

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 3481/2017

New Delhi this the 4th day of October, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Thawar Dass Kukreja
S/o Late Dharam Dass Kukreja, Aged 62 years
R/o G-10, Lajpat Nagar Part-II,
New Delhi-110024
Employed from 7.9.2012 to 20.11.2016 by the National
Commission for Scheduled Tribes (NCST), B-Wing,
6th Floor, Loknayak Bhawan, Khan Market,
New Delhi-110003. Applicant

(Applicant in person)

Versus

Union of India

1. Respondent No.1
The Secretary to the GOI,
National Commission for Scheduled Tribes,
B-Wing, 6th Floor, Loknayak Bhawan, Khan Market,
New Delhi-110003.

2. Respondent No.2
The Secretary to the GOI,
Ministry of Tribal Affairs,
7th Floor, A Wing, Shastri Bhawan,
New Delhi-110001. ..Respondents

ORDER (ORAL)

Hon'ble Mr. Justice Permod Kohli

The applicant was appointed Private Secretary to the Chairperson of National Commission for Scheduled Tribes, respondent no. 1 w.e.f. 01.09.2015 vide order dated 01.03.2016. The appointment order of the applicant reads as under:

"Consequent upon receipt of approval of Ministry of Tribal Affairs vide letter No 48011/2/2014-Estt dated 25/02/2016, Shri T.D. Kukreja is hereby appointed w.e.f. 1/9/2015, as Private Secretary to Chairperson NCST, provisionally in the Pay Scale of 15300-39100 + Grade Pay of Rs 6600/-, on co-terminus basis for the period till the Honourable Chairperson demits his charge or until further orders whichever is earlier.

2. Actual Pay of Sh. Kukreja would be fixed subsequently."

The term of the Chairperson expired on 31.10.2016 and since the appointment of the applicant was co-terminous with the Chairperson, his tenure also came to an end. However, the tenure of the applicant was extended by fifteen days w.e.f. 01.11.2016 vide order dated 31.10.2016 and another extension of fifteen days was allowed vide another order dated 15.11.2016.

2. The grievance of the applicant in the present OA is that his pay was required to be fixed as his appointment was in Pay Scale 15300-39100 + Grade Pay of Rs. 6600/-. However, he was paid only minimum of the Pay Scale and not placed in the regular pay scale as per the terms of his appointment. His further prayer is that he has not been given salary for the extended period for month of November, 2016. The applicant has made a representation dated 21.03.2016 which has remained unattended till date.

3. In view of the above circumstances, this application is disposed of at the admission stage itself with direction to the respondents to take decision on the representation of the applicant within a period of two months from the date of receipt of certified copy of this order and dispose of the same by means of reasoned and speaking order.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/ns/