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CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH

LUCK NOW.

O.A. No. 459/91 (L)

Niaz Ahmad ::::::: Applicant

Vs.

Union of India &
Others.

Hon. Mr. Justice U.C.Srivastava, V.C.

Hon. Mr. K. Obayya, A.M.

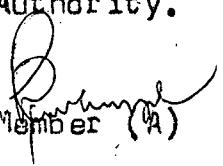
(By Hon. Mr. Justice U.C.Srivastava, V.C.)

By means of this application the applicant has prayed that the pay scale of Rs.1600-2600 with effect from 15/5/87 and the benefit of Railway Board's letter dated 15/7/87 with all consequential benefits, including monetary benefits, seniority and promotion be given to him. Although such directions have been given in various other cases that uniformity be applied in the cases of Traffic Apprentices and this Tribunal has also given such directions in the case of R.K.Upadhyaya & Others Vs. Union of India & Others (O.A.No.79/91), decided on 10/5/91, but even then in the case of the applicant they have not done so. The applicant was recruited by the Railway Service Commission as Traffic Apprentice and after completion of Training he was posted as Traffic Inspector on 10/5/84 in the grade of Rs.425/700 (Revised Rs.1400-2300). At present he is working as Divisional Traffic Inspector in the pay scale of Rs.1400-2300. According to him, the new-comers who are recruited in this post after 15-5-87 are getting pay scale of Rs.1600-2600 while the seniors, including the applicant, are suffering considerably. The applicant made a representation in this behalf to

the Railway Administration, but failing to get any relief, ultimately he was compelled to approach this Tribunal.

2. The respondents have opposed the application and apart from taking the usual plea of limitation, although the same will not apply in this case, as the applicant has been representing his case, they have pleaded that the representation was forwarded to the Head Quarters and this being a policy matter, it is to be decided by the Railway Board. It has also been contended that a contrary view has been taken by the Bombay Bench of the Tribunal and that is why it has not been done.

3. So far as the judgement of Bombay Bench of the Tribunal is concerned, it is to be stated that in subsequent cases decided by this Tribunal and various other Benches of the Tribunal, such applications have been allowed. As such we do not find any ground to differ with the judgements subsequently delivered by various Tribunals in this matter. Accordingly this application is allowed and the respondents are directed that the benefit of revision of pay and all other benefits as per the Railway Board's letter dated 15/7/87, including consequential monetary benefits be given to the applicant also w.e.f. 15/5/87. It is also further directed that the pay fixation shall also be done and all the arrears be given within a period of 3 months from the date of production of a copy of this order by the applicant before the Competent Authority. No order as to the costs.


Member (A)


Vice-Chairman.

Dated: 22nd February, 1993, Lucknow.

(tgk)