

CENTRAL ADMINISTRATIVE TRI BUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 262 of 1995

Allahabad this the 13th day of February, 2003

Hon'ble Mr.Justice R.R.K. Trivedi, V.C.
Hon'ble Maj Gen K.K. Srivastava, Member (A)

1. Shri Raj Singh Saini Ticket No.2693 S/o Chaman Singh Saini.
2. Shri Rakesh Kumar Ticket P/G.No.2735 S/o Sri Pitam Singh.
3. Shri Naresh Kumar S/o Data Ram, Ticket No.P.G. No.2641.
4. Sri Madan Lal Ticket No.2766 S/o Sri Ram Chandra.
5. Shri Ram Naresh Singh Ticket No.P.G.No.2848 S/o Shri Niranjan Singh.
6. Sri G.S. Davis Ticket No.P.G.101 S/o Shri L.G.Davis.
7. Sri C.B. Singh Ticket No.1347 S/o Sri Kangli Ram.
8. Sri Surjeet Singh Ticket No.1499 S/o Sri Bhagat Singh.
9. Sri Kailash Chand Ticket No.2692 S/o Net Ram.
10. Sri Rajender Kumar Ticekt No.2695 S/o Sri Jaggan Swarup.
11. Sri Rajender Kumar , Ticket No.2697 S/o Sri Mam Chandra.
12. Sri Ashok Kumar, Ticket No.2806, S/o Sri Deep Chand.
13. Sri Surendra Singh, Ticket No.2750, S/o Sri Ram Das.
14. Sri Om Prakash, Ticket No.2850, S/o Chiman Lal.
15. Sri Devi Charan, Ticket No.2853, S/o Babu Ram.
16. Sri Baljit Singh, Ticket no.3224, P/G, S/o sri Hari Singh.

17. Sri V.D. Pathak, Ticket No.3258, P/G,
s/o Shri Shiv Chander.
18. Sri Pramod Kumar Ticket No.3282, P/G,
s/o Jay Karan Singh.
19. Sri Yash Pal Singh, Ticket No.3283, P/G,
s/o Shri Sheo Raj Singh.
20. Sri Prem Chand, Ticket No.3285, P/G,
s/o Shri Ray Singh.
21. Sri Brahm Singh, Ticket No.2889, P/G,
s/o Shri Mam Chand.
22. Sri Subhash Chand, Ticket No.2879, P/G,
s/o Shri Peetam Singh.
23. Sri Prem, Ticket No.3210, P/G, s/o Shri Badlu
Ram.
24. Sri Bharath Sharma, Ticket No.2915, P/G,
son of Shri Late S.M. Sharma.
25. Sri Arvind Kumar, Ticket No.3016, P/G,
s/o Shri Kishan Lal.
26. Shri Harbir Singh, Ticket No.3179, P/G,
s/o Shri Mohinder Singh.
27. Shri M. Johan , Ticket No.3069, P/G,
Applicants No.1 to 27 of P/G(Precision Grinder grade)
28. Sri Chander Mohan, Ticket No.20, Mach.,
s/o Shri Chinta Mani.
29. Sri Pankaj Kumar, Ticket No.3397, Mach.,
s/o Iqbal Singh.
30. Brahm Singh , Ticket No.2694, Mach.,
s/o Balbir Singh.
31. Sri Onkar Singh, Ticket No.2749, Mach.,
s/o Jile Singh.
32. Shri Guru Bux Singh, Ticket No.1259, Mach.
s/o Shri Bakshish Singh.
33. Shri J.P. Sharma, Ticket No.1385, Mach.
s/o Shri Shiv Mangal Raj Singh.
34. Shri Amir Singh, Ticket No.1390, Mach.,
s/o Sri Chhoten Singh.
35. Sri Abdul Rashid, Ticket No.1634, Mach.,
s/o Sri Sher Ali.

36. Sri R.S. Sarin, Ticket No.1784, Mach,
S/o Sri L.S. Sarin.
37. Sri R.D. Kaushal, Ticket No.1786, Mach.,
S/o Sri S.D. Kaushal.
38. Sri Mool Chand, Ticket No.1832, Mach.,
S/o Basant Ram.
39. Sri Surendra Singh, Ticket No.1862, Mach.,
S/o Sri Trilok Singh.
40. Sri J.P. Sharma, Ticket No.2675, Mach.,
S/o Sri G.L. Sharma.
41. Sri B.S. Nehra, Ticket No.2896, Mach.,
S/o Sri Amar Singh.
42. Sri C.P. Singh, Ticket No.3086, Mach.,
S/o Sri Ganga Singh.
43. Sri Surendra Singh Tomar, Ticket No.3178,
Mach., S/o Sri Tajpal Singh.
44. Sri Kashi Ram, Ticket No.3410, Mach.,
S/o Sri Panna Lal.
45. Sri Daya Dhar, Ticket No.3474, Mach.,
S/o Shri Moti Ram.
46. Sri R.K. Chauhan, Ticket No.3140, Mach.,
S/o Sri Devak Ram.
47. Sri Vishwanath, Ticket No.2289, Mach.,
S/o Shri Shyam Lal.
48. Sri D.N. Tyagi, Ticket No.1800, Mach.,
S/o Shri Champa Lal Tyagi.
49. Sri Mohd.Irfan, Ticket No.3103, Mach.,
S/o Sri A. Rashid.
50. Shri Mukesh, Ticket No.3094, Mach.,
S/o Sri Budha Prakash.
51. Sri Ishwar Singh, Ticket No.2900, Mach.,
52. Sri M.P. Singh, Ticket No.2754, Mach.
53. Sri Raj Kumar, Ticket No.1849, Mach.
54. Sri Subhash Chand, Ticket No.2876, Mach.,
S/o Bal Ram.

