

Central Administrative Tribunal
Principal Bench: New Delhi

OA No. 2668/92

New Delhi, this the 24th day of November, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman (J)
Hon'ble Shri N. Sahu, Member (A)

(7)

Avtar Singh (403/D)
s/o Shri Jagir Singh,
R/o C-53/3, Mohanpuri,
Mauzpur, Delhi.

(By Advocate: Shri Shyam Babu)

Vs.

Union of India through

1. The Secretary,
Ministry of Home Affairs,
New Delhi.
2. Delhi Administration, Delhi
through its Chief Secretary,
5 Sham Nath Marg, Delhi.
3. Commissioner of Police, Delhi.
Police Headquarters,
I.P. Estate, New Delhi.

... . . . Respondents

(By Advocate: Shri Amresh Mathur)

O R D E R (Oral)

By Dr. Jose P. Verghese, Vice-Chairman (J)

It is stated that the petitioner in this case has expired and an MA bringing the LRs on record has already been filed. MA for impleading the LRs is allowed. Today this matter has come up for final hearing.

The short case of the petitioner is that the petitioner being an A.S.I. (Storesman Technical) originally in the pay scale of Rs. 330-560 was not given higher equivalent scale which was available to other ASIs of technical nature such as Radio Technicians or Wireless Operators where the scales of pay were initially 360-640

and 380-560 respectively. Thereafter the petitioner was given 1400-2300/- as an equivalent scale as per the recommendations of the 4th Pay Commission, while the other two categories were given 1600-2660/- as a substituted scale as per their recommendations. (8)

We do not intend to make any observations on the question of comparability of these posts, while at the same time we cannot ignore the submissions of the counsel appearing on behalf of the petitioner that two of these posts stand as feeder post to the next higher post namely Inspector Communication Technical in the scale of pay of Rs. 2000-3200. The grievance of the petitioner seems to be genuine to the extent that these two are feeder posts to a common post to which he can be promoted, and it is a fit matter to be looked into by an Expert Body. Since we are not considering this aspect for which we do not have the required expertise we would like the respondents to refer the matter to an appropriate Expert Body to consider this aspect and whether the reliefs sought in this petition can be granted to the petitioners or not. Respondents shall first refer the matter to an In-house Committee constituted for the purpose, before the same, if necessary, is being sent to an Anamoly Committee or to the Pay Commission, whichever the case may be.

With this, this OA is disposed of with no order as to costs.

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N.Sahu
(N.Sahu)
Member (A)


(Dr. Jose P. Verghese)
Vice-Chairman (J)