

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/569/2012

Jabalpur, this Friday, the 01st day of March, 2019

HON'BLE MR. NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

1. Vishram Ram Kachhap, aged about 59 years, S/o Shri Ledoram Kacchap, R/o E.W.S. 333, Vijay Nagar, Ujjain Road, Dewas (M.P.) 455001.

2. Mahipal Singh, aged about 55 years, S/o Late Beni Singh, R/o A-5 Akash Vihar, Akashwani Colony, Indore (M.P.) 462001.

-Applicants

(By Advocate – None)

V e r s u s

1. Union of India through the Secretary, Ministry of Finance, Govt. of India, North Block, New Delhi – 3- 110001.

2. Deputy Secretary, Ministry of Personnel Public and Pension, Department of Personnel Training, Redeployment and Retaining Cell, III Floor, Lok Nayak Bhawan, Khan Market, New Delhi – 3 – 110001.

3. The General Manager, Bank Note Press, Dewas (MP), A Unit of Security Printing and Minting Corporation of India Limited.

4. Prasar Bharti (Broadcasting Corporation of India) Akashwani, Indore through the Superintending Engineer/Administrative Officer, Malwa House, Indore (M.P.)

- Respondents

(By Advocate – Shri Manish Chourasia)

O R D E R (O R A L)

By Navin Tandon, AM.

Since there has been no representation on the part of the applicants for the last several occasions, therefore, we propose to

decide the matter *ex-parte* while exercising our powers conferred under Rule 15(1) of the Administrative Tribunals Act, 1987.

2. The applicants were working as Fitter in the Bank Note Press (BNP) Dewas, which is now merged in Security Printing and Minting Corporation of India Limited (SPMCIL).

2.1 They were given an opportunity either to join SPMCIL or to continue a Government servant. They have not opted to be absorbed in the Corporation, which was formed on 10.02.2006 and have chosen to remain a Government employee.

2.2 Both the applicants were initially appointed as Assistant Fitter in the BNP in November, 1987. Subsequently, they were promoted to the pay scale of Rs.3050-4590, which was the Grade Pay of Rs.1900 after implementation of the recommendations of the 6th CPC.

2.3 The applicants were granted the Grade Pay of Rs.2000/- under MACP-II w.e.f. 01.09.2008.

2.4 Since they did not opt to remain in SPMCIL, they were posted after redeployment as LDC with respondent No.4 in the Grade Pay of Rs.1900/-.

3. The applicants have, therefore, sought for the following reliefs:

“8. **Relief Sought**: It is therefore humble prayed that this Hon’ble Tribunal may kindly be pleased to:

- (a) Call for the entire service record related to applicants;
- (b) Direct the respondents to fix proper pay scale/grade pay of the applicants retrospectively and assign proper posting to them as per their qualification by taking entry Grade Pay as Rs. 2000/- w.e.f. date of implementation of the recommendations of the Sixth Pay Commission and accordingly Third MACPs be granted to them as per their entitlement with arrears thereof and interest.
- (c) Award cost of filing of instant application.”

4. The respondents have filed their reply wherein it has been stated that while redeploying a surplus employee, his substantive Grade Pay is considered for his redeployment.

5. Heard learned counsel for the respondents and perused the pleadings and documents available on record.

6. Learned counsel for the respondents relied upon orders of this Tribunal in Original Applications Nos.1075 of 2011 & 1091 of 2011, decided on 23.07.2015 of similar placed employees, wherein it has been held as under:

“9. Thus, we hold that the applicants-surplus employees can be redeployed against an equivalent post according to their substantive Grade Pay and they are not entitled for an equivalent post according to the Grade Pay granted to them under ACP/MACP. Thus, there is no infirmity in impugned DOPT’s OM dated 11.11.2011 (Annexure A-12).”

7. In the instant case also, we find that the applicants were redeployed with respondent No.4 against an equivalent post held in BNP in the Grade Pay of Rs.1900/-. Therefore, by maintaining the same ratio as laid down in Original Applications Nos.1075 & 1091/2011 (supra), we hold that the applicants are not entitled for Grade Pay of Rs.2000/- after their redeployment, as substantive Grade Pay, i.e. Rs.1900/- is only to be considered for redeployment.

8. Accordingly, the O.A is dismissed, being devoid of any merit. No costs.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

am/-