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55. Sri Satendra Kumar, Ticket No.3211, Mach.,
S/o Sri Lekh Ram.
56. Sri Ashok Matheues, Ticket No.1885, Mach.,
S/o W.H. Mathur.
57. Sri Jagdish Singh, Ticket No.2668, Mach.,
S/o Sri Prakash Singh.
58. Sri Brij Pal Singh, Ticket No.3195, Mach.,
S/o Sri Prakash Singh.
59. Sri Satya Pal, Ticket No.2712, Mach., S/o
Sri Kesha Ram.
60. Sri Kundan Lal, Ticket No.2732, Mach.
61. Sri Kusun Pal, Ticket No.3142, Mach.,
S/o Sri Mahabir Singh.
62. Sri Sita Ram S/o Bishambher Lal, Ticket No.
2690.
63. Sri Ione Brave, Ticket No.1782, Mach.
64. Sri Shive Kumar, Ticket No.1842, Mach.
65. Sri Som Dutt, Ticket No.2394, Mach..
66. Sri Sher Singh Kosik, Ticket No.2878, Mach.,
S/o Late Hari Singh.
67. Sri Shiv Kumar, Ticket No.3408, Mach., S/o
Sri Tejpal Singh.
68. Sri R.K. Bhatiya, Ticket No.2884, Mach. S/o
Sri K.R. Bhatiya.
69. Sri Dharam Vir Singh, Ticket No.2691.
(Applicants No.28 to 69 are Machinist Trade)
70. Sri Ajab Singh, Ticket No.2653, M/F.
71. Sri Babu Ram, Ticket No.2640, M/F.
72. Sri Bharam Pal, Ticket No.2654, M/F, S/o
Sri Balbir Singh.
73. Manohar Lal, Ticket No.2380, M/F.
74. Sri Bhopal Singh, Ticket No.2718, M/F,
S/o Sri Durga Prasad.
75. Sri Vishnu Dayal, Ticket No.2238, M/F.
76. Sri Narendra Singh Chobla, Ticket No.2651, M/F.
77. Sri Mahendra Singh, Ticket No.2919, M/F.

78. Sri Beer Singh, Ticket No.2817, M/F.
79. Sri Kewal, Ticket No.2881, M/F.
80. Sri Om Prakash, Ticket No.2248, M/F.
81. Sri Ashok Kumar, Ticket No.2807, M/F.

(Applicants 70 to 81 are Mill Wright Fitter
Trade)

82. Sri Suresh Pal, Ticket No.2686, Electrician.
83. Sri Ravinder Kumar, Ticket No.2969, Electrician,
(_ Not clear)
84. Sri Rajesh Kumar, Ticket No.2680, Elect.
85. Sri Vinod Kumar Gupta, Ticket No.2579, Elect.
86. Sri Nasaruddin, Ticket no.1645, Elect.
S/o Sri Abdul Hamid.
- 87- Sri Ved Prakash, Ticket No.2223, Elect.
88. Sri Ashok Kumar, Ticket No.2832, Elect.
89. Sri Shyam Singh, Ticket No.2797, Elect.
90. Sri Aswani Kumar, Ticket No.2830, Elect.
91. Sri S.D. Swami, Ticket No.3300, Elect. S/o
Sri Prabhu Datta Swami.
92. Sri Hari Pratap, Ticket No.2246, Elect.,
93. Sri Rakesh Kumar, Ticket no.3063, Elect.
94. Sri Gyan Chand, Ticket No.1660, Elect.
S/o Sri Gopal.
95. Sri Ramesh Chand Gupta, Ticket no.917, Elect.
S/o Sri Har Saran Das.
96. Sri Baxi Ram, Ticket No.2506, Elect.
97. Sri Satish Kumar, Ticket No.3051, Elect.
98. Sri Nizam, Ticket No.3186, Elect.
99. Sri Rajvir, Ticket No.3020, Elect.,
S/o Sri Brahm Singh.
100. Sri Jitender Kumar, Ticket No.2992, Elect.
101. Sri Sushil, Ticket No.3180, Elect., S/o Sri Suraj
Mal
102. Sri S.P. Singh, Ticket No.3181, Elect.,
S/o Jai Pal Singh.

