

**Administrative Tribunal
Principal Bench**

OA No.3074/2019

MA No.3383/2019

With

OA No.3080/2019

MA No.3388/2019

OA No.3089/2019

OA No.3179/2019

MA No.3471/2019

New Delhi, this the 31st day of October, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

I. OA No.3074/2019

1. Om Prakash Meena, Group 'B',
E.No.608, Age 47 years,
S/o Shri Ram Ji Lal Meena,
Working in the office of
Principal Commissioner of Customs (PREVENTIVE),
New Custom House, I.G.I. Airport,
New Delhi
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002.
R/o Flat No.146, Block B, Platinum Heights Apt
Sector 18 B, Dwarka, New Delhi-110078.
2. Ramkishor Meena, Group 'B',
Age 48 years,
S/o Late Sh. Prabhu Lal Meena,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002.
R/o Flats-333, DDA, MIG Pink Appartment,
Sector-18B Dwarka, New Delhi-110078.
3. Gopal Meena, Group 'B',
Age 54 years,
S/o Late Sh. Netram Meena,

Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o Flats No.192, DDA MIG Pink Appartment,
 Sector-18B, Dwarka, New Delhi-110078.

4. Syoram Meena, Group 'B',
 Age 50 years,
 S/o Sh. Kanhiya Lal
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o H.No.113, Gali No.B-6, Ashok Vihar,
 Ph-3 Exth Gurgoan – (HR).
5. Kamal Ram Meena, Group 'B',
 Age 57 years,
 S/o Shri Hersahay Meena,
 Working in the office of the Deputy Commissioner
 CGST, Karnal, Haryana
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002,
 R/o D-24/8 Jawahar Park Khanpur,
 New Delhi-110062.
6. Ganga Ram Meena, Group 'B',
 Age 52 years,
 S/o Late Sh. Ranglal Meena,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002,
 R/o Plot.A-273, Tawar-C Flat No.-12,
 Sangam Apartment Chhatarpur Enclave,
 Ph-2 Chhatarpur, New Delhi-110074.

7. Ram Nath Meena, Group 'B',
Age 53 years,
S/o Late Sh. Gajadhar Meena,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002,
R/o 375, DDA Pocket-1, Scet-9,
Dwarka, New Delhi.
8. H.S. Meena, Group 'B',
Age 51 years,
S/o Shri Late Hargovind Meena,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o SRS Residency, B-2/1102 Sector-88,
Faridabad.
9. Laxman Ram Meena, Group 'B',
Age 53 years,
S/o Sh. Late Ram Meena,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o Q-no.1303, Sector-12,
R.K. Puram, New Delhi.
10. Badruzzama Khan, Group 'B',
Age 47 years,
S/o Shahabuddin Khan,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o House No.117/314,
Gali No.12, Ghaffar Mazil,
Jamia Nagar,
New Delhi-110025.

11. B.S. Meena, Group 'B',
Age 52 years,
S/o Late Sh. P.C. Meena,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o Flat No.320, DDA, SFS Flats,
Sector 5, Dwarka, New Delhi.
12. Rajiva Ranjan, Group 'B',
Age 52 years,
S/o Late Sh. Rajendra Prasad,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o 402, Block F1B, Pocket 1,
Sector 18B, Dwarka,
New Delhi-110078.
13. Sanjay Kumar, Group 'B',
Age 51 years,
S/o Sh. Ramashish Singh,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o C-12/S Vijeta Vihar Apartment,
Sector 13, Rohini, Delhi-85.
14. Manoj Kumar Tyagi, Group 'B',
Age 54 years,
S/o Late Shri Jagdish Prasad Tyagi,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o Flat No.154, Block C&D
Shalimar Bagh, New Delhi-110088.

