

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Misc Application No.304.OP 2003

In

Diary No. 215 OP 2003

Original Application No. 105 OP 2003

Allahabad This The 30Th Day of January, 2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN
HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A

1. H. & S. Factory Employees Union,
Kanpur, a recognised Trade Union,
registered under the Trade Unions Act,
bearing Registration No.225 dated 3.7.1946,
having its Office at Udyog Bhawan,
15/248, Civil Lines, Kanpur-208001,
through its Vice- President and Authorised
Representative Lalit Mohan.
 2. R.K. Das, Turner,
HS-I, Ticket No.149/MS,
P.No.100950,
Ordnance Equipment Factory,
Kanpur.
 3. Ram Lakhan, Tailor,
HS-II, Ticket No.1385/T-2,
P.No.104893,
Ordnance Equipment Factory,
Kanpur.
-Applicants

(By Advocate Shri M.K. Upadhyay)

Versus

1. Union of India,
through the Secretary,
Ministry of Defence,
Department of Defence Production,
Government of India,
New Delhi.
 2. The Chairman,
Ordnance Factory Board/
Director General,
Ordnance Factories,
10-A. Shaheed Khudi Ram Bose Road,
Kolkata-1.
 3. The General Manager,
Ordnance Equipment Factory,
Cantt., Kanpur.
 4. Controller of Defence Accounts (Fys.),
10-A, Shaheed Khudi Ram Bose Road,
Kolkata-1.
 5. Accounts Officer,
Ordnance Equipment Factory,
Cantt., Kanpur.
-Respondents

(By Advocate Shri V.K. Pandey)



O R D E R

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN

This O.A. has been filed under section 19 of Administrative Tribunals Act 1985, the applicants have challenged the direction of the respondents by which their pay scale have been reduced from Rs.5000-8000 to Rs.4000-6000 and Rs.4500-7000 to Rs.4000-6000. Similar dispute was raised by the workers union, applicant no.1 with four other employees by filing O.A no.1337/02 which was disposed of by order dated 06.11.02 with following directions:-

"The O.A., is accordingly disposed of finally with a direction to the respondent No.3 to consider and decide the representation of the applicants by a reasoned order within three months from the date of copy of this order is filed. To avoid delay, it shall be open to applicants to file a copy of the representation alongwith the copy of this order. It is further provided that until the representation of the applicants is decided by respondent no.3, their pay shall not be reduced and if the representation is decided in their favour, the amount already deducted shall be refunded to them without delay."

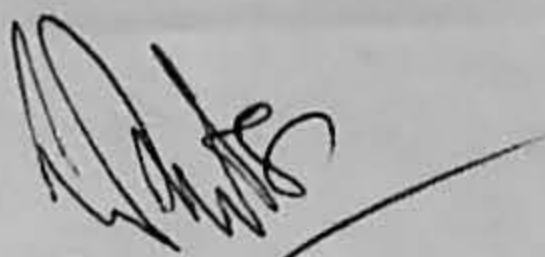
2. The grievance of the applicants is that representations were filed by applicant no.2 and 3 and other 50 employees shown in the schedule, protesting the ~~representation~~^{reduction} in the pay scale. The representations are pending and have not been decided. Respondents in pursuance of the order of this Tribunal dated 06.11.2002 have granted relief to the applicant no.2 to 5 in O.A no.1337/02 and they are being paid their full salary but the applicants have not been given benefits though earlier order was in favour of the Union also and in the schedule annexed, 53 persons were mentioned. It has also ^{been} submitted that the representations filed by other employees have not yet been decided.

3. Considering the facts and circumstances this O.A. is also decided on the same directions and conditions as




provided in the order dated 06.11.2002 with a clarification that the benefits of this order shall be available to all the similarly situated employees and they shall be treated alike.

4. There will be no order as to costs.



Member-A



Vice-Chairman

/Neelam/