

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 22.05.2014

OA No. 291/00301/2014

Mr. S. Shrivastava, counsel for applicants.

Heard learned counsel for the applicants.

O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.


(M. NAGARAJAN)
JUDICIAL MEMBER


(ANIL KUMAR)
ADMINISTRATIVE MEMBER

Kumawat

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 291/00301/2014

Date of Order: 22.5.2014

CORAM

**HON'BLE MR.ANIL KUMAR, ADMINISTRATIVE MEMBER
HON'BLE MR. M.NAGARAJAN, JUDICIAL MEMBER**

1. P.S.Chauhan, S/o late Shri Satpal Singh Chauhan, a/a 56 years, resident of 305/A, NWR Railway Officers Colony, Pani Pech, Bani Park, Jaipur-302016. Presently working as Private Secretary-II in General Department, Office of the General Manager, Headquarters Office, Jaipur-302017.
2. Amrit Lal Meena son of Shri Badri Lal Meena, a/a 37 years, r/o E-401, Railway Staff Quarters, Jagatpura, Jaipur-302017. Presently working as Private Secretary-II in Personnel Department, Office of the General Manager, Headquarters Office, Jaipur-302017.
3. Gajanand Mukesh Mourya son of Shri Ramesh Chandra Maurya, a/a 36 years, resident of 39-B, Shri Kalyan Nagar, Kartarpura, Jaipur-302015. Presently working as Private Secretary-II in Personnel Department, Office of the General Manager, Headquarters Office, Jaipur-302017.
4. Rajesh Meena son of late Shri Fateha Lal Meena, a/a 26 years, r/o 67-J, Pawan Vihar, Near CBI Phatak, Jagatpura, Jaipur. Presently working as Private Secretary-II in Personnel Department, Office of the General Manager, Headquarters Office, Jaipur-302017.
5. Anita Verma w/o Shri Vivek Verma, a/a 35 years, r/o B-46, Anand Vihar Railway colony, Jagatpura, Jaipur. Presently working as Private Secretary-II, in Engg. Deptt., Office of the General Manager, Headquarters Office, Jaipur-302017.
6. Mool Chand Meena s/o Shri Sonanda Meena, a/a 42 years, r/o B-35, Narsingh Vatika, Chatarpura,

Jagatpura, Jaipur. Presently working as Private Secy.II in Electrical Deptt., office of the Genl.Manager, Headquarters Office,Jaipur-302017.

7. Sunil Sharma s/o Narsingh Sharma, a/a 51 years , r/o 118/111, Agarwal Farm, Near Shipra Path, Mansarovar, Jaipur . Presently working as Private Secretary-II in Electrical Deptt., Office of the General Manager, Headquarters office, Jaipur-302017.
8. Ramesh Kumar son of Shri Dalip Chand, a/a 41 years, r/o 71/84, Mansarovar, Jaipur-302012. Presently working as Private Secretary-I in General Deptt., office of the General Manager, Headquarters office, Jaipur-302017.
9. Bhagwan Sahai S/o Shri Kalu Ram a/a 40 years, r/o D-25, Anand Vihar D, Nangal Jaisa Bohra, Jhotwara, Jaipur-302012. Presently working as Private Secretary-II in Security Deptt., office of the General Manager, Headquarters office, Jaipur-302017.
10. Vijendra Kumar Meena, s/o Shri R.C.Meena,a/a 38 years , r/o House No.2-A-87, Shiv Shakti Colony , Shastri Nagar, Jaipur-302016. Presently working as Private Secretary-II, in mechanical deptt., office of the General Manager,Headquarters office, Jaipur-302017.
11. Dhara singh Meena S/o Shri Sillu Ram Meena a/a 41 years, r/o 141, Vinayak Vihar colony, Goner Road, Luniawas, Jaipur. Presently working as Private Secretary-II in Mechanical Deptt., Office of the General Manager, Headquarters office, Jaipur-302017.
12. Pawan Kumar Sharma s/o Shri Ravindra Sharma a/a 44 years , r/o Quarter no. 29, Railway Colony, Durgapura Railway Station, Jaipur-302018. Presently working as Private Secretary-II in Mechanical Deptt., office of the General Manager, Headquarters Office, Jaipur-302017.
13. Ram Dayal Meena s/o Shri Jai Lal Meena, a/a 42 years, r/o quarter No.E-303, New Railway Staff Colony, Jagatpura, Jaipur. Presently working as Private Secretary-II in General Department, office of the General Manager, Headquarters office, Jaipur-302017.
14. Rajendra Prasad Chawla s/o Shri Bhanwar Lal Chawla, a/a 41 years, r/o 163/46, Pratap Nagar, Sanganer, Jaipur. Presently working as Private Secretary-II in

Commercial Deptt., office of the General Manager, Headquarters office, Jaipur-302017.