15. Omprakash Meena,
E.No.1164, Age 53 years,
S/o Late Shri Ram Sahay Meena,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002,
R/o Shee Awas Society,
Flat No.106, MIG DDA,
L&T Pocket, Phase II, Sector 18B,
Dwarka, New Delhi-110078.
16. Shiv Chandra Deo Bhagat, Group 'B',
Age 52 years,
S/o Late Sukh Deo Bhagat,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o B-8/18, Sector 15,
Rohini Delhi-110089.
17. Prajul Kumar Srivastava, Group 'B',
Age 52 years,
Emp. No.1419,
S/o Shri J.P. Srivastava,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o I-6, West Patel Nagar,
New Delhi-110008.
18. Mukesh Gulia, Group 'B',
Age 52 years,
Emp. No.1338,
S/o Late Shri Mukhtiar Singh,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,

New Delhi-110002
 R/o House No.701, Sector VI,
 Bahadurgarh, Haryana-124507.

19. Kanwar Pal Meena, Group 'B',
 Age 50 years,
 Emp.964,
 S/o Shri Jamna Lal Meena,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o Flat No.116, Pkt I, Sector-I,
 DDA SFS Flats, Dwarka,
 New Delhi-110075.
20. Om Prakash Meena, Group 'B',
 Age 49 years,
 Emp No.451,
 S/o Raghu Nath Meena,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 452, DDA Flats, Pkt-I,
 Sec 22, Dwarka,
 New Delhi-75.
21. Mrs. Urmila Devi Sharma, Group 'B',
 Age 51 years,
 Emp No.251,
 W/o Shri R.K. Sharma,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o E-63, Sector 52, NOIDA.
22. Kailash Chandra Nautiyal, Group 'B',
 Age 59 years,
 Emp. No.1481,
 S/o Late Shri R.K. Nautiyal,

Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o KD-192, Pitampura,
 Delhi-110034.

...Applicants

(By Advocate : Shri Padma Kumar S.)

Versus

1. Union of India, through
 The Revenue Secretary,
 Government of India,
 Ministry of Finance,
 Department of Revenue,
 North Block, New Delhi-110001.
2. The Chairman,
 Central Board of Indirect Taxes & Customs,
 Ministry of Finance, North Block,
 New Delhi-01.
3. The Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
4. The Principal Commissioner,
 Delhi North GST & Central Excise,
 C.R. Building,
 I.P. Estate, New Delhi-110002.

...Respondents

(By Advocate : Shri U. Srivastava)

II. OA No.3080/2019

1. Sanjay Kumar Choudhary, Group 'B',
 Age 54 years, Post : Superintendent
 S/o Late Shri G.P. Choudhary,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise

Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
 R/o D-181, Freedam Fighter's Enclave IGNOU Road
 Neb Sarai,
 New Delhi-68.

2. Sunil Kumar, Group 'B',
 Age 53 years, Post : Superintendent
 S/o Late Sh. B.K. Agarwal,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
 R/o H-3/58, Vikas Puri,
 New Delhi-110018.
3. Anurag Kumar Saxena, Group 'B',
 Age 53 years, Post : Superintendent,
 S/o Late Sh. K.C. Saxena,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o A-597, Sector-19, Noida (U.P.)-201301.
4. Ravi Jakhmola, Group 'B',
 Age 54 years, Post : Superintendent,
 S/o Sh. Daya Sagar Jakhmola,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o D702, Mahajan Shree CGHS,
 Plot No.13, Sector-23, Dwarka,
 New Delhi-75.
5. Arvind Singh Lodhi, Group 'B',
 Age 51 years, Post : Superintendent,
 S/o Shri Pradhakar Singh Lodhi
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,

Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o E 502, Mahajan Shree CGHS,
 Plot No.13, Sector-23, Dwarka,
 New Delhi-75.

