

(0)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH.

O.A.NO. 1876/98

New Delhi, this the 15th day of September, 2000.

Hon'ble Mr. Kuldip Singh, Member (J)

Hon'ble Mr. S.A.T. Rizvi, Member (A)

1. J.R.Arora s/o Lt.Sh.B.B.Arora
r/o 8/4C Sector II, Mandir Marg, New Delhi
2. Saroj Kapoor w/o Sh.H.K.Kapoor
r/o C-2/67A Lawrence Rd, N.Delhi
3. M.Roy w/o Neeraj Roy
r/o Flat 12, Airport Lane, N.Delhi
4. Atul Saxena s/o Sh.C.N.Saxena
r/OG/59 Dilshad Col, N.Delhi
5. M.M.Bhatia s/o Lt.Sh.H.C.Bhatia
r/o H/41-A NIT Faridabad.
6. G.C.Rawal s/o Lt.Sh.D.C.Rawal
r/o 417 Dhruva Apts. Patparganj, N.Delhi
7. Sunita Rawal w/o Sh.G.C.Rawal
r/c 417 Dhruva Apts. Patparganj, N.Delhi
8. N.D.Mrig s/o Sh.Kushi Ram
90 Punjabi Colony, Narela Delhi
9. S.K.Jain s/o Sh.S.P.Jain
222 DDA(SFS), Gulmohar Encl. Delhi
10. D.R.Dagar s/o Daryao Singh
R 48 Chawla Rd, Najafgarh, Delhi
11. M.L.Philip s/o Sh.M.J.Luke
126 Vasant Apts. Vasant Vihar, N.Delhi
12. P.C.Nirala s/o Milkhi Ram
r/o J-138 Sector 4, Pushp Vihar, N.Delhi
13. Bharat Singh s/o Sh.Nanak Chand
S 33/5 DLF Qutab Encl-III Gurgaon

Applicants

(By Adv.: Deepak Verma)

VERSUS

1. Secretary,
Dept. of Expenditure, Ministry of Finance
North Block, New Delhi

2. Secretary,
Dept. of Statistics,
Ministry of Planning & Prog. Impl.
Sardar Patel Bhawan, Sansad Marg,
New Delhi

3. Executive Director,
Computer Centre, Dept. of Statistics,
Ministry of Planning & Prog. Impl.
East Block 10, R.K.Puram,
New Delhi

Respondents.

(By Adv.: Sh.A.K.Bhardwaj)

ORDER

11

HON'BLE SH. S.A.T. RIZVI, MEMBER (A):-

This OA was taken up alongwith OA-104/98 (Deepak Verma Vs. Union of India & Ors.) as both deal with identical issues. In the OA-104/98, a detailed order has been passed which will form part of this order to the extent the basic facts and circumstances of the overall issue of restructuring of the EDP personnel in various Ministries/Departments is concerned, taking into account the specific situation obtaining in the Ministry of Defence (MOD).

2. The applicants, in this OA, 13 in number, working in the Deptt. of Statistics, M/O Planning & Programme Implementation are aggrieved by the order dated 12.9.97 (Annexure A(i) issued by the respondent Ministry (Computer Centre) conveying that a decision had been taken in the Ministry to re-designate the post of Sr. Data Processing Assistant (Sr.DPA) as Data Processing Assistant Grade 'B' (DPA-B) without changing the pay scale. The respondent Ministry have, after a detailed review, carried out the revision of the structure of the EDP post in their Computer Centre where the applicants have been working vide their letter dated 29.1.97. The revised structure of the EDP posts in the said Computer Centre is annexed to the said order of 29.1.97. It is clear from this annexure that the revised structure/designation created by the respondent Ministry for their Computer Centre consist of only two categories of posts, namely, those of DPA-A and DPA-B on the Data Processing/Programming side, and no other.

d

(12)

3. We have heard the learned counsel for both the parties and have perused the records.

4. We find that apart from the facts stated above, which are specific to the present application, the case of the applicants proceeds substantially and materially on the same lines on which the case of the applicant in OA-104/98 was built up. To be precise, the applicants, in this case, also rely on what has been done in the MOD by way of structuring of the EDP staff. Our answers to the issues raised herein would be the same as the answers supplied in the other OA-104/98. In a nutshell, the present OA also fails on merits for the same reason in that in the Ministry of Planning & Programme Implementation also no decision has been taken to create the post of a Programmer for their Computer Centre. In OA-104/98, the Ministry of Home Affairs had not taken a similar decision in respect of the NCRB.

5. In these circumstances, the OA fails and is dismissed without any order as to costs.

d
(S.A.T. Rizvi)
Member (A)

K.S.
(Kuldeep Singh)
Member (J)

/sunil/