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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.123/1997

New Delhi this the 27th January, 1997.

HON'BLE SHRI JUSTICE B. C. SAKSENA, ACTING CHAIRMAN
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Raj Kumar Sharma S/O Diwan Chand Sharma,
Engineering Assistant,
Office of Director,
Doordarshan Kendra,
New Delhi-110001.
R/O H. No. 113, Prem Nagar,
Ambala City - 3 (Haryana). ... Applicant

(In Person)

-Versus-

1. Union of India through
Secretary, Ministry of
Information and Broadcasting,
Shastri Bhawan,
New Delhi-1.
2. Director General,
Doordarshan, Mandi House,
New Delhi-1.
3. Director General,
All India Radio,
New Delhi-1.
4. Director,
Doordarshan Kendra,
New Delhi-110001. ... Respondents.

O R D E R (ORAL)

Shri Justice B. C. Saksena —

Applicant through this O.A. seeks a direction to be issued to respondents to grant him two advance increments in scale Rs.2000-3200. From the facts indicated in the O.A. it appears that the scale of pay of Engineering Assistants was Rs.1400-2600 while the scale of pay of the higher post of Senior Engineering Assistants was Rs.2000-3200. The Madras Bench of the Tribunal passed an order in an O.A. indicating that Engineering Assistants may also be

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given the scale of Rs.2000-3200. Thereafter, the authorities seems to have filed an S.L.P. before the Hon'ble Supreme Court and the Hon'ble Apex Court upheld the decision of the Madras Bench. Consequent thereto, by an order dated 4.8.1995 (Annexure-5) the scale of Engineering Assistants was revised to Rs.2000-3200 with effect from 1.1.1986. Applicant's scale was also revised to Rs.2000-3200. The grievance of applicant is that the Engineering Assistants are discharging the same nature of duties as the Senior Engineering Assistants and, therefore, they are entitled to parity in the matter of pay scales. That parity has already been provided for by the Madras Bench of the Tribunal as also by the Hon'ble Supreme Court. As noted hereinabove, applicant has been given the scale Rs.2000-3200, that is, the same scale of pay which was admissible to Senior Engineering Assistant.

2. Applicant invited our attention to Annexure-7 which is an order dated 13.2.1996, according to which the pay of one Neeraj Goyal on his promotion to the post of Senior Engineering Assistant with effect from 30.3.1994 has been fixed in the revised scale by granting him two advance increments under the provisions of F.R. 22(1)(a). Applicant in effect claims that the same benefit be extended to him and two advance increments be given to him w.e.f. 1.1.1986, the date from which the revised scale has been made operational. We are unable to agree. The pay of applicant has been fixed in the revised scale by giving him one advance increment, whereas, as noted

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hereinabove, the Engineering Assistants who have been promoted as Senior Engineering Assistants from a date earlier than the decision of the Supreme Court or the Madras Bench of the Tribunal, got fixation of their pay in the higher scale by grant of two advance increments. Applicant is not similarly situated. We, therefore, see no merit in the application. It is accordingly dismissed.

Dated, 27th January, 1997.


(K. Muthukumar)
Member (A)


(B. C. Saksena)
Acting Chairman

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