6. Ashish Gupta, Group 'B',
 Age 52 years, Post : Superintendent
 S/o Late Sh. Lalit Kumar Gupta,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002,
 R/o D 603, Mahajan Shree CGHS, Plot No.13,
 Sector-23, Dwarka, New Delhi-75.
7. Manoj Kumar Shrivastav, Group 'B',
 Age 50 years, Post : Superintendent,
 S/o Late Sh. R.K. Shrivastv,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 710, Manchahat CGHS,
 Sector-10, Dwarka,
 New Delhi-75.
8. Sudhir N. Puthran, Group 'B',
 Age 50 years, Post : Superintendent,
 S/o Shri N.N. Puthran,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o A-13-A, DDA Flats, Munirka,
 New Delhi-67.
9. Sanjay Kumar Singh, Group 'B',
 Age 54 years, Post : Superintendent,
 S/o Late Shri R.A. Singh,
 Under the Cadre Controlling Authority of

Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o Q.12, Rajouri Gardan,
 New Delhi-27.

10. Sanjeev Yadav, Group 'B',
 Age 50 years, Post : Superintendent,
 S/o Shri Ram Singh Yadav,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 28/22, First Floor,
 East Patel Nagar, Delhi-08.
11. Vandna Rikhy, Group 'B',
 Age 50 years, Post : Superintendent,
 D/o Sh. S.P. Rikhy,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 68C, Skynet Enclave,
 Zirakpur (HR).

...Applicants

(By Advocate : Shri Padma Kumar S.)

Versus

1. Union of India, through
 The Revenue Secretary,
 Government of India,
 Ministry of Finance,
 Department of Revenue,
 North Block, New Delhi-110001.
2. The Chairman,
 Central Board of Indirect Taxes & Customs,
 Ministry of Finance, North Block,
 New Delhi-01.

3. The Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
4. The Principal Commissioner,
 Delhi North GST & Central Excise,
 C.R. Building,
 I.P. Estate, New Delhi-110002.

...Respondents

(By Advocate : Shri B.K. Barera)

III. OA No.3089/2019

1. Ashok Kumar Ranwan, Group 'B',
 Age 54 years, Post : Superintendent of Customs
 S/o Shri Balwant Singh Ranwan,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
 R/o Flat No.Q.903, Sispal Vihar,
 Sohna Road, Sector 49,
 Gurgaon, Haryana, PIN122018.
2. Navin Karnwal, Group 'B',
 Age 52 years, Post : Superintendent
 S/o Late Sh. Asha Ram,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
 R/o H.N-190, Sector 15,
 Faridabad-121007.
3. Rajender Singh Pawar, Group 'B',
 Age 55 years, Post : Superintendent,
 S/o Late Sh. Mukhtiar Singh,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),

C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o H.No. M-423, First Floor Orchid Island,
 Sector-51, Gurgaon.

4. P.K. Yadav, Group 'B',
 Age 56 years, Post : Superintendent,
 S/o Late Sh. Ramji Lal Yadav,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o B-41, Ground Floor Southend Floor,
 Sector 49, Gurugram-122028.
5. Mahinder Singh, Group 'B',
 Age 54 years, Post : Superintendent,
 S/o Shri Giani Ram
 Working in the office of the Deputy Commissioner
 CGST, Karnal, Haryana
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o Villg-Kaliawas PO-Khachroli Distt Jhajjar,
 Haryana-124106.
6. Deepak Kumar Sharma, Group 'B',
 Age 48 years, Post : Superintendent
 S/o Late Sh. Purushottam Sharma,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002,
 R/o DB-4d, DDA Flats,
 Hari Nagar, New Delhi-64.
7. Prem Mohan Sharma, Group 'B',
 Age 51 years, Post : Superintendent,
 S/o Late Sh. Madan Mohan Sharma,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,

Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o D5 Mayapuri, New Delhi.

8. Mahavir Singh, Group 'B',
 Age 60 years, Post : Superintendent,
 S/o Late Shri Rohtas Singh,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o A-401, Manglik Appartment Plot No.25,
 Sector-6, Dawarka, New Delhi-25.
9. Rajesh Bharadwaj, Group 'B',
 Age 52 years, Post : Superintendent,
 S/o Shri R.K. Bhardwaj,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 47, Amba Enclave Sector-9,
 Rohini, Delhi-85.
10. Pranave Shekhar, Group 'B',
 Age 48 years, Post : Superintendent,
 S/o Late Shri Braj Bhushan,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o F-3/26, 2nd Floor Sector 11,
 Rohini, N.D-85.
11. P. Roja Rao, Group 'B',
 Age 49 years, Post : Superintendent,
 S/o Sh. P. Rajemauli,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,

New Delhi-110002
 R/o 37, RPS Colony Sheika Sarai,
 Ph-1, New Delhi-17.

