

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.965/94.

DATE OF ORDER : 13-06-1997.

Between :-

S.Narayan

... Applicant

And

1. Union of India rep. by the
Secretary, Cabinet Secretariat,
Room No.8, 'B' South Block,
New Delhi - 110 001.
2. The Joint Secretary (Personnel),
Cabinet Secretariat,
Room No.8, 'B' South Block,
3. The Director of Accounts
(Special Wing),
Cabinet Secretariat,
Est Block IX, Level V,
R.K.Puram,
New Delhi - 110 066.

... Respondents

Counsel for the Applicant : Shri P.Bhaskar

Counsel for the Respondents : Shri V.Bhimanna, CGSC

CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).



... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Shri P.Bhaskar, counsel for the applicant and
Shri V.Bhimanna, counsel for the respondents.

2. The applicant in this O.A. was promoted as Sr.Field Officer from the post of Field Officer on 19-10.84. Earlier to the introduction of the IV Pay Commission scales, the scale of Sr. Field Officer was Rs.650-1200 with a special pay of Rs.100/-. After the introduction of IV Pay Commission payscales, the scale of Sr.Field Officer was revised as Rs.2000-3,500 with a special pay of Rs.200/-pm. It is stated that the Sr.Field Officer promoted on or after 1.1.86 were drawing more ^{pay} than the Sr.Field Officer promoted earlier to 1.1.86. The applicant herein submitted representation for stepping up of pay on par with his juniors who were promoted as Sr.Field Officer on or after 1.1.86. He was informed by memo No.SW/GE/2(6)/1113/629 dt.15-6-90 (Annexure-III to OA) that the required details are being collected to enable them to issue orders accordingly. It was stated by the under secretary. (WSU) in letter No.7/4/90-WSU-1053 dt.9-8-90 (Annexure-IV to OA) that vide memo No.9/7/86-E.8 6772 dt.5-6-90 the applicant was informed that the decision of the Department of Personnel & Training and Ministry of Finance in the matter ^{has been received} ~~and~~ ^{by}.
^{and} Respondent No.3 in this OA was also requested to provide necessary information for issuing proper orders expeditiously. Thereafter also the applicant was pursuing the matter by filing reminders. He was further informed that the matter is still under consideration.

3. As the applicant has not received any reply so far, he has approached this Tribunal by filing this O.A. praying for a direction to the respondents to implement the decision with regard to stepping up of pay as communicated by the Under Secretary (Pers) in his memo No.9/7/86-E.8-6772 dt.5-6-90 and act upon OM No.9/1/92-Pers.8 dt.26.4.94 and for a consequential direction to pay the arrears with effect from 1.1.86.

4. As the applicant has retired on 7-10-92, he has also prayed in this OA for re-fixation of his pension on that basis and payment of pension arrears.

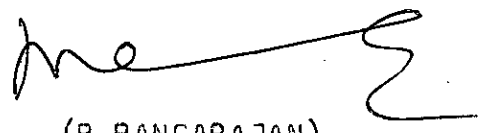
5. A short reply has been filed in this OA. The sum and substance of this reply is that it was contemplated to rectify the anomalous situation in the category of Senior Field Officer by grant of ^{NPR} benefit. It is further stated that the respondents are making efforts to complete this process. The applicant first submitted his representation way back on 30-5-90. It is also seen that some instructions have been received from the competent authority but in spite of that, no final decision has been taken. Even today, no progress has been made in regard to stepping up of the pay as requested by the applicant. The time

taken by the respondents is very abnormal. As the applicant ^{already} retired, this Tribunal cannot ^{be a passive} ~~pass~~ spectator. However, the respondents in their reply stated that sincere efforts are being made to complete the process, I feel it is a fit case to give another opportunity to the respondents to take a ^{final} decision. But that decision cannot be taken after ^{long} lapse of long period. Hence I stipulate that the decision has to be taken within 3 months

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from the date of receipt of a copy of this order in regard to
fixation of his pay on par with his juniors.

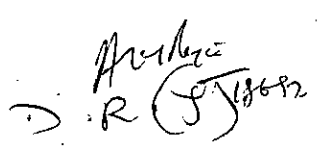
6. In the result, Respondent No.3 is directed to decide the
issue on or before 30-10-97. The O.A. is ordered accordingly.
No costs.



(R.RANGARAJAN)
Member (A)

Dated: 13th June, 1997.
Dictated in Open Court.

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Copy to:

1. The Secretary, Cabinet Secretariat, Room No.8, South Block, New Delhi.
2. The Joint Secretary, (Personnel), Cabinet Secretariat, Room No.8, 'B' South Block, New Delhi.
3. The Director of Accounts (Special Wing), Cabinet Secretariat, East Block IX, Level V, R.K.Puram, New Delhi.
4. One copy to Mr.P.Dhaskar, Advocate, CAT, Hyderabad.
5. One copy to Mr.V.Bhimanna, Addl.CGSC, CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

YLKR

20/3/97

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M
(J)

DATED: 13/6/97

ORDER/JUDGEMENT

M.A./R.A/C.A. NO.

in

B.A. NO. 965/94

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLK2

II Court.

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative
ट्रिब्यूनल/DE5
E4J
HYB