

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 1217 of 1994

New Delhi this the 3rd day of August, 1999

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HON'BLE MR. JUSTICE D.N. BARUAH, VICE CHAIRMAN  
HON'BLE MR. N. SAHU, MEMBER (A)

1. Central Government Clerks Union  
through the Secretary, Mr. Ramesh Chandra,  
T-16, INA Colony,  
New Delhi-23.
2. Central Secretariat Stenographers Service  
Association through the President,  
Mr. S.C. Sharma,  
PTI Building (Second Floor,  
CCW All India Radio,  
New Delhi-110 001.
3. Central Secretariat Service Assistant  
Association (Communication Cadre)  
through the Secretary,  
Mr. Surender Patel,  
R/o 528 Dak Bhawan,  
New Delhi-110 001.
4. Central Secretariat Class IV  
Employees Association through  
the Secretary,  
Mr. Babu lal  
R/o Department of Posts,  
528 Dak Bhawan,  
New Delhi-110 001.
5. Miss Sumitra Roy (UDC) A.B. Roy  
R/o 571/9 R.K. Puram,  
New Delhi-21.
6. Sushil Kumar Kala (LDC)  
R/o 695/6 P&T Quarters,  
R.K. Puram,  
New Delhi-21.
7. A.K. Tohan (Steno)  
R/o 528 Dak Bhawan,  
Parliament Street,  
New Delhi-110 001.
8. H.K. Malik (Assistant)  
R/o C/o C.I. Section, Dak Bhawan,  
Parliament Street,  
New Delhi-110 001.
9. Om Pal (Peon)  
R/o C/o DDA Section, Dak Bhawan,  
Parliament Street,  
New Delhi-110 001. ..Applicants

By Advocate: None.

Versus

(X)

1. Union of India through the Secretary, Department of Posts, Dak Bhawan, New Delhi-110 001.
2. The Secretary, Department of Telecommunication, Sanchar Bhawan, New Delhi-110 001.
3. The Secretary, Department of Expenditure, Ministry of Finance, North Block, New Delhi-110 001.

..Respondents

By Advocate: None.

ORDER (ORAL)

Hon'ble Mr. N. Sahu, Member (A)

The relief prayed for is for a direction to pass an order declaring the applicant-employees and employees of the Department of Posts in the Central Secretariat Services entitled to bonus at the same rate as that paid to the employees in the Department of Telecommunications in the Central Secretariat Service.

2. The first four applicants are recognised trade unions. They along with their employees intend to challenge what they consider as unjustifiable discrimination in the payment of bonus. According to them, the respondents have been paying the same rate of bonus to the employees of the Department of Posts and Telecommunications in the Civil Wing. Therefore, there is no basis to treat the employees of the Postal Wing of the Central Secretariat Service differently. The concession given by these employees

was stated to be taken under duress in 1992-93. They urge that the Government should act as a model employer and safeguard the constitutional guarantees and cannot discriminate. They are not entitled to deduct or recover the bonus paid already for the year 1992-93.

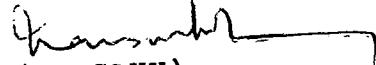
3. The applicants have submitted representations on 22.10.1993 and 25.10.1993. The representations have not been disposed of so far. On the contrary, by Annexure-6<sup>1</sup> dated 27.10.1993 it is stated that the one time advance payment of bonus is only for 1992-93 and it is made subject to the approval of the Finance Ministry and if the Finance Ministry does not agree to the proposal then amounts paid would be recovered. The applicants are aggrieved by this order. These are matters of policy and finance. The applicants' contention should be considered by all the three respondents to whom they have been addressed. If necessary, as the matter concerns thousand of employees represented by unions, it would be appropriate if the respondents also hear the representatives of these unions. We direct the respondents to dispose of these representations within a period of 3 months from the date of receipt of a copy of this order. If still grievances of the

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applicants are not resolved, they are free to consider moving this Tribunal again, if advised.

4. O.A. is disposed of as above. No costs.

  
(N. SAHU)  
MEMBER (A)

  
(D.N. BARUAH)  
VICE CHAIRMAN

Rakesh