

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

CP/XXX 13/2001

Original Applicant No. 243/1993 | 1682

SHRI H.S.DHAYBAR & 59 ORS.

Dated:

.. Applicant

V/s

M/O DEFENCE & 3 ORS.

.. Respondents.

Coram : Hon'ble Shri Justice B. Dikshit, Vice Chairman
Hon'ble Smt. Shanta Shastray, Member(A)
Tribunal's Order

Dated: 23.1.2002

Heard Shri S.P.Saxena, Counsel for applicant and Shri M.I.Sethna, Counsel for Secretary DOPT and Finance and Shri R.R.Shetty holding brief of Shri R.K.Shetty Counsel for Respondent Secretary, Defence.

2. As IVth Pay Commission, considering grievance of applicants cadre, recommended Four Grade structure about which no decision was taken by the Government till the date OA came up for hearing, this Tribunal directed government to take decision on said recommendation as early as possible, not beyond six months. The direction of this Court could not be complied within the time of six months and therefore respondents sought extension by moving MPs from time to time for taking decision. The last MP-902/2001 for extension of time was filed on 30/10/2001 whereby extension was sought till 30/4/2001, which M.P. is before us together with

3. We have heard learned counsel for parties on MP and CP. We find that the Ministry has issued a letter on 26/12/2001 wherein letter it is stated that following decision has been taken:-

"The Government have accepted the recommendation to introduce four grade structure for the Technical Supervisory category in Defence Establishments in the ratio of 35:25:25:15 for Chargeman Grade II, Chargeman Grade I, Assistant

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Foreman and Foreman respectively. Accordingly the sanction of the President is conveyed for authorization of the revised pay scales and the grade structure as indicated in the Annexure for the respective categories. For AOC, EME and OFB (Non-Technical category) the ratio will be as indicated in the Annexure, as per the specific recommendations of the Pay Commission for these organisations.

Recruitment Rules for the new grade(s) which are to be introduced in the respective organisations, should be framed and placement of individuals in that grade(s) be done only after fulfilment of the criteria as prescribed in the Recruitment Rules. Action should be taken by the concerned organisations, in consultation with concerned administrative section in the Ministry and Integrated Finance, for redistribution of the posts and framing of Recruitment Rules for all grades so as to have uniformity in RR's in all the organisations, for ensuring anomalies-free implementation of the orders.

These orders will be effective from the date of issue. The actual benefit would however be admissible from the date of actual placement of the individuals in different grades on restructuring.

This issues with the approval of Defence (Finance/AG/PB) vide their I.D.No.933/AG/PB dated 26/12/2001."