

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-3847/2018

New Delhi, this the 16th day of October, 2018

Hon'ble Sh. V. Ajay Kumar, Member(J)

Hon'ble Sh. A.K. Bishnoi, Member(A)

1. Sushma Yadav ,Aged 42 Years, Gp-B,
D/O Sh. R S Yadav
Working As PGT (English) In JNV-Khairthal Distt Alwar,
R/O Staff Quarter, JNV Campus JNV- Khairthal Distt Alwar,
2. Prem Prakash Singh, Aged- 41 Years, Gp-B,
S/O Sh. Brahmchari Singh
Working As PGT (Geography), In Ramkhiriya M.P.
R/O JNV Staff Quarter, J.N.V. Ramkhiriya,
Distt.-Panna (M.P.) 488001
3. Arvind Kumar Pandey, Aged- 41 Years, Gp-B,
S/O Sh. Hira Lal Pandey
Working As PGT (Chemistry), In JNV Churhat,
R/O JNV Staff Quarter,JNV-Churhat, Distt.-Sidhi (MP)
4. Kalu Ram Meena, Aged 42 Years, Gp-B,
D/O Sh. Mohanlal Meena
Working As PGT (Hindi), In JNV Jaida
R/O JNV Staff Quarter, JNV Jaida Sheopur M.P.
5. Buddha Sen Prasad Shukla ,Aged- 44 Years, Gp-B,
S/O Sh. R.G. Shukla
Working As PGT (History)In JNV Jaida M.P
R/O Staff Quarters, JNV_Jaida_Sheopur _Mp 476337
6. Jagdish Kumar Maurya,Aged- 41 Years, Gp-B,
S/O Late Sh. Ram Milan Maurya
Working As PGT (Geography) In JNV Churhat MP
R/O Staff Quarters, JNV Campus, Churhat, Distt-Sidhi (M.P.) 486771
7. Laddu Lal Meena,Aged- 45Years, Gp-B,
S/O Sh. Bajrang Lal
Working As PGT(Bio) In JNV Jaida, Mp
R/O Staff Quarters, JNV Campus, J.N.V.Jaida Mundi , Sheopur.M.P.
pin 476337
8. Satish Mirdha, Aged- 40 Years, Gp-B,
S/O Sh. Rajeev Mirdha

Worked As PGT (Geography) In JNV Teonapujan
, JNV Campus, JNV Teonapurajan, Post Talwandi Saboo District
Bhatinda Punjab and presently R/o House No-62/13 Sanchar Kunj
Napier Road , Ambala Cantt-133001 .

9. Jayakrishnan Manghat, Aged- 43 Years, Gp-B,
S/O Sh. V. Narayanankutty
Working As PGT (English)
R/O Staff Quarters, JNV Campus JNV Korlahalli,
Mundargi Taluk, Gadag District, Karnataka -582118
10. Renuka P ,Aged- 43 Years
D/O Sh. Prabhakaran C
Working As PGT (Geography)
R/O Staff Quarters, JNV Campus, JNV Korlahalli,
Mundargi Taluk, Gadag District, Karnataka-582118
11. Rangappa N T, Aged- 43 Years, Gp-B,
S/O Sh. N Thippeswamy
Working As PGT (History)
R/O Staff Quarters, JNV Campus, JNVPost, Veleru, Bapulapadu
Mandal, Krishna Dist, Andhrapradesh 521110
12. Ajay Kumar,Aged- 45 Years, Gp-B,
S/O. Shri RamSingh Yadav
Working As PGT (Hindi)
R/O Staff Quarters, JNV Campus, JNVKyarkoppa Road, Dharwad
(Karnataka)
Pin – 580007
13. Deepak Kumar Verma, Aged- 38 Years, Gp-B,
S/O Sh. Bhagirath Verma
Working As PGT (History)
R/O Staff Quarters, JNV Campus, JNVSuratgarh , Sri Ganganagar li,
Jaipur, Rajasthan
14. Hansram Meena, Aged- 47 Years, Gp-B,
S/O Sh. Kishori Lal Meena
Working As PGT (Chemistry)
R/O Staff Quarters, JNV Campus, JNV Sitapura ,Bundi Rajasthan
323021
15. Ashutosh Kumar Tripathi, Aged- 40 Years, Gp-B,
S/O Jai Ram Tripathi
Working As Pgt History
R/O Staff Quarters, JNV Campus, JNVNaultha Panipat, Haryana
16. Kailash Kumar Lamba, aged – 40 Years, Gp-B,
S/O Sh. Pratap Singh
Working As PGT (Biology)
R/O Staff Quarters, JNV Campus, Khara Kheri,
Distt.- Fatehabad, Haryana, 125048

