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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 5 OF 2003

New Delhi, this the 8th day of December 2003

HON'BLE SHRI BHARAT BHUSHAN, JUDICIAL MEMBER

1. Kirat Ram
S/o Sh. Bhonda Singh,
2. Mrs. Sunitra Goel,
W/o Sh. Vijender Kumar,
3. Jai Bhagwat
S/o Anti Ram.

All are working as Lab., Assistants in
Rajkumari Amrit Kaur College of Nursing
Lajpat Nagar, New Delhi-24.

.....Applicants

(By Advocate : Shri Ranbir Yadav)

..... Versus

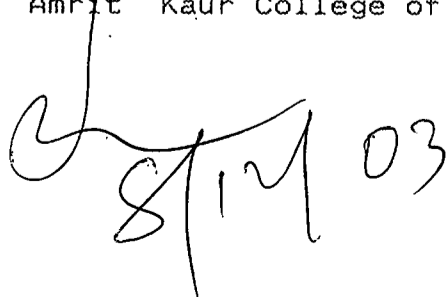
1. Union of India
through Secretary,
Ministry on Health Family Welfare
Nirman Bhawan,
New Delhi.
2. Director General
Health Services,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi.
3. Secretary,
Ministry of Personnel P.G. & Pension,
Deptt. of Personnel & Training,
North Block, New Delhi.
4. Secretary,
Ministry of Finance (Deptt. of Expenditure)
North Block, New Delhi.
5. Principal
Raj Kumari Amrit Kaur College of Nursing,
Lajpat Nagar,
New Delhi-110024.

.....Respondents

(By Advocate : Shri N.S. Mehta)

ORDER (ORAL)

All the three applicants in the present OA are
working as Lab. Assistants in Group 'C' posts in Raj
Kumari Amrit Kaur College of Nursing, Lajpat Nagar,

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New Delhi in the revised pay scale of Rs.3200-4900/-.

The applicants' case is that they were provided uniform from December, 1995 to March, 2001 and washing allowance at the rate of Rs.15/- per month from 29.12.1995 to 31.8.2002, but vide impugned order dated 17.9.2002 (Annexure P-21), the payment of washing allowance at the rate of Rs.15/- per month to all the Laboratory Assistants of the College was ordered to be stopped with immediate effect. Hence, this order, which is under challenge before me in the present OA.

2. In the reply filed by the respondents, they have stated that as a matter of fact the payment had earlier been made to these Lab. Assistants by under some mistaken belief whereas actually such payment was to be made as per the Govt. notification to such employees working in the hospitals only. The relevant OM dated 14.6.1995 (Annexure R-I) in this regard referred to by them is as under:-

"The undersigned is directed to say that there has been demand for grant of uniform to all excluded categories of employees working in the hospital. The matter has been examined in the Ministry and it has been decided that all group 'C' & 'D' employees of para-medical and technical categories shall be eligible for uniform or coat/apron, as the case may be. Sanction is hereby accorded to the grant of uniform or coat/apron to all para-medical and technical categories in Central Government hospitals/CGHS dispensaries who are not getting uniforms/coats/apron, as the case may be, from the current financial year.

2. The expenditure will be met from the sanctioned budget of the hospitals/CGHS dispensaries/institutions concerned.

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3. This issues with the approval of Secretary (Health)."

3. Heard arguments of the learned counsel of the parties. Learned counsel while taking me through the Office Memorandum (Annexure R-I) has submitted that such like uniform allowance has been directed to be made to the payment of Group 'C' and Group 'D' employees of para-medical and technical categories working in the Central Govt. hospitals/CGHS dispensaries only. As since the applicants were working only in the College and not in any hospital, so they are not entitled to the same. The learned counsel of the applicants has contended that their College authorities have represented to Director General of Health Services, Govt. of India on a number of occasions for extending such benefits of washing allowance to the Lab. Assistants working in the College also, but no decision has been taken so far in spite of their repeated requests. In this regard, my attention has been drawn to letter No.2-1/2000 dated 16.10.2000 (Annexure P/10 (Colly.)) written by the Principal, Rajkumari Amrit Kaur College of Nursing, Lajpat Nagar, New Delhi to the Director Admn. (GCB), Dte. GHS, Nirman Bhavan, New Delhi praying therein for the payment of washing allowance to the Lab. Assistants as well. It is really unfortunate that the Govt. has not taken any decision so far, but of course, is correspondence to the effect that the matter is under active consideration. This being so, the respondents are directed to dispose of the aforesaid representation of the College

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authorities for the grant of uniform/washing allowance to Group 'C' category of the College immediately and preferably within a period of two months from the date of receipt of a copy of this order.

4. In view of the preceding paragraph, the present OA is disposed of without any order as to costs.



(BHARAT BHUSHAN)
JUDICIAL MEMBER

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