12. Mukul Pradhan, Group 'B',
 Age 50 years, Post : Superintendent,
 S/o Dr. M.M. Pradhan,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o C-5A, DDA MIG Flats,
 Mayapuri, New Delhi-64.
13. Tapender Singh, Group 'B',
 Age 46 years, Post : Superintendent,
 S/o Sh. Rajinder Singh,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o F-N 412, Airline Aptt. Plot No.-5,
 Sector-23, Dwarka, New Delhi.
14. Jinsy Koshy, Group 'B',
 Age 50 years, Post : Superintendent,
 W/o Ranjil Kashy Mammen,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 397, Sector A, Pocket C,
 Vasant Kunj,
 New Delhi-70.
15. Meera Venkatewaran, Group 'B',
 Age 50 years, Post : Superintendent,
 S/o Sh. R. Venkatewaran,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,

New Delhi-110002
 R/o B-75, Sarvodaya Enclave
 New Delhi-17.

16. Ashok Kumar Tomar, Group 'B',
 Age 56 years, Post : Superintendent,
 S/o Late Sh. Pitam Singh,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o F-N 8, New Pragati Sheel Society,
 Vasundhara Enclave, Delhi-96.
17. Harvinder Singh, Group 'B',
 Age 54 years, Post : Superintendent,
 S/o Sh. Surender Singh,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 716/6 Vishal Nagar,
 Rohtak.
18. Paramjit Singh, Group 'B',
 Age 52 years, Post : Superintendent,
 S/o Sh. Umed Singh,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o H.No.-1604, Sector-2, Rohtak.
19. Vivek Kumar, Group 'B',
 Age 40 years, Post : Superintendent,
 S/o Sh. Mahender Modi,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 82D, P-A, Dilshad Gardan,

Delhi-95.

20. M.K. Vashishts, Group 'B',
 Age 54 years, Post : Superintendent,
 S/o Sh. Manoher Lal Sharma,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o H.No.1859, Sector-6,
 Bahadurgarh (Haryana).
21. Satender Panwar, Group 'B',
 Age 48 years, Post : Superintendent,
 S/o Sh. Ram Singh,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 287, Shalimar Garund Ext-1,
 Ghagiabad.
22. Khagander Kumar Soni, Group 'B',
 Age 48 years, Post : Superintendent,
 S/o Sh. Chiranjit Lal,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o H.No. 360/16, Hans Enclave Gurugram.
23. Virender Singh, Group 'B',
 Age 49 years, Post : Superintendent,
 S/o Sh. Bhimsen,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o H.No.630,Sector-5,
 Gurugram.

24. Rahul Dev, Group 'B',
Age 45 years, Post : Superintendent,
S/o Sh. Uttam Prakash,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o B-13 Gharonda Appt Shrestha Vihar,
Delhi-92.
25. Harsh Kakar, Group 'B',
Age 50 years, Post : Superintendent,
S/o Late Sh. G.L. Kakar,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o 50B, Platinum Enclave Sector-18,
Rohini, Delhi-110089.
26. Onkardeep Kaur, Group 'B',
Age 46 years, Post : Superintendent,
S/o Sh. S.S. Samundri,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o F.N 999 Sector-A, Pocket B/C,
Vasant Kunj ND.
27. Sanjeev Kumar, Group 'B',
Age 49 years, Post : Superintendent,
S/o Sh. Kulwant Rai,
Under the Cadre Controlling Authority of
Chief Commissioner of GST & Central Excise,
Delhi Zone (Cadre Control),
C.R. Building, I.P. Estate,
New Delhi-110002
R/o B-202, Jhule Lal Society Pitam Pura,
New Delhi.
28. Rajeev Jaggi, Group 'B',

Age 49 years, Post : Superintendent,
 S/o Sh. B.L. Jaggi,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o GLU, East of Kailash,
 New Delhi.

