

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No.OA 157/90

Date of decision:10.01.1992.

C.P.W.D. Translators' Association ...Applicants

Vs.

Union of India & Others ...Respondents

For the Applicants ...Shri D.C. Vohra,
Counsel

For the Respondents ...Mrs. Raj Kumari
Chopra, Counsel

CORAM:

THE HON'BLE MR. P.K. KARTHA, VICE CHAIRMAN(J)

THE HON'BLE MR. B.N. DHOUNDIYAL, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment? *Yes*
2. To be referred to the Reporters or not? *No*

JUDGMENT

(of the Bench delivered by Hon'ble Mr. P.K.
Kartha, Vice Chairman(J))

The applicant Association comprises of 25 persons who are working as Junior Hindi Translators in the office of the respondents (Directorate General of Central Public Works Department) since 1979-1988. The posts of Senior and Junior Translators have been created mainly for translation work. Posts of Senior and Junior Hindi Translators exist in the offices of the Central Secretariat (included in the Central Secretariat Official Language Service) and subordinate offices (not included in the Central Secretariat Official Language Service). With regard to both these categories of Translators, the

Fourth Pay Commission made the following recommendations:-

"10.280 It has been suggested by the members of the service that junior translators (Rs.425-700) of the service should be given a higher scale of pay than assistants in CSS, as they are required to possess Master's Degree in Hindi whereas the assistants possess Bachelor's Degree. Even so, they have been given Group 'C' status and pay scale of Rs.425-700 while Assistants of CSS are classified as Group 'B' and are given the scale of Rs.425-800. In view of the higher qualifications required for the entry grade of junior Hindi translator, we recommend that this post may be given the scale of Rs.1400-2600 for the post of senior Hindi translator (Rs.550-800), we recommend the scale of Rs.1640-2900.

10.282 There are about 2400 posts of Hindi Officers and staff in 20 pay scales existing in the various Ministries/Departments for implementation of Official Language policy of the Government. These posts are not included in the CSOLS. The recruitment rules for these posts have been framed by the respective Departments. We suggest that the Department of Official Language may prepare Model Rules for all these posts scattered in various non-participating offices with a view to bringing uniformity in the recruitment procedure, pay structure and, to the extent possible, their service prospects. This would ensure availability of men of good calibre to the departments for handling Hindi work in different ~~xxxxxx~~ offices connected with Official Language policy of the Union".

2. The applicants who are working in the C.P.W.D. are not members of the Central Secretariat Official Language Service. On that ground, the respondents have not acceded to their request for parity of pay scales with that of corresponding employees who are members of the Central Secretariat Official Language Service. Those who belong to the Central Secretariat Official Language Service are in the pay scales of Rs.1640-2900(Senior Hindi Translators) and Rs.1400-2600 (Junior Hindi Translators). The applicants have been given only the pay scale of Rs.1400-2300. On 2.7.1987, respondent No.2 (Directorate General, CPWD) issue an Office Memorandum

to that effect, adding that in case their pay has been wrongly fixed in the scale of Rs.1400-2600, necessary recovery may be effected from the officials concerned.

3. On 2.2.1990, the Tribunal passed an interim order directing the respondents not to effect recoveries from the applicants.

4. We have gone through the records of the case and have considered the rival contentions. In a similar case (OA 1310/89 - V.K. Sharma & Others Vs. Union of India & Others), another Bench of this Tribunal has decided in its judgment dated 24.9.1991 that the respondents should grant the scale of Rs.1640-2900 and Rs.1400-2600 to the Senior and Junior Translators respectively in Armed Forces Headquarters (AFHQ/Inter Service Organisations) of the Ministry of Defence with effect from 1.1.1986 with all consequential benefits of pay fixation, arrears plus ancillary allowances etc. The Tribunal relied upon the decision of the Supreme Court in Randhir Singh Vs. Union of India, 1982 SCC(I&S) wherein the Supreme Court observed that where all the relevant considerations are the same, persons holding identical posts must not be treated differently in the matter of their pay merely because they belong to different

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departments. In the Ministry of Defence, the Senior Translators and Junior Translators had been given the pay scales of Rs.1600-2660 and Rs.1400-2300 respectively-

5. We reiterate the same view. Following the ratio in the judgment of this Tribunal in V.K. Sharma's case, we allow the present application and direct the respondents to grant the scale of Rs.1640-2900 and Rs.1400-2600 to the Senior Translators and Junior Translators respectively in the office of the respondents in the instant case. The applicants would also be entitled to all consequential benefits including refixation of pay, arrears of pay etc. The interim order passed on 2.2.1990 is hereby made absolute. The respondents shall comply with the above directions within a period of two months from the date of communication of this order.

There will be no order as to costs.

B.N. Dhundiyal
(B.N. DHUNDIYAL)
MEMBER (A)

Armen
16/1/92
(P.K. KARTHA)
VICE CHAIRMAN (J)

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