

CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA 433/2003

New Delhi, this the 5th day of January, 2004

Hon'ble Sh. Shanker Raju, Member (J)
Hon'ble Sh. Sarweshwar Jha, Member (A)

1. Chander Prakash
2. Pawan Kumar
3. Surender Kumar
4. Ravinder Kumar Yadav
5. Shyamveer Singh
6. Ashok Kumar
7. Krishan Pal
8. Chander Kishore
9. Jai Bhagwan
10. Sant Lal
11. Surinder Pal
12. Iswar Singh
13. Ram Kishan
14. Shyam Lal
15. Lila Devi
16. Suresh Chand Ghoswami
17. N.S. Bisht
18. Jagdish
19. Jai Pal Singh
20. Jagdish
21. Ashok Kumar
22. Narender Kumar
23. Rajender Prasad
24. Surender Kumar
25. Ram Raj Yadav

...Applicants

All are working as Record Clerk in the
office of Controller of Defence Accounts
(Army), Meerut Cantt.

(By Advocate Sh. Yogesh Sharma)

V E R S U S

1. Union of India through
The Secretary
Ministry of Defence
Accounts Department
Govt. of India, South Block
New Delhi.
2. The Chief Controller of Defence Accounts
West Block V, R.K.Puram, New Delhi.
3. The Dy. Controller of Defence Accounts (AN)
Govt. of India, Meerut Cantt (UP).

...Respondents

(By Advocate Sh. D.S.Mahendru)

O R D E R (ORAL)

Shri Shanker Raju,

Heard the parties.

2. Applicants who are Record Clerks in the office of Controller of Defence Accounts have sought parity of pay scales with group 'C' employees of other departments.

3. OA 2414/2001 filed by the applicants was disposed of at the admission stage on 13-9-2001 with the directions to the respondents to dispose of their pending representations and pass suitable orders.

4. In compliance thereof when the order has not been passed, MA for extension filed by the respondents was disposed of where one of the ground taken was that the matter has been sent to the Ministry of Defence for their decision.

5. By an order dated 16-1-2002 passed by the office of CDA, it is intimated that the matter being a policy matter which is to be decided by the Govt. of India is under consideration at the appropriate level.

6. Applicants impugn order dated 16-4-2002 passed by the Dy. CDA (AN) where the request of the applicants for parity of pay scales has been turned down on the ground that their representations has been considered and it was intimated that this being a policy matter, the pay and

allowances of Record Clerks have been/are presently being regular in accordance with the present policy and orders of the Govt. of India. However, it is not clear that any consideration has been made by the Ministry or a decision has been arrived thereafter.


7. Learned counsel for the applicants Sh. Yogesh Sharma emphasizes that the order should be reasoned and should indicate that the same has been done after consideration by the Ministry of Defence.

8. On the other hand learned counsel for the respondents Sh. D.S.Mahendru states that on perusal of the matter, though directions were given to examine the matter regarding pay parity, the Dy. CDA has only intimated the decisions of the Ministry of Defence, but this has not been apparent and reflected from the order.

9. For the reasons given above, OA is partly allowed. Order dated 16-4-2002 is set aside. We direct respondent No.1 to consider the representations of the applicants for parity of pay scales and pass and communicate a detailed and reasoned order within a period of three months from the date of receipt of a copy of this order. No costs.



(Sarweshwar Jha)
Member (A)



(Shanker Raju)
Member (J)

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