

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 3945/2014
M.A. No. 3427/2014

New Delhi, this the 27th day of October, 2015

**HON'BLE MR. JUSTICE SYED RAFAT ALAM, CHAIRMAN
HON'BLE MR. P.K. BASU, MEMBER (A)**

1. Awadh Raj Singh,
S/o Lt. Samar Jit Singh,
Age 43 years,
Sub Area Organiser,
R/o 30, Do Lal Mohan Bhattacharya Road,
Kolkatta-14 (WB).
2. Sudhir Negi,
S/o Shri T.S. Negi,
Age 45 years,
Sub Area Orgniser,
R/o 6, Vikas Marg,
Pauri Garwal, U.K. 246001.
3. Manoj Kumar,
S/o Shri Ram Kanwar,
Age 47 years,
Circle Organiser,
RZ 1101, A/3 Sadh Nagar-II,
Palam Colony, New Delhi-45.
4. Sanjeev Kumar Singh,
S/o Kamla Singh,
Age 42 years,
Circle Organiser,
4/87, Vivek Khand,
Gomti Nagar, Lucknow.
5. Anjan Lama,
S/o Lt. Thillen Lama,
Age 47 years,
Circle Organiser,
East Main Road,
Kalimpong, Darjeeling (WB).
6. Ringnam Zingkhai,
S/o Yiung Zingkhai,

- Age 50 years,
Circle Organiser,
R/o Kuirei Village,
Ukhrul Dist., Manipur.
7. Subhasis Adak,
S/o Late Kalipad Adak,
Age 43 years,
Circle Organiser,
R/o Kankhuly Ghoshpora,
PO Bidangarh, Kolkata-700066.
8. Hrishikesh Konwer,
S/o Late Chanru Nath Konwer,
Age 47 years,
Circle Organiser,
R/o Sepon Milonpur,
PO Sepon Dist. Sivasagar, Assam.
9. Pradeep Rawat,
S/o Shri S.S. Rawat,
Age 44 years,
R/o H.No.C 110, Sector III,
V & PO Defence Colony,
Dehradun, Uttarakhand.
10. Lalthanglien,
S/o Lt. H.S. Thana
Age 49 years,
Circle Organiser,
Vill. Belthel PO/PS/Dist. Churachandpur,
Manipur-795128.
11. Sanjib Chakraborty,
S/o Late Santosh Chakraborty,
Age 47 years,
Sub Area Organiser,
R/o 63/C, Vidyasagar Road,
PO : Nabagram Distt. Hoogly,
West Bengal.
12. Madan Dahal,
S/o Late Bharat Dahal,
Age 47 years,
Sub Area Organiser,
R/o Lower Echhey,
PO 13 Mile, PS Kalinpong
Darjeeling.

13. Manu Joshi,
S/o Late Girish Chandra Joshi,
Age 44 years,
Sub Area Organiser,
R/o Shamalaya, Shiv Mandir Marg,
Zarori Bazaar, Ranikhet,
Distt. Almora, Uttarakhand.
14. Y. Chaoba Singh,
S/o Late Y. Nithis Singh,
Age 45 years,
R/o Kakching Paji Leikai,
PO/PS Kakching, PIN-795103.
15. T. Paukhanmaug,
S/o Late Let Khogin,
Age 50 years,
Sub Area Organiser,
R/o D Phailien, Churachandpur.
16. Sanjeev Negi,
S/o Late Shri Din Dayal Singh Negi,
Age 47 years,
Sub Area Organiser,
R/o 71/47, Neshvilla Road,
Dehradun, Uttarakhand-248001.
17. Umesh Chandra,
S/o Shri D.D. Pandey,
Age 45 years,
Sub Area Organiser,
R/o CSD&W, SSB, Salonibari.
18. Tapas Karmakar,
S/o Late Chittaranjan Karmakar,
Age 46 years,
Sub Area Organiser,
R/o 8, Deshbandhu Nagar,
PO & Dist. Jalpaiguri,
West Bengal, Pin-735101.
19. Sanjay Kumar Badola,
S/o Shri Ghana Nand Badola,
Age 49 years,
Sub Area Organiser,
R/o 68, Ballupur, Dehradun
(Uttarakhand).

