

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/287/2018

DATE OF ORDER: 24.07.2018

CORAM

HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER

Jitendra Singh Yadav S/o Sh. Jagat Singh, aged about 40 years,
R/o 13 Rana Sadan, Prem Nagar, Behind Marwar School Digadi,
Jodhpur, presently posted at PGT KV Anta, District Baran (Raj.).

....Applicant

None present for the applicant.

VERSUS

1. Union of India through Secretary, Ministry of Human Resources Development, Government of India, New Delhi – 110001.
2. Kendriya Vidhyalya Sangathan through the Commissioner, Headquarter 18 Institutional Area, Shaheed Jeet Singh Marg, New Delhi – 110016.
3. The Dy. Commissioner, Kendriya Vidhyalaya Sangathan, Regional Office Sector 29, Gandhinagar Marg, Bajaj Nagar, Jaipur – 302015 (Raj.).
4. The Assistant Commissioner, Kendriya Vidyalaya Sangathan, Regional Office Sector 29 Gandhinagar Marg, Bajaj Nagar, Jaipur – 302015 (Raj.).
5. Principal Kendriya Vidyalaya Anta, District Baran (Raj.) PIN-325202.

....Respondents

ORDER (oral)

Per: Suresh Kumar Monga, Judicial Member

The pleaded case of the applicant herein is that he is working as a Trained Graduate Teacher (TGT) in Kendriya Vidyalaya Sangathan Anta since 2002. The pay scale of the TGT before implementation of 6th Pay Commission was 5500-9000. After implementation of 6th Pay Commission, the said pay scale was revised to 9300-34800 with Grade Pay of Rs. 4600. It has

further been averred that revised pay scales were implemented by the respondent-authorities with effect from 01.01.2006. As per the Government of India notification dated 29.08.2008, the employees joining the services on or after 01.01.2006 were required to be paid the entry scale of Rs. 12540 + 4600 = Rs. 17140. Following the said notification, Kendriya Vidyalaya Sangathan also issued a notification dated 28.07.2010 whereby a provision was made that a senior recruited before 01.01.2006 cannot straightway be given the entry pay of Section-II Part-A Schedule-1 unless there is a junior recruited on 01.01.2006 and drawing higher pay than the said senior. It has further been averred that in the light of above said notification, the pay fixation of the applicant was done at Rs. 17140 with effect from 01.01.2006. However, later on, the re-fixation was made effective from 11.09.2006. Aggrieved by the said action, the applicant submitted a representation before respondent no. 3 on 06.10.2017 (Annexure A/1), which has not yet been decided.

2. Since the representation dated 06.10.2017 (Annexure A/1) is still pending consideration before respondent no. 3, therefore, in our considered view, ends of justice will be met if a time bound direction is issued to respondent no. 3 to take a decision over the applicant's said representation in a time frame.

3. Accordingly, without going into the merits of the case, the instant Original Application is disposed of with a direction to respondent no. 3 to pass an appropriate order over the representation dated 06.10.2017 (Annexure A/1) of the applicant in accordance with law within a period of two months from the date of receipt of a certified copy of this order.

4. The Registry is directed to send a complete set of paper book of this case to respondent no. 3 along with a copy of this order.

5. Ordered accordingly.

6. There shall be no order as to costs.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER

Kumawat