

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH : JODHPUR

Date of order : 13.09.1999

O.A. No. 395/1996

1. Jaswant Ram son of Shri Roop Ram aged 30 years.
2. Naresh Kumar son of Shri Satya Narain aged 32 years.
3. Rameshwar Lal son of Shri Jisukh Ram aged 33 years.
4. Babu Singh son of Shri Bhan Singh aged 30 years.
5. Nishan Singh son of Shri Bakshish Singh aged 32 years.
6. Ram Pratap son of Shri Surja Ram aged 39 years.

All are working as Valveman in the office of AGE E&M, MES,
Sri Ganganagar.

... Applicants.

v e r s u s

1. Union of India through the Secretary to the Government,
Ministry of Defence, New Delhi.
2. Commander Works Engineer (P), Sri Ganganagar.

... Respondents.

Mr. Vijay Mehta, Counsel for the applicants.

Mr. K.S. Nahar, Counsel for the respondents.

CORAM:

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

Hon'ble Mr. Gopal Singh, Administrative Member.

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

Gopal Singh



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 year 1987 by the respondents-department on the post of Valveman. 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 year 1987, 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.

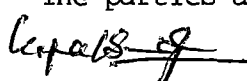
3. Notices were issued to the respondents and they have filed their reply.

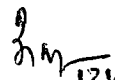
4. We have heard the learned counsel for the parties and perused the records of the case.

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 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 on the posts of Valveman during the year 1987. 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)
Adm. Member


(A.K. MISRA)
Judl. Member

