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**CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH**

O.A. No.. 1935 of 2004
M.A. No.1651 of 2004

New Delhi this the 11th day of August, 2004

**Hon'ble Mr. Justice V.S. Aggarwal, Chairma
Hon'ble Mr. S.A. Singh, Member (A)**

1. Shri Sohan Bir Singh, TGT (Science)
GBSSS DDA Flats,
East of Loni Road, (District North East)
Delhi-110 093.
2. Shri R.S. Chauhan, TGT (Science)
GBSSS Block No.1-C,
Yamuna Vihar,
Delhi.
3. Shri Attar Singh TGT (Science)
SKV Gokulpuri,
Delhi-110 093.
4. Shri G.K. Mallik, TGT (Math)
SKV Gokulpuri,
Delhi-110 093.
5. Shri B.P. Singh, TGT (Hindi)
GBSSS East of Loni Road,
(District North East)
Delhi-110 093.
6. Shri R.K. Tomar, TGT (English),
GBSSS East of Loni Road,
(District North East)
Delhi-110 093
7. Shri Pramod Kumar, TGT (Maths)
GBSSS East of Loni Road,
(District North East)
Delhi-110 093.
8. Shri A.K. Gaur, TGT (Maths)
GBSSS East of Loni Road,
(District North East)
Delhi-110 093.
9. Shri Nepal Singh, TGT (Hindi)
GBSSS East of Loni Road,
(District North East)
Delhi-110 093.
10. Shri Ram Shanker, TGT (Sanskrit)
GBSSS East of Loni Road,
(District North East)
Delhi-110 093.
11. Shri Rajbir Singh Tyagi, TGT (Sanskrit)
GBSSS East of Loni Road,
(District North East)
Delhi-110 093.

12. Shri Mahipal Singh, TGT (Maths),
GBSSS, B-1, Yamuna Vihar,
Delhi.

.....Applicants

(By Advocate : Shri G.S. Vashist)

VERSUS

1. Directorate of Education,
Govt. of NCT of Delhi,
Old Secretariat,
Delhi.
2. Govt. of NCT of Delhi,
Through its Chief Secretary,
Delhi Secretariat, I.P. Estate,
New Delhi.

.....Respondents

ORDER (ORAL)

HON'BLE JUSTICE SHRI V.S. AGGARWAL:-

MA NO.1651/2004

MA is allowed subject to just exceptions. Filing of the joint application is allowed.

OA NO. 1935/2004

Applicants, by virtue of the present application, seeks quashing of the notification dated 25.8.2003 introducing Assured Career Progression Scheme in respect of the teachers and further notification of 3.5.2004.

2. Some of the facts are that the National Commission of Teachers under the Chairmanship of Prof. D.P.Chattopadhyay had submitted the report. A three tier pay scale in respect of entry scale, senior scale and selection scale were introduced from 1.1.1986. This was done to avoid stagnation.

3. After the 5th Central Pay Commission report from 9.8.1999, the scheme called Assured Career Progression Scheme was introduced for Central Government civilian officers. It appears that the Association of the teachers had represented that the benefit of the said scheme should be extended. Thereafter the benefit of the scheme referred to above has been introduced. The present applicants contend that if the benefit of Assured Career Progression Scheme is accorded to them, their salary will be reduced and the recovery will be made from their salary.

4. We have asked the applicants' counsel and the answer was in the negative. It was pertaining to the fact that if applicants had drawn the attention of the authorities to this affect and whether they have sought exercising the options to retain the benefit of the whole scheme in pursuance of Prof. D.P.Chattopadhyay's report. In that view of the

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matter the applicants may in the first instance put in a proper representation to the Director Education, National Capital Territory of Delhi. We direct that if representation is submitted within two weeks, the Director of Education will take a decision within one month thereafter and communicate it to the applicants. Applicants, if subsequently have any grievance, may take a recourse action.



(S.A. SINGH)
MEMBER (A)



(V.S. AGGARWAL)
CHAIRMAN

/sd/