

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

...

OA.No.2383 of 1993

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Dated New Delhi, this 21st day of August, 1997.

HON'BLE DR JOSE P. VERGHESE, VICE CHAIRMAN (J)
HON'BLE MR K. MUTHUKUMAR, MEMBER(A)

1. R.P. Gandhi
S/o Shri Kharati Lal
R/o 456, Lodi Complex
NEW DELHI.
2. Ishwar Singh
S/o Shri Ram Dass
R/o A-46 Jeevan Park
Pankha Road
NEW DELHI-59.
3. Smt. Satish Bala Banyal
W/o Shri Rajnish Banyal
R/o 34/8 Kabul Lines
DELHI CANTT-10.
4. Smt. Mary Juliet Vincent
W/o Shri R. J. Vincent
R/o 943 Sector 4
R. K. Puram
NEW DELHI.
5. Smt. Narinder Kaur
W/o Shri Sarabjit Singh
R/o 34C, J&K Pocket
Dilshad Garden
DELHI-95.
6. Smt. Gomathi Nair
R/o C-3, Kabul Lines
DELHI CANTT-10.
7. Dharam Bir
S/o Shri Balbir Singh
R/o C-76 Dasrathpuri
Near Dabri Village
NEW DELHI-45.
8. Smt. Shanti Kumari Amma
W/o Shri P.H.P. Panicker
R/o GH-9/386
Paschim Vihar
NEW DELHI.
9. Smt. Prem Kumari
W/o Shri S. K. Hasiya
R/o B-3/133, Paschim Vihar
NEW DELHI-63.

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10. Smt. Manju Bhashni
W/o Shri Vinod Kumar
R/o 50/4 Kabul Lines
DELHI CANTT-10.
11. Smt. Nirmala Kumari
W/o Shri Satya Parkash
R/o RZB/84, Raj Nagar
Palam Colony
NEW DELHI-45.
12. Shri Lalit Kumar
W/o Shri Suraj Parkash
R/o 87/8 Pinto Park
AF Stn Palam
DELHI CANTT-10.
13. Smt. Usha Vanjani
W/o Shri Dalip Vinjani
R/o 32 D MIG Sheikh Sarai
Phase I
NEW DELHI-110 017.
14. Smt. Sushma Pathak
W/o Shri Anil Pathak
R/o 34/11, CVD Lines
DELHI CANTT-10.
15. Smt. Savithri Neelakanthan
W/o Shri A. N. Neelkanthan
R/o B-5 Masjid Moth
NEW DELHI-110048.
16. Miss S. Balasaraswathi
D/o Shri T. S. Swaminathan
R/o BA-98B Janakpuri
NEW DELHI.

... Applicants

By Advocate: Shri S. S. Tiwari

VERSUS

1. Union of India
Through Secretary Ministry of Defence
South Block
NEW DELHI-11.
2. Engineer-in-Chief
E-in-C's Branch
Army Headquarters
Kashmir House, Rajaji Marg
NEW DELHI-11.

... Respondents

By Advocate: None.

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O R D E R (Oral)

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Dr Jose P. Verghese, VC(J)

This OA has been filed at the instance of 16 Stenographers Grade-III working in the M.E.S., a subordinate office under the Ministry of Defence. The respondents after adoption of their common replacement of pay scales of pay of officers pursuant to the 4th Pay Commission recommendations, the entitlement of the officers for stenographic assistance in subordinate offices were reviewed in consultation with the Ministry of Finance. The entitlement of these officers for stenographic assistance has been accordingly revised on 6.2.89 as given herein below:

<u>"Level of Stenographic assistance</u>	<u>Scale of Officer entitled</u>
1. Stenographer Gr.III (Rs.1200-2040)	Rs.3000-4500 and below Rs.3700-5000
2. Stenographer Gr.II (Rs.1400-2300)	Rs.3700-5000 and below Rs.5100-5700
3. Stenographer Gr.I (Rs.1640-2900)	Rs.5100-6700 and below Rs.5900-6700
4. Sr. P.A. (Rs.2000-3200)	Rs.5900-6700 and above (Officers of Senior Administrative Grade or equivalent posts)."

Accordingly, by an order dated 6.2.89 the posts of Stenographer Grade-III were upgraded to Grade-II in those cases where the officers in lower scale of pay lower than JAG had been allowed revised scale of JAG with approval of Ministry of Finance. This order dated 6.2.89 was circulated with the approval of the

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Ministry of Defence by an order dated 27.4.89. The applicants in this case were granted this benefit by Office Memorandum dated 6.2.89. During the pendency of this OA, the Bombay Bench of the Tribunal passed an order in OA.729/92 & OA.1023/93 and directed the respondents to implement the order dated 6.2.89 in the case of some of the subordinate offices of the Ministry of Defence by an order dated 8.8.95. The applicants have now moved an application restricting their relief that the results of the said judgement may also be made applicable to the applicants wherever applicable on the ground that a S.L.P. filed by the respondents against the said judgement has also been dismissed by the Supreme Court on 2.4.96 and also on the ground that the respondents themselves are implementing the orders of this court at Bombay and passed appropriate orders on 16.1.97 which has been produced before us for perusal today.

2. In view of this, after hearing the counsel for the parties and also perusing the records, we are of the opinion that the applicants who are also belonging to one of the subordinate offices, namely M.E.S., are entitled to the benefit of the said O.M. and it has now been confirmed by the decision of the Bombay Bench of the Tribunal wherever it is

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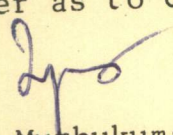



applicable.

3. In the circumstances, the following directions are issued:-

(1) The respondents are directed to grant the benefit of the O.M. dated 6.2.89 as referred to in the decision of the Bombay Bench of the Tribunal to all the applicants in the present application to the extent applicable to them and the implementation of this orders in favour of the applicants shall also be done in the same manner as the decision of the Bombay Bench of the Tribunal is implemented, within a period of four months from the date of receipt of a copy of the order.

4. This OA is disposed of in these terms. No order as to costs.


(K. Muthukumar)
Member(A)


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

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