

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 2871/97
MA NO. 2922/97

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New Delhi, this the 16th day of August, 2000

HON'BLE MR. JUSTICE V.RAJAGOPALA REDDY, VICE CHAIRMAN (J)
HON'BLE MRS. SHANTA SHAstry, MEMBER (A)

In the matter of:

1. Suresh Chander
S/o Sh. Lal Chand
2. Jeet Singh
S/o Sh. Polaram
3. Sohanvir
S/o Sh. Mahavir Singh
4. Jagdish Chander
S/o Sh. Subha Chand
5. Rattan Singh
S/o Sh. Chatter Singh
6. Rajinder Kumar
S/o Sh. Shiv Charan
7. Sumer Singh
S/o Sh. Deep Chand Dahiya
8. C.M.Joshi
S/o Sh. M.L.Joshi
9. Jai Narain Singh
S/o Sh. Ram Parkash
10. Hans Raj
S/o Sh. Late Rati Ram
11. Kishan Pal Singh
S/o Sh. Sukhdev Singh
12. Hari Pal
S/o Sh. Baloi Ram
13. Hari Narain Kalra
S/o Sh. U.M.Kalra
14. Madan Lal Mahadan
S/o Sh. Mehar Singh

(All are employed as Compositor Grade-II in the Govt. of India Press, Ring Road, Mayapuri, New Delhi).

.... Applicants

Vs.

1. Union of India through
Secretary
Ministry of Urban Affairs and Employment,
Nirman Bhawan,
New Delhi.

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2. The Director of Printing,
Nirman Bhawan,
New Delhi.

3. Manager,
Govt. of India Press,
Ring Road,
Mayapuri, New Delhi. Respondents
(By Advocate: Sh. Anil Singhal proxy for
Mrs. P.K.Gupta)

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ORDER (ORAL)

By Hon'ble Sh. V.Rajagopala Reddy, Vice Chairman (J)

Heard the counsel for the respondents. Though the matter has been disposed of on the last occasion directing the matter to be placed before the Anamolies Committee under the Ministry of Finance, but before the order was signed by us we found that there was infact no anamoly in the pay scales. Hence the matter is placed before the Court "for being spoken to".

2. None appears for the applicant. We have considered the facts of the case and heard the counsel for the respondents. We are of the view that there is no anamoly in the pay scales. The order passed on 26.7.2000 is, therefore, recalled.

3. The applicants ⁴ who are initially recruited on the basis of the recruitment held on 25.5.84 in the scale of Rs.260-400 as Compositor Grade-II, due to their performance in the test and interview conducted by the Recruitment Board and having secured the higher position in the merit list. On the basis of the same recruitment test, persons securing lower position in the merit list were appointed on the lower post of Distributors in the lower scale of pay of Rs.260-350. In the then prevalent recruitment rules there was no provision for promotion from a lower grade as it was 100% recruitment by direct recruitment in the post of Compositors. The Distributors were, therefore, not entitled for promotion to

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the post of Compositors. However, in the 1987 rules the position was changed. The Distributors are also entitled for promotion. In pursuance of the 1987 rules Distributors are promoted to the post of Compositors and in pursuance of FR 22-C their pay have been fixed in the scale of Rs.950-1500, as a result their pay was raised above the level of the persons already holding the post of Compositors Grade-II. Thus, a situation has arisen where the Distributors who could not get higher merit having been appointed in the lower scale as Distributors are now getting higher pay than the Compositors both of whom were appointed on the same date, the applicants as Compositors and some respondents as Distributors. It may be said that seniors are entitled for stepping up of pay with the post of their juniors, infact under law the applicants are entitled to for stepping up of their pay to the ^{level h} ~~scale~~ of their juniors in the post of Compositors.

4. In the circumstances, we direct the Government to consider this situation and pass suitable orders within 3 months from the date of receipt of a copy of the orders. The applicants, if aggrieved by such an order, may negotiate the matter. We find that this position cannot be dealt with by the Anamolies Committee as there is no anamoly in the pay scales of the Compositors and the Distributors. OA is, accordingly, disposed of.

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(SHANTA SHASTRY)
Member (A)

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Om Rajagopal Reddy

(V.RAJAGOPALA REDDY)
Vice Chairman (J)