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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTING : INDORE

Original Application No.133 of 2005

Indore, this the 28th day of July, 2006

Hon'ble Shri Justice B.Panigrahi - Chairman
Hon'ble Dr.G.C.Srivastava - Vice Chairman

Ashok Joshi, S/o Baburao Joshi,
Aged 51 years, Occupation Service
203, Anurag Apartment, 45, Mahaveer
Nagar, Indore - 452018

- APPLICANT

(By Advocate - Shri S.S.Patwardhan)

Versus

Union of India Through

1. The General Manager, Bank Note Press, Dewas.
2. The Secretary, Ministry of Finance, Department of Economic Affairs, Bank Note Press Section, New Delhi.
3. The Secretary, Department of Personnel and Training, New Delhi.
4. The Secretary, Department of Official Language, Home Ministry, Lok Nayak Bhawan, New Delhi

- RESPONDENTS

(By Advocate Shri S.A.Dharmadhikari)

O R D E R

By Dr.G.C.Srivastava, VC.-

Through this Original Application, the applicant has prayed for the following main relief:

"(i)"That the applicant be placed in pay scale of Rs.1400-2600 (w.e.f.9-12-1986) and 5000-8000 (w.e.f.1.1.1996 to 14.2.2002) in the post of Jr.Hindi Translator and Rs.5500-9000 w.e.f 15.2.2002 in the post of Sr.Hindi Translator.

(ii)The designation of the post of the Hindi Translator that is a senior post to the Jr. Translator may be changed to Sr.Hindi Translator as prevailing in ISP Nasik and CNP Nasik".

2. The facts in brief are that the applicant was

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appointed as Junior Hindi Translator in Bank Note Press (for short 'BNP'), Dewas from 9.12.1986 in the pay scale of Rs.380-560 which was revised to Rs.1350-2200 by the Fourth Central Pay Commission. At that time, the pay scale of Junior Hindi Translators in the Indian Security Press (for short 'ISP'), Nasik and Currency Note Press (for short 'CNP'), Nasik, ^{which} ~~was~~ are sister organizations of the BNP, Dewas was Rs.1400-2600. The General Manager of BNP, Dewas wrote to the Government of India, Ministry of Finance to upgrade the post of Junior Hindi Translator in BNP, Dewas to be equivalent to those existing in the aforesaid sister organizations. On the recommendations of the Fifth Central Pay Commission, the pay scale of Junior Hindi Translator, BNP Dewas was revised from Rs.1350-2200 to Rs.4500-7000, and of Hindi Tranlator in the scale of Rs.1400-2300 also to the same revised scale of Rs.4500-7000, while in subordinate offices of the Ministry of Defence, ~~the pay scale of~~ Junior Hindi Translator in the pay scale of Rs.1350-2200 were given the replacement scale of Rs.5000-8000 with effect from 1.1.1996. On 15.2.2002 vide annexure A-12, the applicant was promoted to the post of Hindi Translator, but there was no change in his scale of pay which remained Rs.4500-7000. Subsequently, on 5.3.2003 (annexure A/13) the posts of Junior Hindi Translator and Hindi Translator were merged as Hindi Translator carrying pay scale of Rs.4500-7000. This order, however, was cancelled on 3.2.2004 (annexure A/14) and one post of Junior Hindi Translator was retained in the scale of Rs.4500-7000 and the other post was designated and upgraded as Hindi Translator in the pay scale of Rs.5000-8000. The contention of the applicant is that in other similar organizations the post of Junior Hindi Translator is in the scale of Rs.5000-8000 and the next higher post is that of Senior Hindi Translator which carries the pay scale of Rs.5500-9000. On this analogy, he has prayed that he should get the

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replacement scale of Rs.5000-8000 with effect from 1.1.1996 and pre-revised scale of Rs.1400-2600 with effect from his date of appointment i.e.9.12.1986 as Junior Hindi Translator and on promotion thereof he should be designated as Senior Hindi Translator and given the scale of Rs.5500-9000 with effect from 15.2.2002.

3. The respondents in their written submissions stated that a proposal was sent to the Ministry of Finance for upgrading the scale of Hindi Translator from Rs.4500-7000 to Rs.5000-8000 with effect from 1.1.1996 but it was agreed only with prospective effect i.e. with effect from 3.2.2004 (annexure A-15). From time to time, the BNP has also mooted proposal to have ^{the} set-up ~~of~~ Hindi translation at par with those in other sister organizations, but the only relief that was given by the Ministry of Finance was to upgrade one post of Hindi Translator from Rs.4500-7000 to Rs.5000-8000 notionally with effect from 1.1.1996 with the actual financial benefits being allowed only prospectively. In the context of this factual position, the respondents have submitted that the applicant is not entitled to any relief.

4. We have heard the learned counsel of both the parties and have gone through the pleadings.

5. It is an admitted fact that in the sister organizations of BNP,Dewas, the Hindi Translation set-up comprises of Junior Hindi Translator in the pay scale of Rs.5000-8000 and Senior Hindi Translator in the pay scale of Rs.5500-9000. It is also an admitted fact that the Central Official Language Implementation Committee as well as the Department of Personnel and Training are in favour of uniformity in the Hindi Translation set-up of subordinate offices. If the pay scales are to be kept at par, obviously there has to be a parity and similarity in respect of eligibility criteria as well as recruitment methods. In case,

the post of Junior Hindi Translator satisfies all these criteria, there would be no justification to keep this post in the lower scale of Rs.4500-7000 while the same designation in other sister organizations carries the pay scale of Rs.5000-8000. Similarly, if the eligibility criteria and method of recruitment as well as ^{the} nature of duties of Hindi Translators in BNP Dewas and Senior Hindi Translators in other sister organizations are at par, there is every justification for redesignating the post of Hindi Translator in BNP Dewas as Senior Hindi Translator and attaching the pay scale of Rs.5500-9000 to it. In past, not very careful consideration has been given to these issues while examining the proposal of the BNP for parity, as is evidenced from annexure R/8. We are of the view that this is an issue which needs careful consideration by going through the nature of duties, the eligibility criteria and recruitment methods existing in the BNP Dewas and other sister organizations.

6. We, therefore, direct respondent no.1 to submit a detailed proposal to respondent no.2 justifying parity in the scale in respect of Hindi Translation set up of BNP Dewas within four weeks from the date of communication of this order, and thereafter, the respondent no.2 shall examine the proposal in consultation with respondents nos.3 and 4 as well as Department of Expenditure in the Ministry of Finance and ensure that the final decision in the matter is taken within a period of six months of receipt of proposal from respondent no.1. With these directions, the OA is disposed of. No costs.

Dr.G.C.Srivastava
(Dr.G.C.Srivastava)
Vice Chairman

B.Panigrahi
(B.Panigrahi)
Chairman