29. Deepak Raghav, Group 'B',
 Age 55 years, Post : Superintendent,
 S/o Late Sh. Jagjeet Singh,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 779, DESU office Wali Gali Mahipalpur,
 New Delhi-110033.
30. Sujan Singh, Group 'B',
 Age 48 years, Post : Superintendent,
 S/o Sh. Hari Ram,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o Vill IPO Sehlang Distt Mohindergerh
 Haryana.
31. S. Padma, Group 'B',
 Age 51 years, Post : Superintendent,
 S/o Sh. D. Srivivasan,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o F-N 106 Sita Resideny Brahmanwadi,
 Begumpet, Hyaderabad.

32. Manoj Kumar Kalra, Group 'B',
 Age 50 years, Post : Superintendent,
 S/o Sh. Nathu Ram Kalra,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 871, Sector-12, Sonepat,
 Haryana.
33. Rajiv Verma, Group 'B',
 Age 50 years, Post : Superintendent,
 S/o Late Sh. Ajit Kumar Verma,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o 1890, Sector-7,
 Karnal Haryana.
34. Sanjeev Kumar, Group 'B',
 Age 48 years, Post : Superintendent,
 S/o Sh. Ramanand Prasad,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o RZ-40A, Gali No.3, Raghu Nagar.
35. Surender Singh Yadav, Group 'B',
 Age 55 years, Post : Superintendent,
 S/o Sh. S.S. Yadav
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o G-117, Type-IV Flats Nanakpura Motibagh,
 South New Delhi.
36. Krishna Subhash Tripathi (retired), Group 'B',
 Age 62 years, Post : Superintendent,

S/o Late Sh. Ramphar Tripathi,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o F-35A, AP Block, Pitampura,
 Delhi-34.

...Applicants

(By Advocate : Shri Padma Kumar S.)

Versus

1. Union of India, through
 The Revenue Secretary,
 Government of India,
 Ministry of Finance,
 Department of Revenue,
 North Block, New Delhi-110001.
2. The Chairman,
 Central Board of Indirect Taxes & Customs,
 Ministry of Finance, North Block,
 New Delhi-01.
3. The Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
4. The Principal Commissioner,
 Delhi North GST & Central Excise,
 C.R. Building,
 I.P. Estate, New Delhi-110002.

...Respondents

(By Advocate : Shri L.C. Singhi)

IV. OA No.3179/2019

1. Jatinder Khurana, Group 'B',
 Age 49 years, Post : Superintendent
 S/o O.P. Khurana,

Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
 R/o G-104 Sector-10,
 DLF Faridabad.

2. Praveen Sirohi, Group 'B',
 Age 45 years, Post : Superintendent
 S/o Sh. J.S. Singh,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
 R/o Flat No.3102, NTO Society Plot No.3A,
 Sector-22, Dwarka, New Delhi.
3. Deepak Chatuvadi, Group 'B',
 Age 52 years, Post : Superintendent,
 S/o Sh. Ramesh C. Chatuvadi,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o C-402, True Friend Appt Plot No.29,
 Sector-6, Dwarka, New Delhi.
4. Gautam Kumar, Group 'B',
 Age 43 years, Post : Superintendent,
 S/o Sh. Brij Nandan Kishor,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o Flat No.344, Shru Awan Appt Srctor-18,
 Dwarka, New Delhi.
5. Sushi Kumar, Group 'B',
 Age 54 years, Post : Superintendent,
 S/o Late Sh. Pratap Narayan
 Under the Cadre Controlling Authority of

Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o B-334 Kendriya Vicar Sector-51,
 Noida U.P.-201301.

