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CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA No.1308/95

New Delhi this the 26th day of September, 1995.

Hon'ble Sh. N.V. Krishnan, Acting Chairman  
Hon'ble Smt. Lakshmi Swaminathan, Member (J)

1. Stenographers Association  
CPWD (Regd.) Room No.436,  
'A' Wing, Nirman Bhawan,  
New Delhi through its  
Joint Secretary,  
Sh. G.D. Khanna.

2. Sh. J.L. Gupta,  
S/o late Brijlal,  
H.No.128, Delhi Gate Chowk,  
Old Faridabad (Haryana) ...Applicants

(By Advocate Sh. A.P. Dhamija)

Versus

1. Union of India, Ministry of  
Urban Development, through its  
Secretary, Govt. of India,  
Nirman Bhawan, New Delhi.

2. The Secretary, Ministry of Personnel,  
Public Grievances & Pensions,  
Department of Personnel & Training,  
North Block,  
New Delhi.

3. Director General of Works,  
Central P.W.D., Nirman Bhawan,  
New Delhi. ...Respondents

ORDER (Oral)  
(Hon'ble Mr. N.V. Krishnan, Acting Chairman)

We have heard the learned counsel for the applicant. The first applicant is the Stenographers Association of the C.P.W.D. The second applicant is the Member of the Association. The application is made against the order dated 31.7.90 of the second respondent (Annexure 'A') by which the scales of pay of the Assistant Grade of the Central Secretariat Service and the Grade 'C' Stenographers of the Central Secretariat Stenographers Service were revised to Rs.1640-2900 subject to the stipulations mentioned therein. The grievance of the applicants is that as they are also

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Stenographers doing the same work as the Grade 'C' Stenographers of Central Secretariat Stenographers Service they should also be given the same scale w.e.f. the same date.

2. The learned counsel for the applicants also states that on 16.2.94 the Department of Personnel has informed the Secretary Staff Side of the J.C.M. that the question regarding removal of disparity in the pay scales of Stenographers Grade-II in the subordinate offices and the Central Secretariat is still under consideration.

3. It is in these circumstances that this OA has been filed for a direction to the respondents to remove the disparity and bring the Stenographers Grade-II posted in the subordinate offices of the C.P.W.D. on par with the Stenographers Grade 'C' of the Central Secretariat from 1.1.86.

4. We have heard the learned counsel. We are of the view that for two reasons this application is pre-mature. Firstly the matter still remains under consideration of the Government. Secondly the Fifth Central Pay Commission has already been set up and we do not know whether this Association has made any representation in this regard to that Commission or whether that Commission is considering this matter in general terms. It is quite possible that Commission may make a recommendation in this behalf and probably that could be the reason why the matter may not be finalised by Government. In the circumstances, we are of the view

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that until some firm decision is taken by Government either on the recommendation of the Fifth Central Pay Commission or otherwise no cause of action would accrue to the applicant. In the circumstances, we dismiss this OA, as pre-mature with the above observations, preserving the liberty of the applicants to agitate the matter whenever they feel any grievance has arisen.

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)  
Member(J)

N.V. Krishnan  
26/11/81

(N.V. Krishnan)  
Acting Chairman

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