

Central Administrative Tribunal Lucknow Bench Lucknow  
Original Application: 464/2007.

This, the 14<sup>th</sup> day of November 2007.

Hon'ble Mr. Justice Khem Karan, Vice Chairman.  
Hon'ble Mr. R. R. Bhandari, Member (Administrative)

Akhilesh Srivastava, aged about 47 years, son of Late Sri N.S. Srivastava, presently posted as Tax Assistant in the office of Additional Commissioner of Income-Tax, Range V, Lucknow, also residing at House No. B-2101, Sector '3' Indiara Nagar, Lucknow.

Applicant.

By Advocate: Shri A. K. Srivastava.

Versus

1. The Union of India, through Secretary, Revenue, Government of India, Ministry of Finance, North Block, New Delhi.
2. The Chairman, Central Board of Direct Taxes, North Block, New Delhi.
3. The Secretary, Department of Personnel & Training (Recruitment Rules Division), Government of India, New Delhi.
4. The Chief Commissioner of Income Tax (Cadre Controlling Authority) Ashok Marg, Lucknow.
5. The Secretary, Department of Expenditure, Ministry of Finance, North Block, New Delhi.
6. The National Security Council Secretariat, 3<sup>rd</sup> Floor, Sardar Patel Bhawan, Sansad Marg, New Delhi, through its Section Officer, (Administration)

Respondents.

By Advocate: Shri G.K. Singh for Shri Suresh Kumar Singh.

By Hon'ble Mr. Justice Khem Karan, Vice Chairman

Heard parties counsel on this O.A.

2. The applicant is working as Tax Assistant in the pay scale of Rs. 4000-100-6000 in the office of Additional Commissioner of Income Tax, Range V, Lucknow. He has prayed that he should be allowed the pay scale of Rs.5000-150-8000, which is admissible to Data Entry Operator, working in the department of National Security Council Secretariat, Govt. of India, New Delhi. His case is that the duties, eligibility, minimum educational qualification; of the two posts are equal even then he is

being placed in the inferior pay scale of Rs. 4000-100-6000/- whereas, Data Entry Operator working in the department of Security Council Secretariat, are in the scale of Rs. 5500-150-8000/- and representation (copy of which is Annexure -6) given to Respondent No. 2 is lying undisposed of.

3. We are of the view that it would be just and proper to direct the Respondent No. 2 to consider and dispose of that representation, and there is no point in keeping this O.A. pending here.

4. So this O.A. is finally disposed of with a direction to Respondent No. 2 to consider and dispose of the said representation dated 9.7.2007 (Annexure -6) in accordance with relevant rules within a period of 6 months from the date a certified copy of this order together with the copy of the said representation (Annexure 6) is produced before him. No order as to costs.

*R.R.Bhandari*  
(R.R. Bhandari)  
Member (A)

*14.11.07*  
(Khem Karan)  
Vice Chairman.