

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
OA/050/00166/15**

Reserved on: 15.01.2019
Pronounced on: 18.01.2019

C O R A M

**HON'BLE MR. JAYESH V. BHAIRAVIA, JUDICIAL MEMBER
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER**

1. Binod Kumar Singh. S/o Late Vishwanath Singh, Village & PO- Bharauli, District- Saharsa.
2. Triveni Pandey, S/o Late Dayanand Pandey, resident of Ward No. – 12, Gautam Nagar, Gangjala, District- Saharsa.
3. Umendra Narain Singh, S/o Adyanand Singh, Mohalla- Naya Bazar, Ward No-02, Thakur Tola, Nariar Road, Saharsa, District- Saharsa.
4. Natwar Nagar Prasad, S/o Radha Krishna Prasad Verma, Villafge- Mirzapur, PO- Rosera, District- Samastipur.
5. Rajkishor Choudharyt, S/o Late Yogeshwar Choudhary, Village & PO- Bangaon, District- Saharsa.
6. Chandra Shekhar Prasad Singh, Village & PO- Dhabauli, Via- Madhepura, District-Sahrasa.
7. Jogi Paswan, S/o Late Anoop Paswan, Village & PO - Madhukar Chak, Via- Bihariganj, District- Madhepura.
8. Nand Kishore Yadav, S/o Late Bairagi Yadav, Ward No. -1, Laloo Nagar, District- Madhepura.
9. Ram Shankar Bhartyt, S/o Late Rambhaju Baitha, resident of Village- Agraul, PO- Jahangirpur Lagma, District- Samastipur.

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Applicant.

- By Advocate: - Mr. J.K. Karn

-Versus-

1. The Union of India through the CMD, Corporate Office, Bharat Sanchar Bhawan, Harish Chander Mathur Lane, Janpath, New Delhi.
2. The Deputy General Manager (Estt.), BSNL Corporate Office, TE Section, 5th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi.
3. The Assistant General Manager (Personnel-V), BSNL Corporate Office, PAT- Section, 5th Floor, Bharat Sanchar Bhawan, Harish Chander Mathur Lane, New Delhi.
4. The Chief General Manager, Bihar Telecom Circle, Patna.
5. The Telecom District Manager, BSNL, Saharsa.

..... Respondents.

- By Advocate(s): - None

ORDER

Per Dinesh Sharma, A.M:- The prayer of the applicants is that he should be allowed the benefit of sub paragraph 2.4 of the fitment method of office order (No. 10/2010) dated 07.05.2010 as contained in Annexure A/2 of the OA.

2. This sub paragraph 2.4 is reproduced below: -

“ 2.4. Where non-executives drawing pay at two or more consecutive stages in the existing pay scales get bunched, then, in the revised IDA pay scale for every two stages so bunched benefit of one increment will be given.”

3. The respondents in their written statement have denied the claim and have stated that the situation requiring application of para 2.4 does not arise in the case of the applicants. They have already informed the applicants about this fact by their letter 29/31.08.2013 (Annexure R/1).

4. The respondents have also filed Supplementary Written Statement in which they have given further details of the pay revised and the revised scale of pay of the applicants and have explained in detail why the additional increment as claimed by the applicants is not payable to them.

4. We have gone through the record and heard the learned counsel for the applicant. It is clear from the reading of Rule 2.4 quoted above that it is applicable only when pay at two or more consecutive stages get bunched in the revised pay scales. The benefit of one increment is given to break this tie and to ensure that benefit of one increment is given. The details given in the Supplementary WS clearly show that no such bunching

has occurred. The applicants have also not given any example to show this bunching or of any anomaly caused thereby resulting in their getting lesser pay than their juniors. The rules regarding bunching or stepping up are there to ensure that no such anomaly occurs. In the absence of any proof given by the applicants of any such tie or anomaly happening due to the fitment at the time for pay revision, we do not see any reason to accept the prayer of the applicants. The OA is, therefore, dismissed. No order as to costs.

[Dinesh Sharma]
Administrative Member
Srk.

[Jayesh V. Bhairavia]
Judicial Member