

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTING : BILASPUR

Original Application No.321 of 2003

Bilaspur, this the 8th day of December, 2003

Hon'ble Shri M.P.Singh - Vice Chairman
Hon'ble Shri G.Shanthappa - Judicial Member

Jagat Ram Yadav, Retired Upper Division Clerk,
Aged about 67 years, S/o late Shri Ram Nath Yadav,
R/o Dhuruwa Para, Village Dharampura No.1, Post Office-
Dharampura No.2, Jagdalpur, District-Bastar - APPLICANT

(By Advocate - None)

Versus

1. Union of India, Ministry of Finance,
Department of Revenue, Central Board of Direct
Taxes, North Block, New Delhi, Through its Secretary.
2. The Chief Commissioner of Income Tax, Central Revenue
Building, Aayakar Bhavan, Hoshangabad Road, Bhopal.
3. The Commissioner of Income Tax, Central Revenue
Building, Civil Lines, Raipur.
4. Deputy Secretary, Govt. of India, Cabinet Secretariat,
Public Grievance, 2nd Floor, Sardar Patel Bhawan,
New Delhi - RESPONDENTS

(By Advocate - None)

O R D E R (Oral)

By G.Shanthappa, Judicial Member -

The case of the applicant is for directing the respondents to grant pay scale of Draughtsman Grade-II-Rs. 425-700/- notionally with effect from 01.01.1973 and actual benefit to be given with effect from 16.11.1978, the scale of Draughtsman Grade-I-Rs. 550-750/- effective from May, 1979 with all consequential benefits, pay and perks and arrears thereon. It was further prayed to grant interest @ 9% from the date of the judgment of the Calcutta Bench passed in J.A. No. 1377/1999, dated 09.02.1994, on all amounts due, till their actual realization by the applicant.

2. The facts in brief are that the applicant joined the respondent's Organisation in the year 1988. Prior to joining the




respondent Department, the applicant was initially appointed as Draughtsman Grade-II in Dandakaranya Project in Orissa in the year 1959, in the scale of Rs. 110-180/-. Thereafter the applicant was promoted to Draughtsman Grade-II in the scale of Rs. 150-240/- in the year 1963. In the meanwhile the IIIrd Central Pay Commission came to be implemented with effect from 01.01.1973. After closing of the Danyakaranya Project the applicant was transferred to the respondent Department, Income Tax under the control of Chief Commissioner of Income Tax, Bhopal in public interest in the year 1988.

benefit of
3. The applicant was given/upgradation of pay scale in the line with the Draughtsman Grade-I/II/III of Central Public Works Department as referred in Annexure A-1 and Annexure A-2, their recruitment qualification being the same, but the CPWD employees got such benefit notionally from 01.01.1973 and actually from 16.11.1978. Some of the aggrieved persons have approached this Tribunal Bench at Calcutta in OA No. 1377/1990 and vide order dated 09.02.1994, the OA was allowed directing the respondents to give notional benefit from 22.08.1973 and actually from 16.11.1978, to the applicants of that OA. Accordingly the applicant is also asking the implementation of the said order in his case. Subsequently other judgment also have been issued by this Bench of the Tribunal in OA No. 85/1999, on the same principles laid down by this Tribunal in Calcutta Bench's decision.

4. The applicant has submitted a representation Annexure A-10 giving all the details and according him the benefits as laid down in the judgment of the Calcutta Bench and also the judgment of this Tribunal.

5. Since the representation at Annexure A-10 dated 22nd March, 2003 is pending and the respondents have yet not taken any decision either by granting or rejecting the benefit, ends of justice would

be met if we direct the respondents to consider the representation at Annexure A-10 dated 22nd March, 2003 and take a decision for grant of reliefs by applying the judgment of the Calcutta Bench of the Tribunal dated 09.02.1994 passed in OA No. 1377/1990, within a period of two months from the date of receipt of copy of this order. We Order accordingly. OA stands disposed of. No costs.


(G. Shanthappa)
Judicial Member


(M.P. Singh)
Vice Chairman

"SA"

पूरांकन में भोल्या..... जलपुर दि.....

कोलकाता जिला न्यायालय में

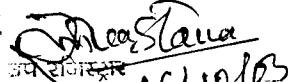
(1) श्री जल, जलपुर

(2) श्री जलपुर M. Shrinu, Adm.

(3) श्री जलपुर B. danielu, Adm.

(4) श्री जलपुर

सूचना एवं जागरूकता कार्यक्रम हेतु


जय श्री गुरुदेव 16/12/03

16.12.03