

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.4556/2017

M.A. No.4720/2017

Thursday, this the 21st day of December 2017

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

1. Sh. N K Ahuja (aged about 72 years)
Asstt. Provident Fund Commissioner (Retd.)
s/o late Sh. H L Ahuja
r/o 71/132, Prem Nagar
Janakpuri, New Delhi – 110 008
2. Sh. Sant Lal (Aged about 71 years)
APFC (Retd.) 'A'
s/o Sh. Babu Lal
r/o C-4F/12, Janakpuri, Delhi – 58
3. Sh. K L Behl (Aged about 70 years)
APFC (Retd.) 'B'
s/o late Sh. Ram Chand
r/o BG-2/20-C, Paschim Vihar
New Delhi
4. Sh. Ram Chander (Aged about 72 years)
APFC (Retd.) 'A'
s/o late Sh. Shoba Ram
r/o A-73, Shyam Vihar, Phase I
Road No.2, Near Gali No.8
Najafgarh, New Delhi - 43

..Applicants

(Mr. Suresh Sharma, Advocate)

Versus

Union of India & others through

1. The Chairman CBT, EPFO
14, Bhikaji Cama Place
New Delhi – 110 066
2. The Secretary
Ministry of Labour & Employment
Rafi Marg, New Delhi

3. Central PF Commission
EPFO 14, Bhikaji Cama Place
New Delhi – 110 066
4. Additional CPFC
(HRM) EPFO, 14, Bhikaji Cama Place
New Delhi – 110 066

..Respondents

(Mr. Rajinder Nischal, Advocate)

O R D E R (ORAL)

Justice Permod Kohli:

M.A. No.4720/2017

M.A. seeking joining together in a single petition is allowed.

O.A. No.4556/2017

Notice. Mr. Rajinder Nischal, learned counsel appears and accepts notice on behalf of respondents.

2. The applicants, who were initially appointed on different posts during July 1967 to January 1968, were promoted to the post of Assistant Provident Fund Commissioner (APFC) in the Employees' Provident Fund Organization (EPFO) under the Ministry of Labour & Employment. All the applicants retired as APFC. The respondents have taken a decision in the 206th CBT Item No.14 for the grant of Senior Time Scale to APFC w.e.f. 01.01.2002. Such APFCs, who completed 5 years regular service as such w.e.f. 01.01.2002, were to be granted Senior Time Scale, subject to screening by the Screening Committee to be appointed by the respondents.

3. Some of the APFCs, who were denied the aforesaid benefit, approached this Tribunal by filing O.A. No.3571/2012, which was disposed of vide order dated 13.09.2013 with a direction to decide the pending

representations by passing a speaking and reasoned order. As a consequence of afore directions, the order dated 08.04.2015 (Annexure A-2 (colly.) has been passed by the respondents for conferment of benefit of Senior Time Scale to the eligible APFCs. A list of beneficiaries is part of the said order. The names of the applicants are not included in the said list of beneficiaries. They accordingly made representations, which are placed on record collectively as Annexure A-5. The respondents have not responded to. The applicants claim to be similarly situated. However, their claims have not been considered.

4. Under the given circumstances, we dispose of this O.A. at the admission stage with a direction to the competent authority to take decision on the aforesaid representations of the applicants in the light of the order dated 08.04.2015 and dispose of the same by passing a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

December 21, 2017
/sunil/