

THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET

APPLICATION NO.: _____

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

23.03.2009

OA No. 95/2009

Mr. Rajendra Vaish, Proxy counsel for
Mr. Anand Sharma, Counsel for applicant.

Heard learned counsel for the applicant.

For the reasons dictated separately, the OA is
disposed of.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 23rd day of March, 2009.

ORIGINAL APPLICATION NO. 95/2009

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Chandra Shekhar Sharma son of Shri Krisan Chandra Ji Sharma, aged about 49 years, resident of 53/188, Mansarovar, Jaipur at present posted as Senior Assistant Director (O.P.), Office of Chief General Manager, Rajasthan, Jaipur.

.....APPLICANT

(By Advocate: Mr. Rajenndra Vaish proxy to Mr. Anand Sharma)

VERSUS

1. Union of India through Secretary, Department of Telecommunication, Ministry of Communications, Sanchar Bhawan, 20 Ashoka Road, New Delhi.
2. Bharat Sanchar Nigam Ltd. Through its Chairman and Managing Director, Bharat Sanchar Bhawan, Janpath, New Delhi.
3. The Chief General Manager, Telecommunications, Rajasthan Circle, BSNL, Jaipur.
4. The Senior Accounts Officer (Cash), Office of Chief General Manager, Telecommunications, Rajasthan Circle, BSNL, Jaipur.

.....RESPONDENTS

(By Advocate: -----)

ORDER (ORAL)

The applicant is aggrieved against the order dated 04.01.2008 (Annexure A/1) whereby the claim of the applicant for stepping up of his pay with Shri S.S. Rajput, SDE, i.e. second junior has been rejected in view of Government of India NO. 24 below FR 22. It has been further mentioned in that letter that in view of the aforesaid provision, the benefit of stepping up of pay can be allowed to a senior official, second time, provided the anomaly has arisen with reference to the pay of same junior with reference to whom the pay of senior was stepped up first time. It is on this ground

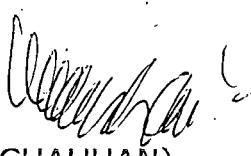
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the case of the applicant for stepping up of pay of the applicant was rejected.

2. We have heard the learned counsel for the applicant. Learned counsel for the applicant submitted that similar facility has been extended to other persons as such the stepping of pay of the applicant could not have been rejected. We are of the view that this matter is no longer res-integra and it is squarely covered by the decision of the Full Bench of this Tribunal in the case of **A. Venkatamuni vs. Union of India & Others**, 2002 (1) ATJ 1 whereby one of question referred was whether an employee can claim for stepping up of pay on par with his second junior for second time. The Full Bench of the Tribunal answered the question in negative while relying upon instructions dated 31.03.1984 which provides that stepping up of pay for second time is admissible only with respect to first junior. The case of the applicant has also been dealt with by the respondents in accordance with instructions dated 31.03.1984 which form part of Government of India order No. 24 below FR 22.

3. In view of what has been stated above, we see no infirmity with the decision so taken by the respondents. Accordingly, OA is dismissed with no order as to costs.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