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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

OA No. 2310/95

New Delhi: this the 31st day of MAY ,2000.

HON'BLE MR.S.R.ADIGE, VICE CHAIRMAN(A).

HON'BLE MR.KULDIP SINGH, MEMBER (J)

Shri Tarseem Singh,
S/o Shri Ralla Ram,
Sr. Engineering Assistant,

HPT All India Radio

&

6 others as per memo of partiesApplicants.

(by Advocate: Shri B.S.Maine)

Versus

Union of India ,
through

1. The Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan,
New Delhi.

2. The Director General,
All India Radio,
New Delhi

....Respondents.

(Shri S.M.Arif, Advocate)

ORDER

HON.MR.S.R.ADIGE VC(A)

In this OA filed on 17.11.95, applicants who were appointed as Engineering Assistants in AIR in the scale of Rs.1400-2600 between 1983 and 1985 and themselves admit in 4.7 of the OA that they were promoted as Sr.Engineering Assistants (Rs.1640-2900) in the years 1987-89 are aggrieved by the grant of the scale of Rs.1550-900 to Engineering Assistants w.e.f. 1.1.78 and Rs.2000-3200 w.e.f. 1.1.86 pursuant to certain judicial pronouncements. Applicants admit (para 4.19 of OA) that they have also been granted the same scale of Rs.2000-3200 but contend that the said order is discriminatory as the post of Sr.

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Engineering Assistant is a higher post than Engineering Assistant, and unequal cannot be treated equally.

2. Applicants therefore pray that respondents be directed to place them in a scale higher than Rs.2000-3200 which has been allowed to the lower post of Engineering Assistants.

3. We have heard applicant's counsel Shri Maines and respondents' counsel Shri Arif.

4. Shri Arif has invited our attention to respondents' order dated 25.2.99 (copy taken on record) placing Engineering Assistants of AIR & Doordarshan in the scale of Rs.6500-10500 and Sr.Engineering Assistants in the higher scale of Rs.7450-11500. These upgraded scales have been made effective from 1.1.96, but payment of salaries to employees as per upgraded scales have been made effective from 1.3.99. Thus the prayer for a higher pay scale for Sr.Engineering Assistants has been granted by respondents themselves.

5. Shri Maines however states that applicants' claim for higher scale is w.e.f. 1.1.86 itself when Eng. Assistants were granted the scale of Rs.2000-3200, invites attention to the CAT Bangalore Bench's order dated 16.2.2000 in OA No.900/98 and 20/99 Mrs. S.Selvaraju & Ors. Vs. UOI & Ors.

6. At the outset we notice that the aforesaid order in Selvaraju's case (supra) makes no mention of respondents' order dated 25.2.99. Moreover when applicants as per their own averments were promoted as Sr.Engineering Assistants only in 1987-89, the question of granting them a higher pay scale as Sr.Engineering Assistants w.e.f. 1.1.86 does not arise.

7. The OA is disposed of in terms of paras 4 and 6 above. No costs.

Kulay
(KULDIP SINGH)
MEMBER (J)

infdr
(S.R. ADIGE)
VICE CHAIRMAN (A).

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