

TIME BOUND

F.NO.9/1/2015-CS-I(S)
Government of India
Ministry of Personnel, PG & Pensions
Department of Personnel & Training
.....

2nd Floor, A Wing, Lok Nayak Bhawan, Khan Market
New Delhi, the 31st January, 2019

OFFICE MEMORANDUM

Subject: OAs filed in the CAT, Principal Bench, New Delhi in the matter of stepping up of pay of senior Assistants on promotion as Section Officer of CSS – regarding

The undersigned is directed to say that a number of OAs were filed in the CAT Principal Bench, New Delhi in the above matter consequent to the re-fixation orders issued by Ministries/Departments in compliance with the instructions contained in this Department's OMs No.18/2/2007-CS-I dated 20.05.2014 and 08.07.2014.

2. Now the Learned CAT has dismissed 18 OAs out of the total OAs filed in the matter vide its order dated 11.01.2019 (copy enclosed). While upholding this Department's OM dated 20.05.2014, the Learned CAT has directed that in case the recovery becomes necessary from the applicants, it shall be in easy installments and without any interest. However, liberty has been given to the applicants to represent individually duly supplying the relevant particulars, indicating how they are entitled to such benefits, if they are of the view that their cases fit into OMs dated 13.04.1988, 23.02.1994 and 08.10.1996, and are not hit by OM dated 04.11.1993. CAT has further ordered that if such representations are made, the concerned authority shall pass appropriate orders thereon within two months from the date of such representation.

3. In view of the above, the Ministries/Departments are requested to take immediate action to:

- i) review all cases of stepping up of pay, if not already done and re-fix the pay and recover excess payments, where the individuals are not covered by the OMs dated 13.04.1988, 23.02.1994 and 08.10.1996 and where general conditions are also not fulfilled. However, while effecting recovery, observation of CAT in para 24 of its order dated 11.01.2019 may be kept in mind.
- ii) In cases where re-fixation orders have already been issued but put on hold due to stay order or pending litigation, the same may be implemented and excess payments made to the officer, recovered as per rules. However, in case representation as directed by the Learned CAT in its order dated 11.01.2019, if any, is received from the

Contd.. 2



applicants in the OAs mentioned in the order, the same may be disposed off in consultation with this Department, before re-fixing pay and effecting recoveries as directed by CAT.

- iii) As regards the pending OAs in the matter, the Ministries/Department concerned may supply a copy of the CAT order dated 11.01.2019 to the Government Counsel concerned for taking further action accordingly in the next date of hearing. Further action in respect of the applicants in these pending OAs may be taken only after stay orders, if any is vacated.

4. The Ministries/Departments are requested to act in a time bound manner in this regard and complete the process immediately. The compliance reports in the prescribed format, complete in all respects may be forwarded to this Department **by 28.02.2019** positively.


(Chandra Shekhar)

Under Secretary to the Govt. of India
Ph:24624046

To

Ministries/Departments of Govt. of India
(Director/Deputy Secretary (Admn./Estt.)
Ministry/Department of.....

New Delhi

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA No.4590/2017, MA No.122/2018
with
OA No.251/2018
OA No.293/2016
OA No.323/2017
OA No.934/2017, MA No.999/2017
OA No. 957/2017
OA No. 1874/2017, MA Nos.2058/2017, 2339/2017
OA No.2128/2016
OA NO.2045/2017
OA No.2352/2016
OA No.2411/2017, MA No.4525/2017
OA No.2884/2015, MA Nos.1460/2016, 1575/2017, 2955/2018
OA No.2892/2017
OA No.3781/2016
OA No.3870/2015, MA No.3870/2015
OA No.4481/2017
OA No.4482/2017
OA No.4483/2017

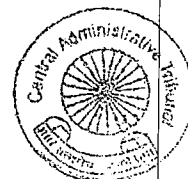
Reserved on : 12.12.2018

Pronounced on : 11.01.2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

OA No.4590/2017

1. Ranjeet Kumar Sinha, Under Secretary
S/o Shri Jugal Kishore Prasad,
Aged about 48 years,
R/o T-501, Vrindavan Heights, Vrindavan Garden,
Sahibabad, District Ghaziabad,
2. A. K. Bhatnagar, Under Secretary
S/o Shri J. K. Bhatnagar,
Aged about 48 years,
R/o E-5/61, Second Floor,
Sector-16 Rohini, Delhi - 89