6. Rakesh Kumar Saini, Group 'B',
 Age 53 years, Post : Superintendent
 S/o Late Sh. Ram Kishan Saini,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002,
 R/o J-161, Sarojini Nagar,
 New Delhi-23.
7. Harsh Sood, Group 'B',
 Ager 57 years, Post : Superintendent,
 S/o Late Sh. K.C. Sood,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o C-9/9802 Vasant Kunj,
 New Delhi-70.
8. Aniram Meena, ID-781, Group 'B',
 Age 47 years, Post : Superintendent,
 S/o Shri Badri Narayan Meena,
 Under the Cadre Controlling Authority of
 Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002
 R/o EIA/501 Samridhi Appt.
 DDA Flats,
 Sector-18 B Dwarka.

...Applicants

(By Advocate : Shri Padma Kumar S.)

Versus

1. Union of India, through
 The Revenue Secretary,
 Government of India,
 Ministry of Finance,
 Department of Revenue,
 North Block, New Delhi-110001.
2. The Chairman,
 Central Board of Indirect Taxes & Customs,
 Ministry of Finance, North Block,
 New Delhi-01.
3. The Chief Commissioner of GST & Central Excise,
 Delhi Zone (Cadre Control),
 C.R. Building, I.P. Estate,
 New Delhi-110002.
4. The Principal Commissioner,
 Delhi North GST & Central Excise,
 C.R. Building,
 I.P. Estate, New Delhi-110002.

...Respondents

(By Advocate : Shri Manish Kumar)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :

In these four OAs, the facts and prayers are common. Hence, they are disposed of through a common order.

2. The applicants were recruited as Inspectors in the Customs and Central Excise. Since they did not get promotion within a period of 12 years, they were

extended the benefit of ACP, in the form of the next higher pay scale, in the Grade Pay of Rs.4800/-.

3. The 6th Central Pay Commission made a recommendation to the effect that the Group 'B' officers of Posts and Revenue Department, who have put in four years of regular service in the post with Grade Pay of Rs.4800/- shall be entitled to be extended the benefit of the Grade Pay of Rs.5400.

4. The applicants contend that they completed four years of service in the Grade Pay of Rs.4800 and thereby they became entitled to be extended the benefit of Grade Pay of Rs.5400. Individual and collective representations were made in this behalf. It is stated that the respondents have not passed any orders so far. The applicants place reliance upon the judgment of Hon'ble High Court of Madras in WP(C) No.13225/2010 - **M. Subramaniam Vs. UOI** dated 06.09.2010.

4. We heard Shri Padma Kumar S., learned counsel for applicant and Shri U. Srivastava, Shri B.K. Barera, Shri

L.C. Singhi and Shri Manish Kumar, learned counsel for respondents.

5. It is a matter of record that the applicants were put in Pay Band-2 with the Grade Pay of Rs.4800, on being extended the benefit of first ACP. The recommendations of the 6th Central Pay Commission, as contained in the Resolution dated 29.08.2008, issued by the Ministry of Finance, are to the effect that the Group 'B' officers of the Post/Revenue Departments etc. shall be entitled to the Grade Pay of Rs.5400 in Pay Band-II, on Non Functional basis, if they complete "four years of regular service" in the Grade Pay of Rs.4800, in Pay Band-II. The whole controversy is as to whether the four years service shall be in the post which carries the Pay Band-2 with Grade Pay of Rs.4800 or it would include those employees who were put in that pay scale and Grade Pay, as a measure of granting of the first ACP.

6. The respondents insisted that 'regular service' in the context of the said provision would mean only service in the post which carries the pay scales and not the one, when an employee was put in that pay scale, as a

measure of first ACP. The Madras Bench of the Tribunal repelled the contentions of the employees and the matter was carried to the Hon'ble High Court. The Hon'ble High Court allowed the Writ Petition and the SLP filed against that was also rejected.

7. The representations made by the applicants need to be examined in the context of the Resolutions and orders passed in the past, in relation thereto, as well as the judicial pronouncements.

8. We therefore, dispose of the OAs, directing the respondents to pass orders on the representations made by the applicants, within a period of three months, from the date of receipt of a certified copy of this order.

MAs, if any, stand disposed of.

There shall be no orders as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

'rk'