

9

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA NO.1297/2004

New Delhi this the 2nd February, 2005

HON'BLE SHRI JUSTICE V.S.AGGARWAL, CHAIRMAN
HON'BLE SHRI S.A.SINGH, MEMBER(A)

1. Vinu T.Abraham
871, LIG Flats,
Hastal, Uttamnagar,
New Delhi-110059.
2. Arun Kumar Gupta
A-254, Sudarshan Park,
New Delhi-110015.
3. M.Muthu Chelian
F-10, 2nd Floor,
B.K.Dutt Colony, Lodhi Road,
New Delhi-110003.Applicants.

(By Advocate: Shri Pradeep Dahiya)

Versus

1. Union of India
Through The Secretary, Ministry of Home Affairs,
North Block, New Delhi.
2. The Director,
Central Forensic Science Laboratory (CFSL),
Central Bureau of Investigation,
CGO Complex, Block No.4,
Lodhi Road, New Delhi.
3. The Secretary (Expenditure)
Dept. Of Expenditure,
Ministry of Finance,
North Block, New Delhi.Respondents

(By advocate: None)

ORDER (ORAL)

By Shri Justice V.S.Aggarwal, Chairman

The applicants are Laboratory Assistants in Central Forensic Science Laboratory in the Central Bureau of Investigation. After 5th Central Pay Commission, they have been placed in the scale of Rs.4000-6000. The applicants contend that the Laboratory Assistants in NICPS were also given same scale after 5th Central Pay Commission. The same stated to be the position of Lab. Assistants in BPR & D now known as Directorate of Forensic Sciences.

As Ag

(2)

10

2. The applicants' grievance in a few words is that after the 5th Central Pay Commission, so far as the Lab. Assistants of CFSL are concerned, their scale has been revised to Rs. 4500-7000 w.e.f. 01.01.1996 and those of in Bureau of Police Research & Development also have been given the same benefits.

3. The applicants contend that their duties are identical and educational qualifications are the same and this fact has even been admitted by Director CFSL, C.B.I in their communication dated 24.9.2003. It is also pleaded that the 5th CPC had given parity of this post. So far as scales are concerned, the applicants thus cannot be discriminated.

4. In the reply that has been filed, the respondents have admitted that the Department is trying to dispose of the matter at an early date and in this regard Ministry of Finance, Department of Expenditure is a nodal agency and they are likely to take decision in this case. Since the matter pertains to fixation of the pay scale and it is under consideration for such a long time with the respondents, at this stage ~~and~~ taking stock of the totality of facts and circumstances, we direct that respondent no. 1 would consider the said controversy and take a conscious decision within a period of four months from the date of receipt of the certified copy of the present order and communicate it to the applicants. With these observations, the OA is disposed of.


(S.A.Singh)

Member (A)


(V.S. Aggarwal)
Chairman

Accts/