(By Advocate : Shri Padma Kumar S.)

Versus

1. Union of India,
Through the Secretary,
Ministry of Home Affairs,
Government of India,
North Block, New Delhi.
 2. The Director General,
Sashastra Seema Bal,
East Block, R.K. Puram,
New Delhi.
 3. The Secretary,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi-1.
 4. The Secretary,
Cabinet Secretariat,
Govt. of India, New Delhi.
- .. Respondents

(By Advocate : Shri Gyanendra Singh)

ORDER (ORAL)

By Hon'ble Mr. Justice Syed Rafat Alam

The applicants are Circle Organisers in Sashastra Seema Bal (SSB) and some have been promoted to the higher post of Sub Area Organisers. The simple case of the applicants is that they had sought Grade Pay of Rs.4800/- for their post in light of two orders of this Tribunal, viz. order dated 20.07.2012 in O.A. No.1816/2011 and order dated 13.08.2013 in O.A. No.1635/2013. Both these OAs have been filed by Circle Organisers of SSB seeking the Grade Pay of Rs.4800/- and both the OAs were allowed.

2. The grievance of the applicants arise because while the respondents have implemented direction of the Tribunal in the case of applicants in the aforesaid two OAs, they have denied the same Grade Pay to the applicants. Therefore, this O.A. has been filed with the following prayer:

- “(a) Declare the action of the respondents not to implement the Order dated 20.7.2012/1.8.2012 and 13.8.2013 for all the COs as illegal and unconstitutional, after setting aside the order dated 20.8.2014.
- (b) Direction to the respondents to grant the PB2 Grade Pay of Rs.4800/- from 1.1.2006 or from the date they were COs after 1.1.2006 with all consequential benefits, including MACP/Promotion benefits taking as Grade Pay of COs as Rs.4800/-.
- (c) Direct the respondents to grant the applicants arrears of pay and interest on the arrears at GPF rates.
- (d) xxx xxx xxx
- (e) Direct the respondents to grant the applicants cost of litigation for forcing them to approach the Hon’ble Tribunal despite clear directions.
- (f) Any other direction which this Hon’ble Tribunal may be pleased to pass under the facts and circumstances of the case.”

3. The stand of the respondents, basically, is that the 6th Pay Commission in Para 7.5.13 specifically recommended that all posts in the pre-revised scale of Rs.6500-10500 in Cabinet Secretariat may be placed in pay scale of PB-2 with Grade Pay of Rs.4800/-, but there was no such recommendation for the

SSB's Circle Organisers who, though earlier were with the Cabinet Secretariat, had been transferred to Ministry of Home Affairs. The normal replacement scale was granted to them, which was PB-2 with Grade Pay of Rs.4600/-. It is, therefore, argued that the benefit given to personnel under Cabinet Secretariat cannot be extended to the personnel of SSB, which is under Ministry of Home Affairs.

4. We have heard the learned counsel for the parties and perused the record.

5. It is admitted that as a result of Tribunal's Order, the Circle Organisers, who were the applicants in those two OAs, have been granted the Grade Pay of Rs.4800/-. There is, therefore, no justification for the respondents to keep two sets of pay scales for Circle Organisers in the same Organisation and compel these people to approach this Tribunal and only then, grant them the upgraded Grade Pay.

6. The case of the present Applicants is fully covered by the two judgments cited above and, therefore, there is no justification for denying them the Grade Pay of Rs.4800/-. The O.A. is, therefore, allowed and the respondents are directed to grant PB-2 with Grade Pay of Rs.4800/- to the applicants, with all consequential benefits along with arrears. In the

nature of the case, we do not think it is necessary to pass any order for payment of interest or costs.

(P.K. Basu)
Member (A)

(Syed Rafat Alam)
Chairman

/Jyoti/