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3. Ujjwal Kumar, Under Secretary
S/o Late Shashi Bhushan Prasad
Aged about 48 years
R/o C-220, Pocket- 7, Sector -82
Kendriya Vihar, Noida.
4. Jyotsna Gupta, Under Secretary
D/o Shri V. K. Gupta,
Aged about 48 years,
R/o 1110 Sector - 4 R. K. Puram,
Delhi - 110022.
5. Amit Bansal, Under Secretary
S/o Shri Jai Parkash Gupta
Aged about 45 years
R/o 7B, Vijay Bhawan, 2nd Floor
Toot Sarai, Malviya nagar,
New Delhi - 110017.
6. Ganga Kumar Sinha, Under Secretary
S/o Late H. K. Sinha,
Aged about 47 years,
R/o 9, 140 Vasundhara, Sahibabad,
District Ghaziabad.
7. Anil Kumar Jha, Under Secretary
S/o late Shri Biswanath Jha
Aged about 45 years
R/o Qtr. No. 402, Minto Road
New Delhi - 110002.
8. Sunil Kr. Mishra, Under Secretary
S/o Shri Dhananjay Mishra
Aged about 45 years
R/o Qtr. No. 604,
Tagore Road Hostel, Minto Road
New Delhi - 110002.

... Applicants

Versus



594

1. The Secretary,
Department of Economic Affairs (DEA),
Government of India,
Ministry of Finance.

2. The Secretary,
Department of Personnel and Training (DOPT),
Union of India.

... Respondents

OA No.251/2018

K. C. Patra (Kalicharan Patra)
S/o late Shri Srinath Patra,
(aged about 52 years),
R/o Qtr. NO. 1228, Lodhi Road Complex,
New Delhi - 110003.

(Working as Under Secretary in the Ministry of Agriculture and
Farmers Welfare, Department of Animal Husbandry, Dairying
and Fisheries,
Krishi Bhawan, New Delhi - 110001.

... Applicant

Versus

1. Union of India
Through Secretary to the Govt. of India
Department of Personnel & Training,
North Block, New Delhi - 110001.

2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.

3. Secretary to the Govt. of India,
Department of Animal Husbandry, Dairying and Fisheries,
Ministry of Agriculture and Farmers Welfare,
Krishi Bhawan, New Delhi - 110001.

... Respondents



(395)

OA No.293/2016

1. Biswajit Guha
S/o late Shri H. K. Guha,
Aged about 50 years.
Resident of 120-D, Pocket A/2
Mayur Vihar Phase - III, Delhi,
Working as Under Secretary,
Ministry of Defence.
2. Arup Shyam Chowdury
S/o Dr. No. K. Shyam Chowdhury,
Aged about 52 years,
Resident of 332, Krishi Apartments,
Vikaspuri, New Delhi - 110018,
Working as Under Secretary,
Ministry of Defence.
3. Veena Kalra
D/o Shri Asa Nand,
Aged about 46 years,
Resident of Block A-2/B, Flat No. 171- B
Ekta Apartments, Paschim Vihar,
New Delhi - 110063,
Working as Under Secretary,
Ministry of Defence.

... Applicants

Versus

1. Union of India
Through Secretary to the Govt. of India
Department of Personnel & Training,
North Block, New Delhi - 110001.
2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.
3. Secretary to the Govt. of India,
Ministry of Defence,
South Block, New Delhi - 110011.



(396)

4. Secretary to the Govt. of India,
Ministry of Culture.
Shastri Bhawan, New Delhi - 110001.

... Respondents

OA No.323/2017

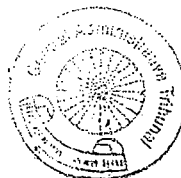
Shri S. K. Khurana,
(Under Secretary)
(Aged about 49 years)
S/o Shri J. K. Khurana,
R/o 76-B, Pocket - C,
Sidharth Extension,
New Delhi - 110014.

... Applicant

Versus

1. Union of India
Through Secretary to the Govt. of India
Department of Personnel & Training,
North Block, New Delhi - 110001.
2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.
3. Secretary to the Government of India,
Ministry of New & Renewable Energy,
CGO Complex, Block No. 14,
Lodhi Road, New Delhi - 110003.
4. Secretary to the Government of India,
Ministry of Drinking Water & Sanitation,
Paryavaran Bhawan,
CGO Complex,
Lodhi Road, New Delhi - 110003.

