

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-38.

Dated: **10 JAN 1994**

APPLICATION NO(s) 7 of 1993.

APPLICANTS: G.B.Pillai v/s. RESPONDENTS: Superintending Engineer,  
CPWD, Bangalore & Others.

TO.

1. Dr.M.S.Nagaraja,  
Advocate, No.11,  
Sujatha Complex,  
Second Floor,  
First Cross,  
Gandhinagar,  
Bangalore-560009.
2. The Superintending Engineer,  
Central Public Works Department,  
Bangalore Central Circle,  
No.55/35, Second Main, Vyalikaval  
Bangalore-560 003.
3. Sri.M.Vasudeva Rao, Addl. Central  
Govt. Stng. Counsel, High Court Bldg,  
Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by  
the Central Administrative Tribunal, Bangalore.  
-xxx-

Please find enclosed herewith a copy of the  
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal  
in the above mentioned application(s) on 02-12-1993.

*S. Shankar*  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION No.7/1993.

THIS THE 2ND DAY OF DECEMBER, 1993

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

SHRI V. RAMAKRISHNAN .. MEMBER (A)

Sri G.B. Pillai,  
aged 51 years,  
S/o. Sri P.J. Pillai,  
E-2, CPWD Quarters,  
Vijayanagar,  
Bangalore - 560 040. .. Applicant

(By Advocate Dr. M.S. Nagaraja)

Vs.

1. The Superintending Engineer,  
Bangalore Central Circle,  
C.P.W.D., 55/35, 2nd Main,  
Vyalikaval, Bangalore-560 003.
2. The Director General of Works  
Central Public Works Dept.,  
Nirman Bhavan, New Delhi-110 011.
3. The Union of India  
represented by the Secretary  
to Government,  
Ministry of Urban Development,  
Nirman Bhavan, New Delhi-110 011. .. Respondents

(By Advocate Shri M. Vasudeva Rao)  
Central Govt. Standing Counsel.

ORDER

Shri Justice P.K. Shyamsundar, Vice Chairman.

Having heard Dr. Nagaraja for the applicant and the learned standing counsel Shri M.V. Rao on behalf of the respondents, CPWD, we find it inappropriate to interfere in this matter. Few facts necessary for disposal will be the following:

2. The applicant, a stenographer in the subordinate office at CPWD at Bangalore, is seriously aggrieved in not being paid the pay scale of Assistants in the Central Secretariat whose pay was raised from Rs.1400-2600/- to Rs.1640-2900/-. It transpires and there is no dispute about it that the stenographers in the subordinate offices were ordered to be paid the same pay as the Stenographers in the secretariat by the presidential order dated 4.5.1990. The Presidential order reads:

"No.7(18)-E.III/81  
Government of India  
Ministry of Finance  
Department of Expenditure

New Delhi, 4.5.90

OFFICE MEMORANDUM

Subject: Parity in respect of pay scales of Stenographers in the Subordinate Offices and Secretariat.

.....

The Staff Side in the National Council of the J.C.M. made a demand that scales of pay of Stenographers in the Subordinate Offices should be brought at par with those in the Central Secretariat. The matter which was referred to the Board of Arbitration came up before the Board for hearing on 17th & 18th August, 1989. While rejecting the demand for absolute parity in the pay scales of Stenographers in the Subordinate Offices and Secretariat the Board gave its Award on 18th August, 1989 in favour of the Stenographers Gr.II in the Subordinate Offices in the existing scale of Rs.1400-40-1800-EB-50-2300. Accordingly, pursuant to the Award of the Board of Arbitration, the President is pleased to decide that the Stenographers Gr.II in the Subordinate offices in the existing scale of Rs.1400-40-1800-EB-50-2300 may be placed in the scale of Rs.1400-40-1600-50-2300-EB-60-2600."

3. From the above, it is clear the Stenographers of the Subordinate offices were given the same pay scale as given to the Secretariat Assistants in that the Stenographers were granted pay in the scale of Rs.1400-2600 as a result of an Arbitration award as could be seen from Annexure-A1, the Presidential order.

4. It has so happened that after the order at Annexure-A1,

the applicant and other Stenographers in the Subordinate offices got the pay scale of the Assistants in the Central Secretariat Services, but, the latter got a further jump by being placed in the higher pay of Rs.1640-2900 with effect from 1.1.1986. Now, the applicant wants that he and his ilk should also be given the enhanced pay scale granted to the Secretariat Assistants and Secretariat Stenographers.

5. After having heard Dr. Nagaraja, we are not convinced that the applicant is also entitled to the benefit of the pay hike given to the Secretariat Assistants and Stenographers, but suffice it for us to state that the Arbitration Award referred to in Annexure-A1 extended, to the Stenographers in the Subordinate offices only the pay scale of Central Assistants and Central Secretariat Stenographers to the Stenographers working in the Subordinate offices. It did not say anywhere the two cadres, i.e., the Stenographers in the Subordinate services and Assistants/ Stenographers in the Central Secretariat were in the same cadre and there was total parity between them, for that would depend on the fact whether the work in the subordinate offices where the applicant works and the work of the Assistants and Stenographers in the Central Secretariat are similar or same.. On this action the applicant is silent and offers no comments.

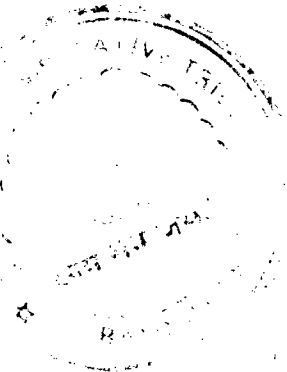
6. On this short ground, the application fails and is dismissed without any further order as to costs. But, if the applicant thinks that he is also entitled to the higher pay scale now granted to the Central Secretariat Assistants and Stenographers because the work he does is the same as what the other people, it is open to him to represent to the Govt. of India seeking similar benefits. Any representation made by the applicant in this

connection, the Govt. of India will ensure its disposal  
within a reasonable time.

*So -*  
(V. RAMAKRISHNAN)  
MEMBER (A)

*Sd/-*  
(P.K.SHYAMSUNDAR)  
VICE CHAIRMAN

psp.



*P. K. Shyam Sundar*  
SECTION OFFICER 10/1  
ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
BANGALORE