

**Central Administrative Tribunal
Principal Bench**

RA No.25/2019 in
OA No. 1914/2018

This the 7th day February, 2019

Hon'ble Mr. Pradeep Kumar, Member (A)

Anis Ahmed, Aged about 60 yrs,
S/o Late Sh. Mohd. Hamid
R/o House No. R.N.60,
B-Block Market, Sector-62, Noida,
Distt. Gautam Budha Nagar,
Uttar Pradesh 201301.

... Applicant

Versus

1. The State (Government of NCT of Delhi)
Through its Secretary (Education)
Old Secretariat, Delhi-54.
2. Lt. Governor,
NCT of Delhi
Raj Niwas, Rajpur Road
Delhi.
3. Directorate of Education
Old Secretariat, Civil Lines, Delhi-54.
4. Director of Education
Old Secretariat, Civil Lines, Delhi-54.
5. Director of Education
District South East
Director of Education, GNCT of Delhi,
C Block, Defence Colony,
New Delhi.
6. Deputy Director of Education
District South - East,
Director of Education, GNCT of Delhi,
C-Block, Defence Colony,
New Delhi.

7. Additional DDE (Zone 29)

District South East,
Director of Education, GNCT of Delhi,
C-Block, Defence Colony,
New Delhi.

... Respondents

ORDER (By Circulation)

It is recalled here that applicant was working as Principal and was posted as DDE on current duty charge (CDC) basis and approached Tribunal vide OA No.1914/2018 seeking additional payment for this change in posting. The instant RA has been filed by the applicant in reference to the order dated 13.12.2018 passed in OA No.1914/2018.

Applicant has pleaded as under:

“3 (A) This Hon’ble Tribunal in para 2 of the aforesaid judgment observed as below:

2. In the meanwhile, certain changes in the jurisdiction have also taken place and as seen from an order dated 07.03.2018 the work of DEO in two Zones i.e. Zone 29 and Zone 25 was reorganized and distributed amongst two DEOs namely Mr Anis Ahmed and Shri P.C.Sharma.”

It is very relevant to mention that on 07.03.2018, the applicant was posed as ‘Deputy Director of Education’ not as DEO as mentioned in the said para of the order of this Hon’ble Tribunal. More so Shri P.C. Sharma was never posted as DDE in the District South East. The designation of Sh. P.C.Sharma was of Additional DDE (Zone-29) and vide order dated 18.01.2018, Shri P.C.Sharma was ordered to look after the work of the Govt. School only.”

2. From the above, it comes out that two points have been brought out as under:

(a) That applicant was posted as Dy. Director of Education (DDE) and not as District Education Officer (DEO) and that Sh. P.C. Sharma was never posted as Dy. Director of Education (DDE) but he was Addl. DDE only.

(b) The workload assigned to Sh. P.C. Sharma was in respect of the Government Schools only in Zone-29 and thus by implication this workload was much less as compared to that of DDE.

3. In support thereof, the applicant has annexed a copy of a mail sent by him dated 04.10.2017 seeking correction of posting orders as well as a copy of the order dated 18.01.2018 issued by Assistant Director of Education. This order dated 18.01.2018 reads as under:

“Mr. Anis Ahamed, Principal presently posted as DDE (Zone-29) on CDC is hereby attached with DDE (A&PS), District South East to assist her in disposal of the all matter related to Aided and Private School with immediate effect.

Further, Shri P.C. Sharma, Principal posted as Addl. DDE (Zone-29) on CDC shall report to DDE (SE) to look after the matters related to Govt. Schools with immediate effect.”

4. The applicant has also attached a statement showing groupwise sanctioned post in Directorate of Education, GNCTD, which also includes the pay band of different level officers as well as a list of the Education Officers/DDE of

various zones as on 22.02.2018. Applicant has pleaded for the review of the orders in OA No.1914/2018 and seeking relief which was originally sought in said OA.

5. Matter has been reviewed. The averments made are referring to para 2 of the judgment dated 13.12.2018. Para 1 to 5 of this judgment is a summarised version of the averments made by the applicant and the respondents. The observations and judgment by Tribunal are contained in para 6 onwards.

6. It is noted that the applicant was posted as DDE and not DEO. Accordingly, para 2 of the judgment needs correction and stands modified to this extent.

8. In regard to the relative workload of DDEs, it is seen from statement dated 22.02.2018, that the distribution of workload between Sh. Anis Ahmed, applicant herein, and Sh. Prem Chand Sharma, is as under:

District	Zone	Name of Education Officer
South East	25	Jagdish Chander Yadav (CDC)
	25+29 (Aided School)	Anis Ahmed, CDC
	25+29 (Govt. School)	Sh. Prem Chand Sharma, Addl. DDE, CDC

This statement indicates that the work of Zone-25 was allocated to one more officer, namely, Sh. Jagdish Chander

Yadav. The work of Zone-25 and Zone-29 comprised of aided schools as well as Government schools. Applicant was given the charge of all aided schools in these two zones and Sh. Prem Chand Sharma was given the work in respect of Government schools in these two zones.

It is the view of the Tribunal that the work assigned to one officer effectively pertains to one zone only. And thus does not call for extra allowance as was sought in OA.

8. The statement of groupwise sanctioned post, wherein pay bands are also shown, as has been submitted by the applicant along with RA, indicates that all officers having designations like “Education Officer and equivalent”, the Principal, the DDE and Joint Director (Planning), are all in the same pay band of Rs.15600-39100 + GP Rs.7600. Thus allocation of duties to the applicant, who was a Principal, under a different designation namely DDE, does not call for any additional payment as was sought in OA.

9. All other aspects mentioned in the RA, have already been considered while delivering the judgment dated 13.12.2018. There is no new item of substantive nature, in the RA.

10. Accordingly, RA is allowed to the very limited extent of correcting the designation of the applicant as DDE in place of DEO, as mentioned in para 2 of the judgment in OA No.1914/2018 delivered on 13.12.2018. No costs.

(Pradeep Kumar)
Member (A)

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