17. Mukesh Kumar, Aged - 43 Years, Gp-B,
S/O Sh. Ram Kumar
Working As PGT (History)
R/O Staff Quarters, JNV Campus,
Shri Mohangarh, Jaisalmer, Rajasthan-345033
18. Banshi Lal Rana, Aged- 40 Years, Gp-B,
S/O Sh. Mangi Lal
Working As PGT (Chemistry)
R/O Staff Quarters, JNV Campus, Mohangarh Dist Jaisalmer
19. Mohan Lal Jangir, Aged- 47 Years, Gp-B,
D/O Sh. Dwarka Prasad Jangir
Working As PGT (Maths)
R/O Staff Quarters, JNV Campus, Khairabad Teh-Ramganjmandi
Distt-Kota (Rajasthan)
20. Pritesh Nema, Aged- 42 Years, Gp-B,
S/O Sh. Dinkar Talwadiya
Working As PGT (Math)
R/O Staff Quarters, JNV Campus, Banswara II,
Near Govt Engineering College Banswara,
Kupada, Banswara Rajasthan
21. Premila Trivedi, Aged- 41 Years, Gp-B,
D/O Sh. Ramakant Pandya
Working As PGT (Hindi)
R/O Staff Quarters, JNV Campus, Banswara Second,
Behind Mayur Mill Kupada, Near Engineering College,
Banswara Rajasthan
22. Kanwar Singh Yadav, Aged- 45 Years, Gp-B,
S/O Sh. Sher Singh
Working As PGT (Hindi)
R/O Staff Quarters, JNV Campus, JNV Hurda,
Distt-Bhilwara, Rajasthan Pin Code-311022
23. Rajiv Kumar Chouhan, Aged- 38 Years, Gp-B,
S/O Bhanwar Lal Arya
Working As PGT (Economics)
R/O Staff Quarters, JNV Campus, JNV Hurda Bhilwara,
Rajasthan 311022
24. Saurabh Mishra, Aged- 40 Years, Gp-B,
S/O Sh. Arvind Kumar Mishra
Working As PGT
R/O Staff Quarters, JNV Campus, JNV Gonda
Vill&Post : Devoria ,Mankapur
Gonda , UP.271302
25. Nirbhya Kumar, Aged-43 Years, Gp-B,
S/O Sh. Lajja Ram
Working As PGT (Biology)

R/O Staff Quarters, JNV Campus, JNV Saindwar Chandpur Dist. Bijnor U.P

26. Mahesh Chandra, Aged- 41 Years, Gp-B,
S/O Sh. Jagdish Prasad
Working As PGT (Chemistry)
R/O Staff Quarters, JNV Campus, Bansu Jakhdhar,
Distt-Rudraprayag Uttrakhand 246439
27. Pramod Kumar, Aged- 42 Years, Gp-B,
S/O Sh. Rajendra Singh
Working As PGT (Maths)
R/O Staff Quarters, JNV Campus, JNV Saindwar,
Chandpur, Bijnor (UP)
28. Pankaj Kumar Gupta, Aged- 40 Years, Gp-B,
S/O Sh. Govind Prasad
Working As PGT History
R/O Staff Quarters, JNV Campus, JNV Mesra Ranchi
29. Danaram, Aged- 38 Years, Gp-B,
S/O Sh. Jasraj
Working As PGT (Geography)
R/O Staff Quarters, JNV Campus, JNV Borkhadi,
Taluka-Vyara ,Dist=Tapi (Gujarat)Pin 394690
30. Sudhir, Aged- 42 Years, Gp-B,
S/O Sitaram
Working As TGT (Hindi)
R/O Staff Quarters, JNV Campus, JNV Kalukheda Ratlam M P
Pincode 457340
31. Safinaz, Aged- 41 Years, Gp-B,
D/O Sh. Syed Dastagir
Working As TGT (Social Science)
R/O Staff Quarters, JNV Campus, JNV Hondarabalu,
Chamrajanagar 571342 Karnataka
32. P. Ramadevi, Aged- 38 Years, Gp-B,
D/O Sh. Mallaiah
Working As TGT (Science)
R/O Staff Quarters, JNV Campus, JNV Sirpur Kagaznagar,
Komurambeem District, Telangana State.
33. Mangala Jyothi H. B., Aged- 47 Years, Gp-B,
D/O Sh. Bhogananjappa
Working As TGT(Math),
R/O Staff Quarters, JNV Campus, JNV Doddaballapur, Bashettihalli,
Bangalore Rural
34. Kalpana Shedthy, Aged- 46 Years, Gp-B,
D/O Sh. Jagannatha Shetty
Working As TGT (Social Science)