... Respondents



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OA No.934/2017

1. Ambuj Bajpai, (Group A)
S/o Dr. T. N. Bajpai,
Aged about 498 years,
R/o 103, Nirman Apartment,
Mayur Vihar Phase - I
New Delhi 110091
Working as Under Secretary in the
Ministry of Urban Development.
 2. Amiya Kumar Das, (Group A),
S/o Late Shri Sarat Chandra Das,
Aged about 54 years,
R/o 59-C, Pink Apartment,
Sector-1A, Dwarka, New Delhi - 45
Working as Under Secretary
In the Ministry of Coal.
 3. Dinesh Kumar, (Group A),
S/o Shri K. L. Jain,
Aged about 53 years,
R/o B- 26, Dharma Colony,
Nangloi, New Delhi - 41
Working as Under Secretary
in the Ministry of Agriculture & Farmers Welfare.
 4. T. P. N. Singh, (Group A)
S/o Late Sh. Badshah Singh,
Aged about 51 yearsd,
Resident of House No. WZ-28/B,
Bal Udyan Road, Uttam Nagar,
Working as Under Secretary
In the Department of Chemicals &
Petrochemicals, Ministry of Chemical And
Fertilizers.
- ... Applicants

Versus

1. Union of India through Secretary to the Govt. of India
Department of Personnel & Training,
North Block, New Delhi - 110001

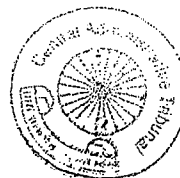


2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.
3. Secretary to the Govt. of India,
Ministry of Human Resource Development,
Department of Higher Education,
Shastri Bhavan, New Delhi - 110001.
4. Secretary to the Govt. of India,
Ministry of Urban Development,
Nirman Bhawan, New Delhi - 110011.
5. Secretary to the Govt. of India,
Ministry of Coal,
Shastri Bhavan, New Delhi - 110001.
6. Secretary to the Govt. of India,
Ministry of Agriculture & Farmers Welfare,
Department of Agriculture Cooperation & Farmers Welfare,
Shastri Bhawan, New Delhi - 110001.
7. Secretary to the Govt. of India,
Ministry of Chemicals and Fertilisers,
Department of Chemicals & Petrochemicals,
Shastri Bhavan, New Delhi - 110001. ... Respondents

OA No. 957/2017

Anil Kumar Srivastava
S/o Late Sh. Satish Chandra Srivastava,
Aged about 51 years,
Resident of House nO. U-23/4 First Floor,
Town Houses, Phase - 3
DLF City Gurgaon Haryana - 122002.
Working as Under Secretary
in the Ministry of Drinking Water & Sanitation. ... Applicant

Versus



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OA-4590/2017

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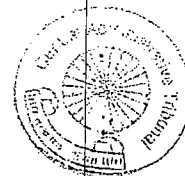
1. Union of India
Through Secretary to the Govt. of India
Department of Personnel & Training,
North Block, New Delhi - 110001.
 2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.
 3. Secretary to the Govt. of India
Ministry of Drinking Water & Sanitation
Deendayal Antyodaya Bhawan
CGO Complex, Lodhi road, New Delhi
- ... Respondents

OA No. 1874/2017

1. Harish Chandra Rai
S/o Late Sh. J. C. Rai
Aged about 51 years
Under Secretary, Group A,
Ministry of Home Affairs,
R/o Flat No. 333, Laxmi Bai Nagar,
New Delhi - 110023.
 2. A. K. Malhotra,
S/o Late Sh. P. N. Malhotra
Aged about 54 years,
Under Secretary, Group A,
Department of Personnel & Training,
R/o Q- 63, Nivedita Kunj,
Sector 10, R. K. Puram,
New Delhi - 110022.
- ... Applicants

Versus

1. Union of India through Secretary,
Ministry of Personnel, Public Grievances & Pensions,
Department of Personnel & Training
Lok Nayak Bhawan,
New Delhi.



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2. The Pay & Accounts Officer,
Ministry of Personnel, Public Grievances & Pensions,
Department of Personnel & Training
Lok Nayak Bhawan,
New Delhi.

... Respondents

OA No.2128/2016

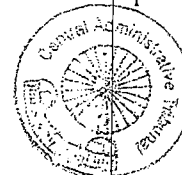
Sanjiv Kumar Babbar,
S/o Late Shri Sudershan Kumar Babbar,
Aged about 52 years,
R/o 67, Hemkunt Colony,
New Delhi - 110048.
Working as Under Secretary,
In the Office of RGI,
Ministry of Home Affairs.

...Applicant

Versus

1. Union of India
Through Secretary to the Govt. of India
Department of Personnel & Training,
North Block, New Delhi - 110001.
2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.
3. Secretary to the Govt. of India,
Ministry of Textiles,
Udyog Bhawan, New Delhi - 110001.
4. Secretary to the Govt. of India,
Ministry of Home Affairs,
North Block, New Delhi - 110011.
5. The Registrar General & Census
Commissioner,
Ministry of Home Affairs,
Man Singh Road, New Delhi - 110003.

... Respondents



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OA NO.2045/2017

V. K. Sinha S/o late Shri M. P. Sinha,
Aged about 48 years,
R/o A-5/A-103, Tushar Apartment,
Shalimar Garden, Sahibabad,
Ghaziabad.
Working as Under Secretary
In the Deptt. Of Industrial Policy & Promotion,
Ministry of Commerce and Industry,
Udyog Bhawan, New Delhi.

...Applicant

Versus

1. Union of India
Through Secretary to the Govt. of India
Department of Personnel & Training,
North Block, New Delhi - 110001.
2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.
3. Secretary to the Govt of India
Department of Industrial Policy & Promotion,
Ministry of Commerce and Industry,
Udyog Bhawan, New Delhi - 110011.

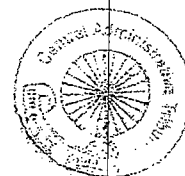
... Respondents

OA No.2352/2016

Dayanidhi Joshi,
Under Secretary, DIPP,
S/o Shri Umesh Chandra Joshi
Aged about 43 years,
R/o Plot No. C-21, Shalimar Garden Extension - II,
Sahibabad, Ghaziabad,
Uttar Pradesh.

...Applicant

Versus



402

1. The Secretary,
Department of Personnel & Training
North Block, New Delhi - 110001.

2. The Secretary,
Department of Industrial Policy & Promotion (DIPP),
Government of India,
Ministry of Commerce & Industry,
Udyog Bhawan,
New Delhi - 110011.

... Respondents

OA No.2411/2017

L. Madan Kumar Reddy,
Under Secretary, DIPP, (Group-A)
S/o Shri L. Ramachandra Reddy
Aged about 46 years,
R/o T2-301, RPS Savana,
Sector- 88, Faridabad, Haryana.

...Applicant

Versus

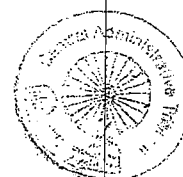
1. The Secretary,
Department of Personnel & Training
Union of India.

2. The Secretary,
Department of Industrial Policy & Promotion (DIPP),
Government of India,
Ministry of Commerce & Industry,
New Delhi.

... Respondents

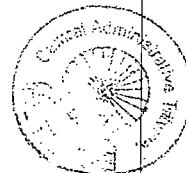
OA No.2884/2015

1. Pramod Sahoo
Under Secretary
Ministry of Tribal Affairs
S/o Sh. B. N. Sahoo,
Aged about 41 years,
R/o F-69/5-4,
Dilshad Colony, Delhi - 95



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2. Inderjeet
Under Secretary (UPSC)
S/o Sh. Deen Dayal
Aged about 40 years
R/o 627, Pocket - I,
Pachim puri,
New Delhi - 110063.
3. Y.S. Yadav
Under Secretary (UPSC)
S/o R.C.S. Yadav
Aged about 49 years,
R/o 88-B/1, Khirki
Malviya Nagar,
New Delhi.
4. Hemant Kumar
Under Secretary (UPSC)
S/o Late Roshan Lal
Aged about 41 years
R/o L-1/179-A, DDA Flats,
Kalkaji, New Delhi - 19.
5. Ujjwal Kumar
Under Secretary (UPSC)
S/o Sh. Ram Bharat Singh
Aged about 43 years,
R/o B - 32, Mount Everest,
CGHS Ltd. Plot No. 17,
Sector - 9, Dwarka,
New Delhi - 110063.
6. Bhagirath Jha
Under Secretary
Cabinet Secretariat (on deputation)
S/o Late Sh. Pratap Jha
Aged about 47 years
R/o A - 129, Pocket - III,
K.V. II, Sector -82,
Noida.



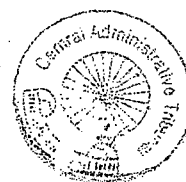
404

7. Sunil kumar
Under Secretary (UPSC)
S/o Late Sh. Ramchandra Prasad
Aged about 45 years
R/o B- 104, Keshav Kunj - I,
Sector - 5, Rajender Nagar,
Sahibabad, Ghaziabad - UP.
8. Sanjay Prasad
Under Secretary (UPSC)
S/o Sh. K. Prasad
Aged about 44 years
R/o 5/1565, Vasundhara,
Ghaziabad, UP - 201012.
9. M. C. Sonowal
Under Secretary (UPSC)
S/o Late U. N. Sonowal
Aged about 48 years
R/o Flat No. 3115,
Sector - 4A, Vasundhara,
Ghaziabad UP - 201012.
10. C. L. Guleria
Under Secretary
Department of Economic Affairs,
S/o Sh. Raghubir Singh,
Aged about 44 years,
R/o 15/314, Lodhi Colony,
New Delhi.
11. Tharvinder Singh
Under Secretary (UPSC)
S/o Late Bahadur Singh
Aged about 50 years
R/o 269, C-8, Sector -8,
Rohini Delhi - 110085.

...Applicants

Versus

1. The Secretary,
Department of Personnel & Training
North Block, New Delhi - 110001.



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2. The Secretary,
Ministry of Textiles,
Udyog Bhavan,
New Delhi - 110011.

... Respondents

OA No.2892/2017

1. Manoj Kumar Nirbheek, (Group - A)
S/o Shri Nageshwar Prasad,
Aged about 55 years,
Resident of 172, Block - D,
D.D.A. Flats, Bindapur Pocket - 3,
New Delhi - 110059,
(Working as Under Secretary in the
Ministry of Information & Broadcasting).

2. Kamal Jeet Singh,
S/o Late Shri Awtar Singh,
Aged about 57 years,
Resident of 1162, Govind Puri,
Kankar Khera, Meerut Cantt. 250001.
(Working as Under Secretary, Deptt. Of
School Education & Literacy,
M/o Human Resource Development).

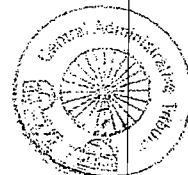
... Applicants

Versus

1. Union of India
Through Secretary to the Govt. of India,
Department of Personnel & Training
North Block, New Delhi - 110001.

2. The Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.

3. Secretary to the Govt. of India,
Ministry of Agriculture & Farmers Welfare,
Deptt. Of Agriculture, Cooperation & Farmers Welfare,
Krishi Bhavan, New Delhi - 110001.



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4. Secretary to the Govt. of India,
Ministry of Information & Broadcasting,
Shastri Bhavan, New Delhi - 110001.

5. Secretary to the Govt. of India,
Deptt. Of School Education & Literacy,
Ministry of Human Resource Development,
Shastri Bhavan, New Delhi - 110011.

... Respondents

OA No.3781/2016

Shri Mukesh Kumar,
House No. 108,
Village & PO Barwala,
New Delhi - 110039
(Working as Under Secretary to Govt. of India
in Ministry of Steel).

... Applicant

Versus

1. Union of India
Through Secretary,
Department of Personnel & Training
North Block, New Delhi - 110001.

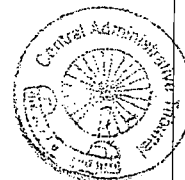
2. Secretary to the Government of India,
Ministry of Steel
Udyog Bhawan
New Delhi.

3. Secretary to Government of India,
Ministry of Water Resources, River Development
& Ganga Rejuvenation,
Shram Shakti Bhavan
New Delhi-110001.

.... Respondents

OA No.3870/2015

Devashish Bhardwaj
Under Secretary
Ministry of Defence



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S/o Shri M. P. Sharma
Aged about 51 years
R/o Flat No. 3, Harsukh Apartments,
Sector - 7, Plot No. 4, Dwarka,
New Delhi - 110075.

...Applicant

Versus

1. The Secretary,
Department of Personnel & Training
North Block, New Delhi - 110001.

2. The Secretary
Ministry of Defence
South Block,
New Delhi - 110011.

... Respondents

OA No.4481/2017

1. Satish Chander,
(aged about 53 years)
S/o Shri Devi Singh,
Resident of H. No. 462, Sector 40,
Huda Market, Gurugram, Harayana.
(Working as Under Secretary in the
Ministry of Civil Aviation).
2. Anup Pant,
(aged about 52 years),
S/o Late Shri P. C. Pant,
Resident of N-240, Sector - 08, R K Puram,
New Delhi.
(Working as Under Secretary in the Ministry of
Civil Aviation)
3. Amit Goshal,
(aged about 52 years),
S/o Late Shri Anil Ghosal,
Resident of 5/7, Block-1,
Minto Road Hostel, New Delhi - 110002.
(Working as Under Secretary in the
Ministry of Civil Aviation).



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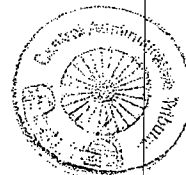
4. U. K. Bhardwaj,
(aged about 51 years),
S/o Late Shri Hira Lal,
Resident of H. No. 646, Sector 31,
Gurugram, Haryana.
(Working as Under Secretary in the
Ministry of Civil Aviation).
5. Sanjay Singh,
(aged about 50 years),
S/o Shri Nand Kishore Singh,
Resident of Flat No. 144, GH - 5 & 7,
Meera Bagh, New Delhi.
(Working as Under Secretary in the
Ministry of Civil Aviation).
6. S. V. Ramana,
(aged about 50 years)
S/o Late Shri S.V. L. Narayana,
Resident of Plot No. 860, Sector 5,
Vaishali, Ghaziabad.
(Working as Under Secretary in the
Ministry of Civil Aviation).

... Applicants

Versus

1. Union of India
Through Secretary to the Govt. of India
Department of Personnel & Training,
North Block, New Delhi - 110001.
2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.
3. Secretary to the Govt. of India,
Ministry of Civil Aviation,
'B' Block, Rajiv Gandhi Bhawan,
Near Safdarjung Airport,
New Delhi.

... Respondents



(409)

OA No.4482/2017

Ms. Veena Dunga,
D/o Shri J. N. Verma,
(aged about 50 years)
Resident of C- 101, South Moti Bagh,
New Delhi - 110021.
(Working as Under Secretary in the Cabinet Secretariat)

...Applicant

Versus

1. Union of India
Through Secretary to the Govt. of India,
Department of Personnel & Training
North Block, New Delhi - 110001.
2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance,
North Block, New Delhi - 110001.
3. Cabinet Secretariat,
(through Cabinet Secretary)
Rashtrapati Bhawan,
New Delhi.

... Respondents

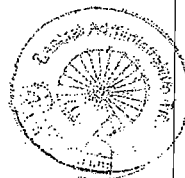
OA No.4483/2017

P. S. Thakur,
S/o Shri Parmeshwari Das,
(aged about 52 years),
Resident of C- 101, South Moti Bagh,
New Delhi - 110021.
(Working as Under Secretary in the Cabinet Secretariat)

...Applicant

Versus

1. Union of India through Secretary to the Govt. of India,
Department of Personnel & Training
North Block, New Delhi - 110001.



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2. Secretary to the Govt. of India,
Department of Expenditure,
Ministry of Finance
North Block, New Delhi - 110001.

3. Cabinet Secretariat,
(through Cabinet Secretary)
Rashtrapati Bhawan,
New Delhi.

... Respondents

Present for the applicants:

Mr. Naresh Kaushik with Mr. Lakshy Juneja in OA Nos.4590/17, 2411/17, 2352/16, 2884/15, 3870/15.

Mr. L.R. Khatana in OA Nos. 251/18, 323/17, 934/17, 957/17, 2045/17, 2892/17, 4481/17, 4482/17, 4483/17, 293/16, 2128/16.

Mr. Sourabh Aggarwal with Ms. Komal Mundhra in OA Nos.1874/17.

Mr.V.V. Manoharan in OA Nos. 3781/16.

Ms. Amita Singh Kalkal with Mr.Naresh Kaushik in OA no.2884/15.

Present for the respondents :

Mr. R.K. Sharma in OA nos.4590/17, 934/17.

Mr. Rajeev Kumar in OA nos.251/18, 2045/17.

Mr. Rajiv R. Raj in OA nos. 3781/16.

Mr. Gyanendra Singh in OA nos. 323/17, 293/16, 2128/16, 3781/16.

Mr. Hanu Bhaskar in OA nos. 934/17, 1874/17, 2045/17, 293/16.

Mr. M.S. Reen in OA Nos.957/17.

Mr. Piyush Gaur in OA Nos.2411/17, 4481/17,4482/17, 4483/17, 4484/15.

Mr. Deepak Bhardwaj in OA nos.2892/17, Mr.D.S. Mahendru in OA nos. 293/16.

Mr. Vijender Singh in OA Nos. 2352/16, