

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO.2003/2000  
M.A. NO.2395/2000

New Delhi this the 29th day of March, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

1. S.K. Malhotra S/o Late Sh.K.L.Malhotra  
Sector 9, 845 R.K. Puram, New Delhi.
  2. Kalyan Choudhary S/o Late Sh.K.S.Choudhary  
H-71, Sarojini Nagar, New Delhi.
  3. B.K. Basak S/o Late Sh.H.P.Basak  
47/M CBI Colony, Vasant Vihar  
New Delhi.
  4. Arun Kumar S/o Late Sh.Shiv Prasad  
47/J CBI Colony, Vasant Vihar  
New Delhi.
  5. N.K. Gupta S/o Late Sh.S.L.Gupta  
44/K CBI Colony, Vasant Vihar  
New Delhi.
- ... Applicants

( By Mr.Deepak Verma, Advocate )

-versus-

1. The Secretary  
Deptt.of Personnel & Trg. (DP&T)  
North Block, New Delhi.
  2. The Secretary  
Deptt.of Expenditure  
Ministry of Finance  
North Block, New Delhi.
  3. The Director  
Central Bureau of Investigation (CBI)  
3 CGO Complex, Lodi Road  
New Delhi-110003.
- ... Respondents

(Shri Yashpal, proxy for Sh.A.K.  
Bhardwaj, counsel)

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

MA No.2395/2000 for joining together in a single  
OA is granted.

2. Applicants in the instant case are Head Clerks working in the C.B.I. Headquarters, New Delhi. By the present OA, they seek implementation of the recommendations of the Fifth Central Pay Commission whereby their pay scale is <sup>required</sup> ~~sought~~ to be increased from Rs.1400-2300 (pre-revised) to Rs.5000-8000 (revised) with effect from 1.1.1996. In this behalf, the following recommendations have been made:-

S1 Posts No.	Present Scale (Rs.)	Revised Scale (Rs.)	Paragraph No. of Report
1	2	3	4
5			

1. OFFICE STAFF WORKING IN ORGANISATIONS OUTSIDE THE SECRETARIAT

(a) Assistant	1400-40-1800-50-2300	5000-150-8000	46.9
(b) Head Clerks	1400-40-1800-50-2300	1350-30-1440-40-1800-50-2200	5000-150-8000 46.10

"46.10. The posts of Head Clerk (Rs.1400-2300) and Office Superintendent Level II (Rs.1400-2300/Rs.1400-2600) also exist in all the Non-Secretariat Organisations. It is felt that none of these posts has any supervisory functions with the name. It will be appropriate if the two grades are merged with the cadre of Assistants. Their pay scales and designations will also be modified accordingly."


Aforesaid recommendation has been accepted in other departments outside the Central Secretariat but not so far in relation to the C.B.I. Headquarters. Hence the present OA.

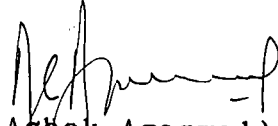
3. Respondents have submitted an affidavit whereby it has, inter alia, been stated that the

matter regarding grant of higher pay scale of Rs.5000-8000 to the Head Clerk-cum-Accountants of CBI is under active consideration with the Government and it may take some time to issue final orders in that behalf. A prayer is accordingly made to grant some more time to finalise the matter.

4. Having regard to the aforesaid affidavit, we find that the interest of justice would be met by disposing of the present OA with a direction to the respondents to pass final orders in regard to the grant of higher pay scale to the applicants expeditiously and in any event within a period of three months from the date of service of this order.

5. Present OA is disposed of in the aforstated terms. It goes without saying that it will be open to the applicants to once again approach this Tribunal in case suitable orders are not passed within the stipuated period or orders passed are adverse to them. No costs.

  
(S.A.T. Rizvi)  
Member (A)

  
(Ashok Agarwal)  
Chairman

/sns/