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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 776/1997

New Delhi this the 6th Day of March 1998

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)
Hon'ble Shri S.P. Biswas, Member (A)

1. R.D.S.O Promotee Officers Association,
through its General Secretary,
Mr. R.K.S. Rathore, ARO (M&C),
Office at 23 Manak Bhawan, RDSO,
Manak Nagar, Lucknow-226 011.
2. Shri M.L. Uppal,
Section Officer Establishment,
RDSO,
Manak Nagar, Lucknow-226 011. Petitioners

(By Advocate: Shri M.R. Krishnamurti &
Shri Pramod K. Sharma)

-Versus-

1. Union of India,
Ministry of Railways,
Through Secretary Railway Board,
Rail Bhawan,
New Delhi.
2. The Director General,
RDSO, Ministry of Railways,
Manak Nagar,
Lucknow-226 011. Respondents

(By Advocate: Shri P.S. Mahendru)

ORDER

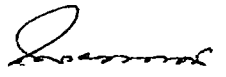
Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)


The only relief sought in this petition is that a direction be issued to the respondents to implement the judgement and order dated 30.7.1993 in respect of Group "B" officers of the applicant organisation. It was stated that the said decision has been implemented by the railways in almost all officers including attached offices except that of respondents organisation viz., RDSO and the same is discriminatory and violative of Article 14 and 16 of the Constitution of India.

2. This Court on 30.7.1993 had given an order in OA 731/87 in the matter of Northern Railway Class Two Officers Association Versus Union of India & Others had directed the respondents to grant scale of pay higher than the existing scale of Rs. 2375-3500/- drawn by Group C service of the Indian Railways, with effect from the date of this said judgement. In pursuance of the said order it is submitted by the petitioner that the said order have been implemented vis-a-vis almost all the group 'D' services both in the main railways as well as attached other officers except in RDSO Office.

3. After notice respondents submitted that the RDSO, Lucknow is an attached office and the benefit of the above said decision cannot be extended to the Group 'D' Officers of the said office. It was further submitted that even though the respondents had taken the stand that the RDSO, Lucknow was not taken for implementation of the said order on valid grounds, one of the decisions of the Lucknow Bench of the Tribunal stated that the RDSO, Lucknow is also a part of the railways and they are entitled to the benefit given to the officers and it was also stated that the SLP filed against the said decision by the railway administration in Hon'ble Supreme Court was also dismissed. In view of this, the respondents are directed to give the same benefit to Group 'B' Officers of RDSO as it was given to all other Group 'B' officers from the date of the judgement i.e. 30.7.1993 while implementing the decision of this Court in OA 731/87. The petitioners will be entitled to all consequential benefits including arrears of pay with effect from the said date of

implementation of the said order by the respondents in favour of other similarly placed group 'B' officers of the respondents railways. ✓ With this, this OA is allowed. No order as to costs.


(S.P. Biswas)
Member (A)


(Dr. Jose P. Verghese)
Vice Chairman (J)

Mittal