



**Central Administrative Tribunal
Principal Bench**

O.A. No. 4134/2014

This the 11th day of December, 2019

**Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)
Hon'ble Mr. Pradeep Kumar, Member (A)**

Rajender Prasad Sharma, Age-61
Post-Hindi Translator
S/o Shri Chandu Lal Sharma,
R/o 2850/211, Vishram Nagar,
Tri Nagar,
Delhi-110035.

... Applicant

(By Advocate: Sh. R.K. Shukla)

VERSUS

1. The Commissioner,
North Delhi Municipal Corporation,
Dr. Shyama Prasad Mukherjee,
Civic Centre, J.L.N. Marg,
New Delhi
2. The D.D.O., N.D.M.C.
State Language Section,
Civic Centre, 16th Floor,
New Delhi;
3. The Director (Personnel),
North Delhi Municipal Corporation,
Dr. Shyama Prasad Mukherjee
Civic Centre, J.L.N. Marg,
New Delhi.
4. The Under Secretary (Estt. Division),
Directorate of Personnel & Training,
North Block,
New Delhi.

... Respondents

(By Advocate: Ms. Anupama Bansal)

ORDER (Oral)



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

The applicant, herein, works under NDMC and he was drawing PB 2 plus Grade Pay, i.e., Rs. 9300-34800 plus Grade Pay Rs. 5400. On being granted his MACP benefits, he was granted the Pay Scale of PB 3 plus Grade Pay, i.e., Rs. 15600-39100 plus Grade Pay Rs. 5400. The applicant pleads that once he was already in the Grade Pay Rs. 5400, after 3rd MACP, he is required to be given PB 3 plus Grade Pay Rs. 6600.

2. The applicant further pleads that a sister organisation namely the SDMC vide their order dated 28.07.2015, have granted the benefit sought after in instant OA, to some other employees of SDMC. Applicant pleads that on similar lines, his OA needs to be allowed.

3. The matter has been heard. Sh. R.K. Shukla, learned counsel appeared on behalf of the applicants. Ms. Anupama Bansal, learned counsel appeared on behalf of the respondents.

4. The extent policy directives in respect of MACP indicate that financial upgradation is to be granted to the next higher pay scale as per the hierarchy of the pay scales recommended by the 6th CPC. As per this hierarchy



of pay scales, the next pay scale after PB 2 + GP 5400 is PB 3 + GP 5400. Accordingly, once somebody is already working in PB 2 (Rs. 9300-34800) + Grade Pay Rs. 5400, MACP lies to the next higher scale PB 3 (Rs.15600-39100) + Grade Pay Rs. 5400. This cannot be faulted.

5. The grievance of the applicant can be adjudicated only in accordance with the policy directives for MACP, which are very clear. In case the SDMC has done some mistake in pay fixation under MACP, the same error cannot be perpetuated in case of others including the applicant.

6. The grievance of the applicant is without any basis. Accordingly, OA is dismissed. No order as to costs.

7. The applicant has also pleaded that the cost of Rs. 5000/- imposed on him on 24.09.2019 for certain delays, may be waived off as the applicant is an old person and is suffering from many ailments. Keeping in view of the same, this cost is waived.

(Pradeep Kumar)
Member (A)

/akshaya/

(Justice Vijay Lakshmi)
Member (J)