15. Sukhwinder Singh s/o Shri Jagdish Prasad, a/a 40 years, r/o C-56, Moti Vihar, Chek Gatore, Sanganer, Jaipur. Presently working as Private Secretary-II in Commercial Deptt., office of the General Manager, Headquarters office, Jaipur-302017.
16. Ram Ratan Meena s/o Shri Har Sahai Meena, a/a 45 years, r/o 113, Pawan Vihar, Jagatpura, Jaipur. Presently working as Private Secretary-II in Operating Department , office of the General Manager, Headquarters office, Jaipur-302017.
17. Govind Sahai Meena s/o Shri Balu Ram Meena a/a 33 years, r/o D-122(North Part) Shiv Officers Colony, Jagatpura, Jaipur. Presently working as Private Secretary-II, in Operating Deptt., office of the General Manager , Headquarters office, Jaipur-302017.
18. R.S.Meena s/o Shri K.R.Meena, a/a 36 years, r/o 604, Prithivi Apartment, Anad Vihar, Jagatpura, Jaipur. Presently working as Private Secretary-I in Safety Deptt., office of the General Manager, Headquarters office, Jaipur-302017.
19. Manoj Kumar Meena s/o Shri Bholu Ram a/a 37 years, r/o Quarter No.G-403, New Railway Staff Colony, Jagatpura, Jaipur. Presently working as Private Secretary-II in General Department, Office of the General Manager, Headquarters office, Jaipur-302017.
20. Rakesh Moharia S/o Shri Jagdish Prasad, a/a 40 years, r/o House No.65, Shripuram Colony, Gurjar Ki Thadi, Jaipur-302019. Presently working as Private Secretary-II in General Department, office of the General Manager, Headquarters office, Jaipur-302017.
21. V.K.Jain s/o Shri R.C.Jain, a/a 53 years, r/o B-116, Vinobha Bhawe Nagar, Vaishali Nagar, Jaipur. Presently working as Private Secretary-I in Store Deptt., office of the General Manager, Headquarters office, Jaipur-302017.
22. Vijay Kumar s/o Shri Shori Lal, a/a 45 years, r/o 70/205, Patel Marg, Mansarovar, Jaipur-302020. Presently working as Private Secretary-II in S&T

Deptt. Office of the General Manager, Headquarters office, Jaipur-302017.

23. S.N.Meena s/o shri B.N.Meena, a/a 43 years, r/o E-12, Shiv Officers Colony, Jagatpura, Jaipur. Presently working as Private Secretary-I, in Electrical Department, office of the General Manager, Headquarters office, Jaipur-302017.
24. Sunil Kumar Mahavar S/o Shri B.M.Mahavar, 39 years, r/o 11, Phool Sadan, Rajhans Colony No.3, Brahampuri Road, Jaipur-302002. Presently working as Private Secretary-II in Construction Organisation, office of the General Manager, Headquarters office, Jaipur-302017.
25. R.K.Chandel s/o Shri Rajendra Kumar Chandel, a/a 55 years, r/o F9/356, Bharat Marg, Chitrakoot Scheme, Vaishali Nagar, Jaipur. Presently working as Private Secretary-I in Medical Department, office of the General Manager, Headquarters office, Jaipur-302017.
26. Rajendra Kumar Meena s/o Shri Shiv Lal Meena, a/a 38 years, r/o E-8, Kusum Vihar, Jagatura, Jaipur-302025. Presently working as Private Secretary-II in Stores Deptt., office of the General Manager, Headquarters office, Jaipur-302017.
27. Girraj Prasad Meena s/o Shri Sodan Lal Meena, a/a 41 years, r/o G-79, Tirupati Nagar, Jaipur. Presently working as Private Secretary-II in Construction Organisation, office of the General Manager, Headquarters office, Jaipur-302017.
28. Vedpal Singh s/o late Shri Dayaram, a/a 47 years, r/o Quarter No.6, Railway Colony, Durgapura Railway Station, Jaipur-302018. Presently working as Private Secretary-I, in Personnel Deptt., office of the General Manager, Headquarters office, Jaipur-302017.
29. K.R.Labania s/o Shri Ram Dhan Labania, a/a 47 years, House No.41, Parwana Vihar, Heerapura Power House Ke Samne, Ajmer Road, Gajsinghpura, Jaipur. Presently working as Private Secretary-I, in accounts Department, office of the General Manager, Headquarters office, Jaipur-302017.
30. Haridarshan s/o Shri K.Balakrishnan Nair, a/a 49 years. Presently working as Private Secretary-II in

