

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

1) O.A. NO.2454/1997  
2) O.A. NO.2650/1997

(17)

New Delhi this the 2nd day of February, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

1) O.A. NO.2454/1997

1. Jai Prakash S/O Chaman Lal
2. D.K. Sharma S/O O.P. Sharma
3. R.K. Dua S/O L.C. Dua
4. Ramesh Kumar S/O Hukum Chand
5. Pramod Kumar S/O G.B. Singh
6. Harswaroop S/O Sukh Ram
7. Ms. Raj Bala W/O P.C. Madan
8. Mahendra Singh S/O Bidhumal
9. Daya Chand S/O Sulhar Singh
10. H.P. Verma S/O R.K. Verma
11. Ramesh Chand S/O Yadav Das
12. R.K. Yadav S/O Chhote Lal
13. Ms. Anita Malhotra D/O Bihari Lal
14. Ms. Madhu Manocha W/O Rajindra Manocha
15. J.P. Lomas S/O R.G. Lomas
16. Chandrika Ram S/O Nagina Ram
17. Yogeshwar Prashad S/O Ishwari Dutt
18. Arun Kumar Chaturvedi S/O V.P. Chaturvedi
19. Virender Kumar S/O Diwan Chand
20. Surinder Kumar S/O Swaran Singh
21. Mahendra Kumar Gupta S/O S.L. Gupta
22. Mani Ram S/O Pyare Lal
23. H.C. Narang S/O Harnam Das
24. Virender Singh S/O M.P. Verma
25. Mangey Ram S/O Udai Singh
26. D.S. Negi S/O J.S. Negi
27. Ms. Sushila Joshi W/O S.C. Joshi
28. Ms. Neena Wason W/O Bhushan Wasan
29. Ms. Promila Saxena D/O S.S. Lal
30. Hans Raj Singh S/O Buger Singh
31. Surindra Singh Munral S/O Bache Singh
32. Ashok Kumar Gupta S/O Sohan Lal Gupta
33. Avinash Dayal Mathur S/O R.B. Mathur
34. Manwar Singh Rawat S/O D.S. Rawat
35. Ms. K. Malathi W/O K. Srinivasan
36. Ms. Anita Misra W/O K.K. Misra
37. Anil Kumar Tolani S/O K.R. Tolani
38. Naveen Madhok S/O K.K. Madhok
39. Ms. Prabha Rani Aggarwal D/O Mahesh Chand
40. Ms. Shobha Rani Grover W/O P.K. Grover
41. Ms. Anjani Suri W/O A.K. Suri
42. Ms. Asha Puri W/O Yashpal Puri
43. Ms. Ramesh Kumari D/O Pyarey Lal
44. Ms. Veena Soni W/O Rakesh Soni
45. Ms. Madhu Khanna W/O P.P. Khanna
46. Ms. Mamta Bhardwaj W/O Vijay Bhardwaj
47. Ms. Bhupinder Munjal W/O Bhupinder Singh
48. Ms. Rama Sharma W/O Rajinder Sharma
49. Shishpal Singh-I S/O Kadum Singh

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50. Shishpal Singh-II S/O Khamani Lal  
51. P.D.Mathur S/O R.B.Mathur  
52. Ravi shankar Kar S/O D.D.Kar  
53. Ms. Nirmal Soni W/O A.K.Soni  
54. Ms. Manjeet Kaur W/O Harjinder Singh  
55. Ms. Arun Sharma W/O N.K.Sharma  
56. Ms. Bhagwan Devi W/O G.S.Kohli  
57. Ms. Niloo Bhatnagar W/O Deepak Bhatnagar  
58. Ms. Usha Rani Chugh W/O S.K.Chugh  
59. Ms. Urmil Kumari Wasan D/O Madan Lal  
60. Ms. R.Suja Devi W/O A.Balakrishnan  
61. Ms. Ravindra Sethi W/O Arvinder Singh  
62. Ms. Amarjeet Kaur W/O Harjinder Singh  
63. Ms. Gulshan Sahni W/O K.K.Sahni  
64. Ms. Savita Bhandari W/O Pradeep Bhandari  
65. Ms. Naraini Devi W/O Jai Chand  
66. Ms. Santosh Sachdeva W/O Naval Kishor  
67. Ms. Anil Sethi W/O R.K.Sethi  
68. Ms. Warinder Pal W/O Charanjit Singh  
69. Ms. Usha Rani Sharma W/O Kaushal Sharma  
70. Ms. Satbir Mehra W/O Pradeep Mehra  
71. Ms. Sneh Lata Khurana W/O Madan Mohan  
72. Ms. Bhupinder Khosla W/O Rakesh Khosla  
73. Ms. Sudarshan Dutt W/O M.L.Dutt  
74. Ms. Balbir Kaur W/O H.S.Chadha  
75. Ms. Shashi Seth W/O Rakesh Kumar  
76. Ms. Pratiksha Misra (nee Mary Indra)  
W/O A.K.Misra  
77. Sri Kishan S/O Dhanraj Mal  
78. Ms. B.Swaminathan W/O Srinivasan  
79. S.K.Roy (deceased) S/O Nonigopal Roy  
thr' his wife Smt. Lokhi Roy ... Applicants

