

**Central Administrative Tribunal
Principal Bench**

CP No. 280/2017 in
OA No.3121/2013
MA No.2696/2017
MA No.3709/2016
MA No.3935/2018

This the 26th day of October, 2018

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)

Prem Prakash Dhal
S/o Sh. Atma Ram,
R/o 1500, Sector 15,
Sonapat (Haryana)

... Applicants

(By Advocate: Sh. Yogesh Sharma)

Versus

1. Sh. M.M.Kutty,
Chief Secretary,
Govt. of NCT of Delhi
New Sectt., I.P.Estate,
New Delhi.
2. Sh. Anil Kumar Singh,
Principal Secretary,
Department of Social Welfare &
Women & Child Development,
Govt. of NCT of Delhi,
GLNS Complex, Delhi Gate,
Delhi.
3. Sh. Rajiv Mehrishi,
Secretary,
Ministry of Home Affairs,(UT)

Govt. of India,
North Block,
New Delhi.

4. Sh. Ashok Lavasa,
Secretary,
Ministry of Finance,
Department of Expenditure,
North Block, New Delhi. .

... Respondents

(By Advocate: Mrs. Harvinder Oberoi and Sh. Gyanendra Singh)

ORDER (ORAL)

By Justice L.Narasimha Reddy, Chairman

This CP is filed alleging that the respondents did not comply with the order dated 17.08.2016 passed by the Tribunal in OA No.3121/2013. The grievance in the OA was about anomaly in the pay scales. The pay scale for the post of Deputy Director (Technical) was the same as the one stipulated for its feeder category. The Tribunal noticed this anomaly, and disposed of the OA directing the respondents to examine the issue, by constituting the Anomaly Committee and to take a final view within a period of 90 days from the date of receipt of a certified copy of the order.

2. The respondents filed a reply stating that Committee as directed by the Tribunal has been constituted and report was also submitted.

3. Heard Sh. Yogesh Sharma, learned counsel for applicant and Mrs. Harvinder Oberoi and Sh. Gyanendra Singh, learned counsel

for respondents. Smt. Rashmi Krishnan, IAS, Secretary, Women and Child Welfare Department is also present.

5. At one stage of the proceeding the Tribunal observed that though the Committee submitted a report, no decision was taken thereon. Respondents have recently filed a compliance affidavit, together with order dated 12.10.2018. After thorough discussion on various aspects and by referring to the report submitted by the Committee, the Director, Women and Child Welfare Department has taken the view that the promotional post carrying the same scale of pay as that of its feeder category is the result of merger of pre-revised scales of Rs.3000-3625, Rs.3000-4500 and Rs.3000-5000 based on the recommendations of 5th Pay Commission and such a situation prevails in many services. In that view of the matter he has decided not to accede to the request of the applicant.

6. With this, the direction issued by this Tribunal stands complied with. CP is, accordingly, closed. Notices are discharged.

7. In view of the above, all ancillary applications stands disposed of.

(Pradeep Kumar)
Member (A)

(Justice L.Narasimha Reddy)
Chairman

‘sd’