Accounts Department, office of the General Manager, Headquarters office, Jaipur-302017.

31. Kamlesh Meena s/o Shri Ramhet Meena, a/a 40 years, G-12, New Railway colony, Jagatpura, Jaipur-302017. Presently working as Private Secretary-I in Accounts Department, office of the General Manager, Headquarters office, Jaipur-302017.
32. Mahesh Chand Meena s/o Shri Ram Pratap Meena, a/a 38 years, r/o 69, Narsingh Vihar, Jagatpura, Jaipur. Presently working as Private Secretary-II in Medical Department, office of the General Manager, Headquarters office, Jaipur-302017.
33. Gajraj Meena s/o late Shri M.L.Meena, a/a 40 years, r/o House No. 657-D, DB Block Sidharth Nagar, Jagatpura, Jaipur. Presently working as Private Secretary-I, in Engineering Deptt., office of the General Manager, Headquarters office, Jaipur-302017.
34. Amar Lal Meena s/o late Shri M.L.Meena, a/a 37 years, r/o House No. 657-D, DB Block, Sidharth Nagar, Jagatpura, Jaipur -302018. Presently working as Private Secretary-I in S&T Deptt., office of the General Manager, Headquarters office, Jaipur-302017
35. Vandana D/o Late Shri Om Prakash Taneja, a/a 49 years, r/o E-104, Ram Path, Shyam Nagar, Jaipur. Presently working as Private Secretary-II in General Deptt., office of the General Manager, Headquarters office, Jaipur-302017.
36. Rajendra Bahadur Singh s/o late Shri Ram Lalan Singh, a/a 44 years , r/o Quarter No.35, Railway Colony, Durgapura Railway Station, Jaipur-302018. Presently working as Private Secretary-I in Engineering Department, office of the General Manager, Headquarters office, Jaipur-302017.
37. Girish Mathur s/o Shri Ghanshyam Mathur, a/a 47 years, r/o Quarter No.33, Railway Colony, Durgapura Railway Station, Jaipur-302018. Presently working as Private Secretary-I, in Commercial Department, office of the General Manager, Headquarters office, Jaipur-302017.
38. Bijay Kumar s/o Late Shri Sona Prasad Srivastava, a/a 45 years, r/o E-201, New Railway Colony, Jagatpura, Jaipur. Presently working as Private Secretary-II in

Personnel Deptt.(PREM UPRMS), Office of the General Manager, Headquarters office, Jaipur-302017.