2) O.A. NO.2650/1997

1. Ms. Vijay Laxmi Rawat W/O S.S.Rawat  
2. Ms. Kiran Bala Saxena W/O Sudhir Saxena  
3. Ms. Renu Verma W/O Ramesh Kumar Verma  
4. Daman Kumar Batra S/O K.L.Batra  
5. Ms. Sudesh Saldhi W/O Sudesh Saldhi  
6. Ms. Saroj Bala Chanana W/O Raj Kumar Chanana  
7. Ms. Baljeet Chander W/O Mohinder Singh  
8. Gajendra Kumar Sharma S/O V.D.Sharma  
9. S.N.Sahu S/O Hari Singh Sahu ... Applicants

( By Shri R. P. Kapoor, Advocate )

-Versus-

1. Union of India through  
Secretary, Ministry of Home Affairs,  
North Block, New Delhi.  
  
2. Registrar General, India,  
Ministry of Home Affairs,  
2 'A', Man Singh Road,  
Kota House Extension,  
New Delhi-110011.

3. Union Ministry of Finance,  
Department of Expenditure  
(Implementation Cell),  
through its Secretary,  
North Block, New Delhi.

4. All India Census Electronic Data  
Processing Staff Federation through  
its Joint Secretary, Office of the  
Registrar General, India, D.P.Division,  
E-Wing, IInd Floor, Pushpa Bhawan,  
New Delhi-110062,

5. Director (EDP),  
Office of the Registrar General, India  
(Ministry of Home Affairs),  
Data Processing Division,  
Pushpa Bhawan, Madangir Road,  
New Delhi-110062.

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... Respondents  
(in both OAs)

( By Shri K.C.D.Gangwani, Advocate )

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

It is undisputed that the applicants in the present O.As. are similarly placed to the applicants in O.A. No.357/95 of Jaipur Bench. As far as the applicants before the Jaipur Bench are concerned, by a judgment and order passed on 25.11.1999 reliefs claimed by the applicants <sup>herein</sup> have been granted. <sup>as also the aforesaid O.A</sup> Applicants in the present O.As. had joined as Data Entry Operators Grade-B in the Department of Census, Government of India. The Fourth Pay Commission, recommendations of which came into force w.e.f. 1.1.1986, had suggested that Data Entry Operators Grade-B in the office of Registrar General, India may be given the pay scale of Rs.1200-2040. The Government of India appointed Sheshagiri Committee to look into the grievances in relation to pay scales of Data Entry Operators performing the same work in Railways and other departments under the Government of

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India. The said Committee found that the nature of duties and responsibilities attached to the Data Entry Operators Grade-B was identical in all departments and there was no difference in their qualifications and duties and, therefore, recommended that the pay scale of Rs.1350-2200 be extended to them also. The Department of Census extended the same but only with effect from 11.9.1989 and not from 1.1.1986. Following this, a series of cases were filed in various Benches of the Tribunal. One such O.A. is the aforesaid O.A. No.357/95 (Jaipur Bench). By the order passed on 25.11.1999 a direction has been issued to the respondents to extend the pay scale of Rs.1350-2200 to the applicants therein w.e.f. 1.1.1986 and also to pay the arrears to which the applicants had become so entitled. In our view, since the applicants in the present case are identically placed to the applicants in the aforesaid O.A., the only course open to us in the present O.A.s is to grant a relief similar to the one granted in the aforesaid O.A. by the Jaipur Bench.

2. Shri Gangwani, the learned counsel appearing for respondents, however, placing reliance on a decision of this Tribunal in the case of Y. D. Sharma & Ors. v. Union of India & Ors., O.A. No.2346A/95 (Principal Bench) decided on 18.11.1999, has sought to contend that it is open to the Government to fix different dates for the purpose of granting the increased pay scale which is prescribed by the Government.

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3. ~~If one were to accept the aforesaid~~  
~~However~~  
proposition of law, the applicants in the present case  
cannot be differentiated from the applicants before  
the Jaipur Bench. The relief which has been granted  
by the Jaipur Bench to the applicants before it will  
be available to all Data Entry Operators in the  
Department of Census.

4. In the circumstances, the present O.As. are  
allowed. We direct the respondents to extend the pay  
scale of Rs.1350-2200 to the applicants in the present  
O.As. with effect from 1.1.1986 and also to pay the  
arrears to which the applicants have become so  
entitled. This exercise may be completed  
expeditiously and preferably within a period of four  
months from the date of receipt of a copy of this  
order. There shall, however, be no order as to costs.

( J. K. Agarwal )  
Chairman

( R. K. Ahooja )  
Member (A)

/as/

Attested  
R. K. Ahooja  
CO CP