

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 13.09.1999

O.A. No. 102/1995

1. Anil Kumar son of Shri Charat Singh, Lineman (Elec.) 28 years
2. Shankerlal son of Shri Sohanlal, Lineman (Elec.), 28 years
3. Virendra Pratap son of Shri Harilal, Refrigerator Mechanic, aged 32 years.
4. Dinesh Pal son of Shri Ramnarayan, SBA (Elec.), 29 years.
5. Amrik Singh son of Shri Maha Singh, Elec. (SK), 32 years
6. Vijendra Pal son of Shri Narsinghpal, SBA (Elec), 31 years.
7. Sukhdarshan son of Shri Ram Chandra, SBA aged 29 years.
8. Gopal Lal son of Shri Dharampal , Pump House Operator, aged 29 years.
9. Amrooram son of Shri Shyamaram, Lineman (Elec.) SK, 36 years
10. Hanumanram son of Shri Bhivaram, Vehicle Mech., aged 29 years
All working in the office of GE (Air Force), Suratgarh, and presently residing in Suratgarh.
11. Kamrudeen son of Nikarudeen' S.Lineman (Elec) aged 30 years working in the office of GE (Air Force), Suratgarh.

... Applicants.

v e r s u s

1. Union of India through the Secretary, Ministry of Defence, New Delhi.
2. Commander Works Engineer, Air Force, Bikaner.
3. Commander Works Engineer, Sri Ganganagar.
4. Garrison Engineer (Army), Lalgah Jhatan.
5. Garrison Engineer (Air Force), Suratgarh.

... Respondents.

Mr. Vijay Mehta, Counsel for the applicants.

Mr. Vinit Mathur, Counsel for the respondents.

CORAM:

Hon'ble Mr. A.K. Misra, Judicial Member.

Hon'ble Mr. Gopal Singh, Administrative Member.

Gopal Singh



O R D E R

(Per Hon'ble Mr. Gopal Singh)

This application has been filed under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the respondents to allow the scale of Rs. 950-1500 to the applicants from the date of their initial appointment with all consequential benefits. The applicants have also prayed for a direction to the respondents to treat the applicants at par with the applicants of O.A. No. 79/92.

2. Applicants' case is that they were initially appointed in the years 1987 to 1990 by the respondents-department on various skilled posts, like, Lineman (Elec.), Refrigerator Mechanic, SBA (Elec.), Elec. (SK), Pump House Operator, Vehicle Mechanic etc. All the applicants are presently working in the highly skilled grade. It is the contention of the applicants that at the time of their appointment during the years 1987 to 1990, semi skilled scale of Rs. 800-1150 was not prevalent in the department, but they were appointed in the said scale on the skilled posts. The pay scale of the skilled posts prevalent at the relevant time was Rs. 950-1500. Accordingly, the applicants have prayed for allowing them the scale of Rs. 950-1500 from the date of their initial appointment. Having failed to get their grievances redressed from the respondents, the applicants have approached this Tribunal through the present O.A.



3. Notices were issued to the respondents and they have filed their reply.

4. We have heard the learned counsel for the parties and perused the records of the case.

5. The controversy in hand has been examined in detail by this Tribunal in O.A. No. 79/1992, O.A. No. 206/1995 and O.A. No. 324/1995 and the contention of the applicants for fixation of their salary in the scale of Rs. 950-1500 from the date of their appointment has been upheld. We would not like to repeat the reasons recorded in OAs Nos. 79/92, 206/95 and 324/95 for

Gopal Singh



upholding the contentions of the applicants herein. Suffice it to say that modification sought in the recruitment rules vide Government of India orders dated 15.10.1984 and 11.1.1985 were incorporated in the recruitment rules only in 1991 whereas the applicants were appointed to the respective posts during the years 1987 to 1990. As such, the modifications suggested in the Government orders dated 15th October, 1984 and 11th January, 1985 would not apply to the applicants.

6. In the circumstances, the Original Application is allowed with a direction to the respondents that the applicants should be fixed in the pay scale of Rs. 950-1500 from the date of their initial appointment within the period of three months from the date of receipt of a copy of this order.

7. The parties are left to bear their own costs.

Gopal Singh

(GOPAL SINGH)
Adm. Member

A.K. Misra
13/1/95

(A.K. MISRA)
Judl. Member

CVR.

Lib
Roorkee member (A) } 16-9-83

Received
16.9.83

[Signature]

[Signature]
(Vijay Mehta
Roor)

Part II and III destroyed
in my presence on 17.7.2006
under the supervision of
section officer (I) as per
order dated 16.5.2006

[Signature]
Section officer (Record)