39. Sanjay Kumar S/o Ram Narayan Prasad, a/a 42 years, r/o Quarter No.17, Railway Colony, Durgapura Railway Station, Jaipur-302018. Presently working as Private Secretary-II, in Engineering Department, office of the General Manager, Headquarters office, Jaipur-302017.
40. K.Surya Prakash Rao s/o late Shri Madhava Rao, a/a 43 years, r/o 11/1587, Malviya Nagar, Jaipur. Presently working as Private Secretary-I in General Department, Office of the General Manager, Headquarters office, Jaipur-302017.
41. Uttam Kumar Bathra s/o Shri R.M.Bathra, a/a 38 years, r/o House No.499, Barkat Nagar, Tonk Phatak, Jaipur. Presently working as Private Secretary-II, in engineering Department, office of the General Manager, Headquarters office, Jaipur-302017.
42. Sohan Lal S/o Shri Sita Ram, a/a 37 years, r/o D-8/1, Nirman Nagar, Ajmer Road, Jaipur. Presently working as Private Secretary-II in Stores Department, office of the General Manager, Headquarters office, Jaipur-302017.
43. S.M.H.Abidi s/o S.Z.H.Abidi, a/a 59 years, r/o Plot No.4, Near Pandav Dairy, Behind Nayon Ki Bagichi, Chopasani road Jodhpur.
44. Subhash Agrawal s/o Shri K.M.Agrawal, a/a 51 years, r/o 37B, Section 7, Lane No.3, New Power House Road, Shastri Nagar, Jodhpur. Presently working as Private Secretary-II, in Mechanical Department, Office of the Divisional Railway Manager, Jodhpur Division, Jodhpur.
45. S.Nair s/o Shri R.N.Pillai, a/a 57 years, r/o 2/938, Kudi Bhagtasni, Housing Board, Basni, Phase-I, Jodhpur. Presently working as Private Secretary-II in General Department, office of the Divisional Railway Manager, Jodhpur Division, Jodhpur.
46. Sukumar Dandapath s/o Shri Sudhir Chandar Dandapath, a/a 58 years, r/o 546, Ashapura City, Pal Barmer Road, Opposite Reliance Petrol Pump, Jodhpur. Presently working as Private Secretary-II in Operating Department, Office of the Divisional Railway Manager, Jodhpur Division, Jodhpur.

47. Kailash Chand Somani s/o Shri Kanhaya Lal, a/a 62 years, r/o 95, Kanhiya Nagar, Opposite Pratap Nagar, Royalti Naka, Nandanram Post Office, Jodhpur-342008.
48. Surendra Singh Goyal s/o Shri Ranjit Singh Goyal, a/a 55 years, r/o Inside Nagori Gate, Jaloriyon Ka Bagh, Khanion Ki Gali, Gali No.6, Jodhpur. Presently working as Private Secretary-II, office of the Chief Workshop Manager, Jodhpur Workshop, Jodhpur.
49. P.D. Mishra s/o Shri H.P. Mishra, a/a 50 years, r/o 499/25, Paligram Well estate, Ramganj, Ajmer. Presently working as Private Secretary-II, office of the Divisional Railway Manager, Ajmer Division, Ajmer.
50. Valsala Paniker d/o late Shri S.K. Paniker, a/a 51 years, r/o House No.19, Behind Gurudwara, Pooja Marg, Dholabhata, Ajmer. Presently working as Private Secretary-II in Mechanical Department, Office of the Divisional Railway Manager, Ajmer Division, Ajmer.
51. Hemant Kumar s/o late Shri M.S. Kulratan, a/a 45 years, r/o 277-A, Ganpati Nagar, Railway Colony, Jaipur-302006. Presently working as Private Secretary-I, office of the Divisional Railway Manager, Jaipur Division, Jaipur.
52. Rajeev Tanwar s/o Shri Manphoor Singh, a/a 42 years r/o Bungalow No. 4005, Civil Lines, Bikaner. Presently working as Private Secretary-I, office of the Divisional Railway Manager, Bikaner Division, Bikaner.
53. Dani Ram s/o Shri Chanderbhan, a/a 56 years, r/o House No.7PA 13, Pawanpuri, South Extension, Bikaner. Presently working as Private Secretary-II, Engineering Department, office of the Divisional Railway Manager, Bikaner Division, Bikaner.
54. Kishori Lal s/o Shri Kishan Lal, a/a 53 years, r/o Quarter No.H-4, Road No.2, Ganpati Nagar, Railway Colony, Jaipur-302006. Presently working as Private Secretary-II, Engineering Department, office of the Divisional Railway Manager, Jaipur Division, Jaipur.
55. Kuldeep Prakash s/o Shri Neelkanth, a/a 51 years, r/o 251-H, Railway Colony No.3, Jalandhar City. Presently working as Private Secretary-II, Engineering Department, Office of the Dy. Chief Engineer/Construction, Jalandhar City holding lien in

the office the Divisional Railway Manager, Bikaner Division, Bikaner.

56. M.A. Alam s/o Shri Mohd. Hanif, a/a 57 years, r/o Railway Bungalow No.4043, Residency Road, New D.S.Colony, Jodhpur-342001. Presently working as Private Secretary-I, in Medical Department, office of the Divisional Railway Manager, Jodhpur Division, Jodhpur.

