to us that this was only an in-advertent mistake and respondents who accepted the 5th Pay Commission recommendations in this regard can settle the grievance of the applicant. They shall pass a speaking order within the time-frame. If for any reason, the applicants' grievances are not met, they are at liberty to revive this O.A. or file a fresh O.A.

3. The O.A. is accordingly disposed of.

A. Vedavalli
(Dr. A. vedavalli)
Member (J)

N. Sahu
(N. Sahu)
Member (A)

/cc/