

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/00526/2020

HYDERABAD, this the 16th day of September, 2020.

Hon'ble Mr. Ashish Kalia, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member



Mehboob Badsha S/o Divan Mohiyoddin,
Aged about 54 years, Occ : Vocational Instructor (OM/SP),
National Skill Training Institute for Women Govt of India,
Ministry of Skill Development and Entrepreneurship,
Shivan Road, Vidyanagar, Hyderabad 500007.

...Applicant

(By Advocate : Dr.P.B.Vijay Kumar)

Vs.

1. The Union of India rep. by its Director General,
Directorate General of Training, Ministry of Skill
Development & Entrepreneurship, B-2, Kausal Bhavan,
Pusa Road, Karol Bagh, New Delhi 110 005.
2. The Deputy Director General (Admn),
Directorate General of Training, Ministry of Skill
Development & Entrepreneurship, IARI Campus
Employment & Exchange Building, Pusa,
New Delhi 110 012.
3. The Deputy Secretary to the Govt of India,
Directorate General of Training, Ministry of Skill
Development & Entrepreneurship, IARI Campus
Employment & Exchange Building, Pusa,
New Delhi 110 012.
4. The Regional Director, National Skill Training
Institute for Women, NSTI Vidyanagar Campus,
Hyderabad 500007, Telangana State
Represented by its Head of Office.

....Respondents

(By Advocate : Mrs.K.Rajitha, Sr.CGSC)

ORAL ORDER
(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)

Through Video Conferencing:



The present O.A. has been filed assailing the inaction on the part of the respondent in rectifying the pay anomaly of the applicant on par with his juniors.

2. The brief facts of the case are that the applicant was appointed as Mechanic Typewriter on 25.04.1988 in the pay scale of Rs.1400-2260/- under IV CPC. The pay of the applicant has been enhanced in the V CPC as well as in VI CPC to Rs.5200-20200/- with Grade Pay of Rs.1900/-. With the advent of MACP Scheme, the applicant was granted the three financial up gradations as per the rules. The applicant submits that Smt. Rajeswari who got the promotion as Vocational Instructor on 01.01.2019 was granted Level-7 pay under VII CPC whereas he was granted Level-6 Pay. The reason given by the respondents for granting Level-7 to Smt. Rajeswari is that it was based on Court orders. Therefore, the relief is restricted to her only. Aggrieved that he has not been granted similar benefit, applicant has filed the O.A.

3. The contentions of the applicant are that he is senior to Smt. Rajeswari. Besides, he is similarly situated in all respects for being granted the same benefit as has been granted to Smt. Rajeswari. The fundamental rules prescribe that when a junior is getting higher pay, the senior pay should be enhanced to that of the pay of the junior. The applicant has also submitted a representation on 20.01.2020, which is yet to be disposed.

4. Heard Dr. P.B. Vijaya Kumar, learned counsel for the applicant and Smt. K. Rajitha, learned Senior Standing Counsel appearing for the respondents, and perused the pleadings on record.

5. The applicant is seeking parity with his junior in respect of fixing his Pay. The applicant states that he is similarly situated in all respects for grant of the benefit that has been granted to Smt. Rajeswari, his junior colleague. He has also submitted a representation to the respondents on 20.01.2020 to resolve his grievance. Learned counsel for the applicant has pleaded for disposal of the representation submitted by the applicant. Therefore, keeping the above in view, the respondents are directed to dispose of the representation of the applicant within 8 weeks based on relevant rules of the respondents organization and in accordance with law. The O.A. is accordingly disposed of at the admission without going into the merits of the case. No order as to costs.



(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/pv/