



**Central Administrative Tribunal
Principal Bench**

OA No.1283/2020

New Delhi, this the 28th day of September, 2020

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)

Shri Omkar Nath Shukla
S/o Shri G.R. Shukla
Working as Hindi Officer
In Indian Institute of Tropical Meteorology
R/o Flat No. 502, Kohinoor Falcon
47 A&B, Pashan-Sus Link Road, Sus
Pune-411021 (Maharashtra). ... Applicant

(By Advocate : Shri Ajai Kumar)

Versus

1. Union of India
(through the Secretary)
Ministry of Earth Science
Govt. of India, Prithvi Bhavan
Lodhi Road, opposite India Habitat Centre
New Delhi-110003.
2. Union of India
(through The Secretary)
Ministry of Home Affairs
Department of Official Language
Govt. of India, NDCC-II Building
Jai Singh Road, New Delhi-110001.
3. Union of India
(Through the Secretary)
Ministry of Finance
Govt. of India, South Block, New Delhi-110011.
4. The Indian Institute of Tropical Meteorology
(Through the Director)
Dr. Homi Bhabha Road, Pashan
Pune (Maharashtra)-411008. ... Respondents

(By Advocate : Sh. Satish Kumar)

: O R D E R (ORAL) :



Justice L. Narasimha Reddy, Chairman :

The applicant joined the service of Indian Institute of Tropical Meteorology (IITM), Pune on 14.02.2007 as Hindi Officer. The scale of pay for the post was mentioned as Rs.6500-10500. Periodical revisions were also granted.

2. The applicant went on making representations stating that the implementation of the recommendations of the 6th Central Pay Commission (6th CPC) in his case was not on par with the employees of other departments, and accordingly his pay scale must be revised. Subsequently, his pay scale was revised w.e.f. 24.10.2016, the date on which, the recruitment rules for the post in the organization, were framed. He filed a representation stating that the revision of the pay scale must be w.e.f. 14.02.2007, the date on which he joined the service.

3. The applicant contends that the pay scale for his post ought to have been in accordance with the recommendation of the 6th CPC and there is no basis to deny him, the benefit. Reliance is also placed upon an order passed by this Tribunal in OA No.654/2013.

4. We heard Shri Ajai Kumar, learned counsel for the applicant and Shri Satish Kumar, learned counsel for the respondents, at the stage of admission in detail.



5. The applicant was selected and appointed to the post of Hindi Officer in the respondents organization through order dated 15.12.2006 and he joined the post on 14.02.2007. It was clearly mentioned that his initial pay shall be Rs.6500/- per annum in the scale of pay of Rs.6500-200-10500. In the OA, it is mentioned that at one stage, advance increments were granted to him, but were withdrawn, at one stage and restored thereafter. His pay scale was revised in the year 2016 w.e.f. 24.10.2016. The basis is that the recruitment rules for the post were approved and framed with effect from that date. The applicant went on making representations that the revised pay effected from 24.10.2016 must be from the date of his initial appointment.

6. We find it difficult to accept the contention of the applicant. Reason is that his pay scale was clearly mentioned in the order of appointment. In case, he had any reservation about it or was not satisfied, it was open to him to reject the offer. Having joined in the post, he cannot turn around and find fault with the respondents.

7. The implementation of the recommendations of the 6th CPC was not uniform in case of autonomous bodies, though it was so in the departments and subordinate offices. An autonomous body, by its very nature, has its own set of rules and financial implications thereof. The



state of affairs existing in the departments of central government cannot straight away be applied to the autonomous bodies.

8. The judgment relied upon by the applicant is in relation to the government department and subordinate offices and directions were issued for ensuring uniformity. That OA was not in relation to the employees of independent and autonomous bodies like the respondents herein, i.e. IITM.

9. At any rate, the applicant did not approach this Tribunal at the relevant point of time as did the applicants in OA.No.654/2013. It is only after the respondents revised the scale of pay of the applicant in the light of the new RRS, that he started his claim. He wanted the revised scale from the date of his appointment. No basis is mentioned for that. In both the impugned orders, the respondents have clearly stated that the pay structure is on the basis of the recruitment rules framed w.e.f. 24.10.2016, and no benefit can be conferred anterior thereto.

10. We do not find any merit in the contention of the applicant. There shall be no order as to costs.

(A. K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/sd