

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 377/94

Date of Decision: 25.6.1999

The Technical Staff Association, Applicant.
All India Radio & Ans.

Shri S.S.Karkera Advocate for
Applicant.

Versus

Union of India & Ors. Respondent(s)

Shri V.D.Vadhavkar for Shri M.I.Sethna Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice K.N.Agarwal, Chairman

Hon'ble Shri. R.K.Ahooja, Member (A)

(1) To be referred to the Reporter or not? *A*

(2) Whether it needs to be circulated to other Benches of the Tribunal? *F*

Dr
(R.K.AHOOJA)
MEMBER (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

OA.NO. 377/94

Friday this the 25th day of June, 1999.

CORAM: Hon'ble Shri Justice K.M. Agarwal, Chairman
Hon'ble Shri R.K. Ahooja, Member (A)

1. The Technical Staff Association
through its Vice President,
Civil Construction Wing,
All India Radio, Films Division,
Complex, 24, Dr.G.Deshmukh Marg,
Peddar Road, Bombay.
2. P.K.Kashikar,
Junior Engineer(Electrical),
Civil Construction Wing,
All India Radio,
Doordarshan Kendra,
Worli, Bombay.

... Applicants

By Advocate Shri S.S.Karkera

V/S.

1. The Union of India
through the Secretary,
Ministry of Information
& Broadcasting,
Shastri Bhavan, New Delhi.
2. The Director General,
All India Radio,
Akashwani Bhavan,
Parliament Street, New Delhi.
3. The Secretary,
Ministry of Finance,
Department of Expenditure,
New Delhi.
4. The Chief Engineer (Civil-I),
Civil Construction Wing,
All India Radio, P.T.I.Bldg.,
Second Floor, Parliament Street,
New Delhi.

... Respondents

By Advocate Shri V.D.Vadhavkar
for Shri M.I.Sethna

[Signature]

ORDER

(Per: Shri R.K.Ahooja, Member (A)

The applicants who are Technical Staff Association representing the Junior Engineers working in the Civil Construction Wing of the All India Radio along with Applicant No. 2, who is one of the Members of the said Association have filed this OA. with a prayer that the Junior Engineers in the All India Radio, Civil Construction Wing be granted the same pay scale as granted to the Junior Engineers of CPWD on the basis of the recommendations of the Fourth Pay Commission.

2. Today when the matter came up for hearing, the learned counsel for the applicants cited a judgement of the Patna Bench of this Tribunal in OA.NO. 156/94 dated 26.8.1996. In that case also the applicants were Junior Engineers of the All India Radio seeking the same relief as herein. The said OA. was disposed of with the following directions :-

" Considering the submissions of the rival parties, the averments on record and also having regard to the fact that the recommendations of the Fifth Central Pay Commission are expected shortly, I hold that in case the applicants' grievance with regard to the grant of higher pay scale in the cadre of JEs at par with the Junior Engineers in the CPWD and P&T Civil Wing does not get redressed by the recommendations of the Fifth Central Pay Commission and Govt. decision thereon, the respondents shall consider the question of allowing the JEs of CCW, AIR same pay scale/pay scales as admissible to the JEs of CPWD, taking into account all relevant factors with due regard to the observation made hereinabove. The exercise shall be completed within a period of six months from the date of communication of this order."

JK

The learned counsel for the applicants fairly conceded that on the basis of the recommendations of the 5th Pay Commission, the respondents have by their order dated 9.3.1999 granted to the applicants the same pay scale as has been given to the Junior Engineers of the CPWD.

3. We find that the Patna Bench of this Tribunal in the aforesaid OA, had also directed that in case the applicants do not get redressal of their grievance as a result of the recommendations of the 5th Pay Commission, the respondents will constitute a committee to review their cases. We find that 5th Pay Commission has given recommendations in favour of the applicants and the respondents have also acted on those recommendations and granted the same pay scale as has been given to the Junior Engineers of the CPWD. Therefore, we find that the grievance of the applicants no longer survives.

4. In the result, the OA. is hereby dismissed as having become infructuous. No order as to costs.


(R.K. AHUJA)

MEMBER (A)


(K.M. AGARWAL)

CHAIRMAN

mrj.