R/O Staff Quarters, JNV Campus, JNVSeegodu,
Post Devagodu, Distt Chikkamgalur.Karnataka 577112

35. Pokhar Singh, Aged- 40 Years, Gp-B,
S/O Sh. Gulab Singh
Working As TGT (Social Science)
R/O Staff Quarters, JNV Campus, JNVSitapura,
Bundi Rajasthan 323021
36. Rajesh Kumar Sharma, Aged- 42 Years, Gp-B,
S/O Sh. Rewar Mal Sharma
Working As TGT (Hindi)
R/O Staff Quarters, JNV Campus JNVSitapura,
Bundi Rajasthan
37. Shiv Shankar Sen, Aged- 40 Years, Gp-B,
S/O Sh. Bhanwar Lal Sen
Working As TGT (Hindi)
R/O Staff Quarters, JNV Campus, JNVMandfiya,
Chittorgarh, Jaipur, Rajasthan
38. Ram Pratap Gurjar, Aged- 47 Years, Gp-B,
S/O Sh. Srinath Gurjar.
Working As TGT (Hindi)
R/O Staff Quarters, JNV Campus, JNVJatnagla,
Post _Dhindora, Teh. - Hindaun City,
Dist - Karauli Rajasthan. 322236
39. Hari Krishan, Aged- 43 Years, Gp-B,
S/O Sh. Ved Prakash
Working As TGT (English)
R/O Staff Quarters, JNV Campus, JNVMouli Panchkula,
Jaipur, Rajasthan
40. Rajendra Prasad Saini, Aged- 38 Years, Gp-B,
S/O Sh. Ganga Sahay Saini
Working As TGT (Hindi)
R/O Staff Quarters, JNV Campus
JNVMohangarh, Dist-Jaisalmer(Rajasthan)
41. Nilixa Jayantibhai Dabhi ,Aged- 39 Years, Gp-B,
D/O Sh. Jayantibhai D. Dabhi
Working As TGT (Gujrati)
R/O Staff Quarters, JNV Campus, JNVJojawar,
Distt. Pali Rajsthan
42. Manju Yadav,Aged- 44 Years, Gp-B,
D/O Sh. Harishankar Yadav
Working As TGT (Hindi)
R/O Staff Quarters, JNV Campus, JNVSonikpur,
Barabanki, UP.
43. Veena Yadav,Aged- 47 Years, Gp-B,

- D/O Sh. Virendra Singh
Working As TGT (Science)
R/O Staff Quarters, JNV Campus, JNV Saindwar,
Chandpur Bijnor Pin-246725
44. C S Azad, Aged- 44 Years, Gp-B,
S/O Sh. Jag Bir Singh
Working As TGT (English)
R/O Staff Quarters, JNV Campus, JNV Vil- Saindwar,
Near Adharashila School, Chandpur, Bijnor-246725
45. Epuri Babu Rao, Aged- 46 Years, Gp-B,
S/O Sh. Prasanna Rao
Working As TGT (Telugu)
R/O Staff Quarters, JNV Campus, JNV Dhoom Manikpur,
Dadri, G B Nagar . Uttarpradesh 203307
46. Neelam Bhardwaj, aged- 41 years, Gp-B,
D/o Sh. H C Sanwal
Worked As. TGT (English) now promoted to PGT (English)
R/o Staff Quarter, JNV Campus, JNV Bansu Jakhdhar, Rudraprayag
Uttarakhand 246439
47. Anil Kumar, aged – 38 years, Gp-B,
S/o Sh. Sadhu Ram
Worked as TGT (English)
in, JNV Campus, JNV Naultha,
Panipat, Haryana PIN 132145 and Presently R/o vill-rishpur, Post-
Sanonli Khurd Distt-Panipat (Haryana)..
48. Rajendra Prasad Patel, Aged- 47 Years, Gp-B,
S/O Sh. Daddi Prasad Patel
Working as Music Teacher
R/O Staff Quarters, JNV Campus, JNV Churhat,
Sidhi, M.P. 486771
49. M Mallikarjuna, Aged –48 Years, Gp-B,
S/O Sh. M Guravaiah
Working As Librarian, R/O Staff Quarters, JNV Campus, JNVNR Palli,
Rajampeta, Kadapa Distt. 516150. Andhra Pradesh
50. Gangaraju R O, Aged- 44 Years, Gp-B,
S/O Sh. Obalapathy
Working As Librarian
R/O Staff Quarters, JNV Campus, JNV Seegodu,
Post Devagodu, Distt. Chikkamagalur, Karnataka 577112
51. Rafeeq Ahamed Qureshi, Aged- 42 Years, Gp-B,
S/O Sh. Abdul Razak
Working As Art Teacher
R/O Staff Quarters, JNV Campus, JNV Gajner,
Distt. Bikaner Rajasthan