103. Sri Y.K. Gupta, Ticket No.3295, Elect.
104. Sri Lajja Ram, Ticket No.2700, Elect.
S/o Sri Gyasu Ram.
105. Sri Pradeep Kumar, Ticket No.2979, Elect.
S/o Sri Virendra Sharma.
106. Sri Dilewar Singh, Ticket No. 2942, Elect.
107. Sri Yogendra Pal, Ticket No.2955, Elect.
108. Sri Ram Gopal Chand, Ticket No.2982, Elect.
109. Sri Sunil Mittal, Ticket No.3040, Elect.
S/o Sri Padam Sen.
110. Sri Mominder Singh, Ticket No.2974, Elect.
S/o Sri Gulzar Singh.
111. Sri Virender, Ticket No.2958, Elect. S/o
Sri Girdhari Singh.
112. Sri Pradeep Kumar, Ticket No.3175, Elect.,
S/o Late Sardar Singh.
113. Sri Bijender Sain, Ticket No.321, Elect.,
S/o Sri Mangal Sen.
114. Sri Triloki, Ticket No.1667, Elect., S/o
Sri Prakash Chandra.
115. Sri Satish Kumar, Ticket No.3296, Elect.
S/o Sri Ram Lal Singh.

The applicants 82 to 115 are of Electrician Trade)

All residents of 510 Army Base Workshop, Meerut
Cantt. Meerut. Applicants

By Advocate Shri A.I. Nagvi.

Versus

1. The Chairman, Ordnance Factory Board,
10-A, Auckland Road,
Calcutta-700 002.
2. Director General of E.M.E.(Electrical Mechanical
Engineering).
3. The commandant 510, Army Base Workshop,
Meerut Cantt. Meerut City.
4. The Union of India through the Secretary,
Ministry of Defence, Govt. of India,
New Delhi.

....Respondents

By Advocate Shri P. Mathur.

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O R D E R (Oral)

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, the applicants who are 115 in number have prayed for direction to the respondents to give benefit of the orders passed by Calcutta Bench of this Tribunal on 30.10.1987 (annexure A-1) and the Judgment dated 25.06.1993(annexure A-4) passed by this Tribunal and implement the same so far as the applicants no.1 to 27 are concerned and also other similarly situated employees. The applicants have also prayed for direction to the respondents to implement the IVth Pay Commission report in respect of the applicants no.28 to 115 taking into consideration the pay scale of the applicants fixed by the Expert Classification Committee(i.e. E.C.C.)

2. Counter-affidavit and rejoinder-affidavits have been exchanged. The applicants filed a suppl. affidavit on 01.11.2002 annexing therewith the copy of the order passed in October, 1985, which is with regard to Fitment of Industrial Workers in the P/V scale recommended by the IIIrd Pay Commission. The categories covered by the order are;

- a : Armourers
- b : Electrician (MV)
- c : Machinist D
- d : Millwright
- e : Precision Grinders

Para 4 of this order concludes as under;

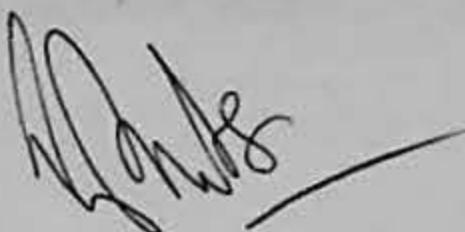
"That matter has now been further clarified and army H.Q. have stated that the pay of trademan of above said categories be fixed in the revised scale i.e. 330-480 from 16 October, 1981 i.e. the date of issue of Govt. order. The pay of tradesman who have -been promoted to Highly Skilled Grade I consequent to implementation of three grade structure be refixed under Article 156A CSR."

3. Leanned counsel for the applicants submits that the aforesaid order satisfies the demands of the applicants made through this O.A. It is also submitted that this order could not be filed before this Tribunal as it was not in their knowledge. Shri P. Mathur submitted that the order was passed in 1985 whereas this O.A. has been filed on 21.03.95, there is a long gap between two dates and it is difficult to say at this stage as to whether the applicants were granted benefit of the order passed in 1985 or not. It requires thorough examination of the records and for this purpose the applicants will have to make a representation for claiming benefit of the order ^{not filed} ~~passed~~ alongwith the affidavit.

4. We have carefully considered the submissions made by the counsel for the parties and we are of the opinion that as the applicants are satisfied with the order (S.A.-1) of October, 1985, it is no more necessary to examine the claims and counter-claims raised in this O.A. The ends of justice will be served if the respondents are directed to examine the claim of the applicants as to whether they were granted the benefit of the order or not. If the applicants were not granted

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the benefit, they will be entitled for the benefit from the date it should have been granted to them. The application is accordingly disposed of finally with the liberty to the applicants to make representation through proper channel alongwith copy of this order and annexing therewith the copy of the order filed as annexure S.A.-1. The claim shall be then considered by the respondent no.2 in accordance with rules and decided by a reasoned and speaking order within 4 months from the date ^{of} a copy of this order is filed. No order as to costs.



Member (A)



Vice Chairman

/M.M./