57. Dharmendra Kumar s/o Shri Raghunath Swaroop, F-96, Chanderbardai Nagar, Ajmer-305001. Presently working as Private Secretary-I, in General Department, office of the Divisional Railway Manager, Ajmer Division, Ajmer.

58. Pahal Singh s/o Shri Sumer Chand, a/a 50 years, r/o Q.No. 4046, New Bhairon ji Circle, Jodhpur. Presently working as PS-II in H.Q. office, Jawahar Circle, Jagatpura, Jaipur.

.....Applicants

(By Mr. Shailendra Srivastava, Counsel for the applicants)

VERSUS

1. Union of India, through Chairman, Railway Board, (C.R.B.), Rail Bhawan, New Delhi-110001.

2. General Manager, North Western Railway, Headquarters Office, Jawahar Circle, Jagatpura, Jaipur-302017.

.....Respondents

ORDER

PER HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

The applicants have filed the present OA praying for the following relief :-

Anil Kumar

- (i) That the Hon'ble Tribunal may graciously be pleased to direct the respondents to fix and grant Grade Pay of Rs. 4800/- from initial stage and Grade Pay of Rs. 5400/- on completion of 4 years regular service in the cadre of PS-II with gazetted status with effect from 1.1.1986 with all consequential benefits to the petitioners in the light of the judgment dated 5.6.2012 in OA No. 658/2010 passed by Hon'ble CAT Madras Bench and the same has attained the finality in the eye of law.
- (ii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicants.
- (iii) Award the cost of litigation to the applicants.

2. Heard the learned counsel for the applicants who submitted that the respondents are not extending the benefit of the judgment passed by the Madras Bench of this Tribunal in OA No. 658/2010 filed by the similarly situated employees whereby a historical parity has been established between the Private Secretaries of Central Secretariat and of Central Administrative Tribunal with Railways. A direction was given to the

Amal Kumar

respondents to grant the Private Secretaries initially Grade Pay of Rs. 4800 and Rs. 5400 after completion of four years regular service in the cadre of Private Secretary-II with gazetted status w.e.f. 1.1.2006. The learned counsel for the applicants further stated that the said order passed by the Hon'ble Madras Bench of CAT has attained finality as it has got stamp of approval by the Hon'ble High Court of Madras as well as by the Hon'ble Supreme Court. He further submitted that the respondent department in compliance to the order passed in OA No. 658/2010 has granted the aforesaid benefit only to those employees who were parties therein and have not applied and implemented that order in respect of those who were not parties in the said OA. The learned counsel for the applicants emphasized that the order passed by the Tribunal in the said OA was the order in rem and not a personam even then the respondents have not enlarged the benefit of the said judgment in respect of all employees having identical case.

3. The learned counsel submitted that the applicants have filed the representations to the respondents (Annexure-A/1) which have been forwarded by the General Manager(P), North Western Railway to

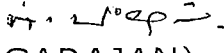
Anil Kumar


Secretary (E), Railway Board, Rail Bhawan, New Delhi vide letter dated 26.2.2014 (Annexure A/1) but these representations filed by the applicants have not been decided so far. He prayed that the respondents be directed to decide the said representations in terms of the order passed by the Hon'ble CAT, Madras Bench in OA No. 658/2010.


4. Having heard the submissions made by the learned counsel for the applicants we are of the view that end of justice would be served if respondents are directed to consider and decide the representations filed by the applicants which have been forwarded by the General Manager(P), North Western Railway to the Secretary (E), Railway Board, Rail Bhawan, New Delhi vide letter dated 26.2.2014 (Annexure A/1). Accordingly, we direct the respondents to consider and decide the representations so filed by the applicants according to the provisions of law by a reasoned and speaking order. While deciding the representations of the applicants the respondents shall also examine whether the cases of the applicants are covered by the order of the Hon'ble CAT, Madras Bench passed in OA No. 658/2010 dated 5.6.2012. The respondents are directed to decide the representations of the applicants expeditiously but in any case not later than 3 months

Anil Kumar

from the date of receipt of the copy of this order. The applicants are directed to submit a copy of paper book of this OA along with a copy of this order to the respondents. With these directions the OA is disposed of with no order as to costs.


(M. NAGARAJAN)
MEMBER (J)


(ANIL KUMAR)
MEMBER(A)

 Adm/