52. Harash Wardhan, Aged- 45 Years, Gp-B,
S/O Late Sh. Mahendra Singh
Working As PET Male
R/O Staff Quarters, JNV Campus, JNVRudraprayag. Uttarakhand
53. Ishwari Munda, Aged- 47 Years, Gp-B,
S/O Late Sh. Dayal Singh Munda
Working As Art Teacher
R/O Staff Quarters, JNV Campus, JNVBistampur,
P.O. Surjabasa, Dist.West Singhbhum (Jharkhand) Pin- 833215
54. Ajeet Kumar, Aged- 49 Years, Gp-B,
S/O Late Sh. Dinanath Singh
Working As Librarian
R/O Staff Quarters, JNV Campus, JNVNagarpara,
Bhagalpur, Pin 853203(Bihar)
55. Kaushalya Behera, Aged- 43 Years, Gp-B,
D/O Sh. Rama Chandra Behera
Working As Staff Nurse
R/O Staff Quarters, JNV Campus, JNVPo-Gurujang,
Dist- Khordha, Odisha, Pin- 752057
56. Vibha Rani Sinha, Aged- 52 Years, Gp-B,
D/O Sh. Kedar Nath Sinha
Working As Staff Nurse
R/O Staff Quarters, JNV Campus, JNVRewar,
Nawada-805132
57. Punam Ranjan, Aged- 49 Years, Gp-B,
D/O Sh. Kishori Modi
Working As Staff Nurse
R/O Staff Quarters, JNV Campus, JNVSadhi, Taluka
Padra Distt Varodara Gujarat-391445
58. Somvir Poonia, aged – 40 Years, Gp-B,
S/o Sh. Shivilal worked as PGT(Geography) and presently
Working as Principal ,
R/o Staff Quarters, JNV Campus, JNV Kuchaman City,
District Nagaur (Raj), Jaipur, Rajasthan
59. Brij Bhushan , Aged ,42 Years , Gp-B,
S/o Ganga Pal Pathak , Working As TGT Hindi ,
R/o Staff Quarters , JNV Campus , JNV Mitauli Distt
Lakhimpur Kheri ,UP pin 262727
60. Anil Kumar Maurya , Aged 38Year, Gp-B,
S/o Ram Pher Maurya ,
Working As TGT , Hindi ,
R/o Staff Quarters, JNV Campus, JNV BalramPur ,
District Balrampur UP,
61. Narendra Kumar , Aged 41Year, Gp-B,

S/o Shyam Lal
Working As TGT Hindi
R/o Staff Quarters, JNV Campus Duredi, Distt Banda ,210001

62. Narendra Kumar Purohit , Aged 47year , Gp-B,
S/o Sita Ram Prohit
Working As TGT English
R/o Staff Quarters , JNV Campus Duredi , Distt Banda ,210001
63. Sushil Chandra , Aged 42, Gp-B,
S/o S K Kutar
Working As TGT S.St
R/o Staff Quarters , JNV Campus Duredi , Distt Banda ,210001
64. Prakash Bongoni , Aged 42 year, Gp-B,
S/o Swamy Bongoni
Working As Tgt Science
R/o Staff Quarters , JNV Campus Choppadandi , Distt Karimnagar
,Telangana
65. Abdul Hamid , Aged 42 Years, Gp-B,
S/o Allah Bely Dyer
Worked as PGT Biology Promoted to principal 11.07.2017
R/o Staff Quarters, JNV Campus Jhabua i , Distt Jhabua, MP.
66. Surinder Kumar , Aged 47 Years ,S/o Sri Gurnam Das , Gp-B,
Working as TGT (ENG), R/o JNV Phalahi Distt-Hoshiarpur,
Punjab.
67. Mrs. Rinku Bala , Aged about 44 years ,D/o Sri Chhotu Ram, , Gp-B,
Working as Librarian, R/o JNV Sandhuan , Distt- Roopnagar, Punjab.
68. Pradeep Kumar , Aged about 43 Years, S/o Sri Sukhlal, R/o
JNV Khunga Kothi, Distt- Jind, Haryana , Gp-B,

... Applicants

(through Sh. Durgesh Kumar Sharma)

Versus

1. Union of India through the Secretary,
Minister of HRD, Department of Education,
Govt. of India, Sastri Bhawan, New Delhi.
2. The Secretary,
Ministry of Finance,
Department of Expenditure,
Govt. of India, New Delhi.
3. The Commissioner,
Navodaya Vidyalaya Samiti

B-15, Institutional Area, Sector 52, Noida (UP)

...RESPONDENTS

ORDER(ORAL)

Hon'ble Sh. V. Ajay Kumar, Member(J)

Heard learned counsel for the applicant.

MA No. 4297/2018 filed for joining together is allowed.

OA No. 3847/2018

The applicants, sixty eight in number and all employees of the third respondent- Navodaya Vidyalaya Samiti filed the OA seeking the following reliefs:

“(i) that the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to re-fix the pay of the applicants with reference to the scale of Rs. 7450-11500(TGT/Staff Nurse)/7500-12000(PGT) as on 1.1.2006 and then fix in the PB-2+ GP 4600/- for TGT & Staff Nurse and PB-2 + GP 4800/- for PGT with all the consequential benefits including the arrears of difference of pay and allowances.

(ii) That the Hon'ble Tribunal may further graciously be pleased to pass an order directing the respondents to fix the pay of the applicants, after granting the benefit of one increment for a period of two years of completed service put in by them prior of two years of completed service put in by them prior to 01.01.2006 be granted, as provided in Instructions regarding fixation of apy in Gazette Notification No. 622(E) dated issued by the Ministry of Finance with all consequential benefits including the arrears of difference of pay and allowances as held and directed by the Hon'ble Tribunal in OA No. 2835/2011.

(iii) That in case of not granting the above prayed relief (i) for any reason the Hon'ble Tribunal may further graciously be pleased to pass an order order directly the respondents to grant the minimum entry pay of Rs. 12540/- + 4600 (Grade Pay) = Rs. 17140/- to TGT/Staff Nurse and entry of Rs. 13350/- + 4800/- GP = 18150/- to the PGT w.e.f. 1.1.2006 the light of the Hon'ble Apex Court, Hon'ble Delhi High Court, Hon'ble Punjab & Haryana High Court, Hon'ble Tribunal Principal Bench Delhi and Tribunal, Chandigarh bench judgment, with all the consequential benefits including the arrears of difference of pay and allowances.

(iv) any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant.”

2. It is submitted that the subject matter of this OA is covered by various decisions of this Tribunal and upheld up to the Hon'ble Apex Court and the applicants are identically placed as the applicants in these OAs. In view of the same, they have made number of representations individually and also vide Annexure A/1 representation of the Association dated 02.02.2018 ventilating their grievances to the respondents. However, no orders have been passed thereon till date. It is also brought to our notice that the first respondent – Union of India, has also recently issued Office Memorandum dated 28.09.2018 which is having a bearing on the subject matter of the OA.

3. In the circumstances, this OA is disposed of at the admission stage itself without going into the merits of the case by directing the respondents to consider Annexure A/1 representation made on behalf of the Association of the applicants dated 02.02.2018 duly keeping in view various decisions enclosed to the OA and also the Ministry of Finance Office Memorandum dated 28.09.2018 and to pass appropriate reasoned and speaking orders thereon within ninety days from the date of receipt of a certified copy of this order, in accordance with law. No costs.

Let a copy of the OA, be enclosed to this order.

(A.K. Bishnoi)
Member(A)

(V. Ajay Kumar)
Member(J)

/ns/

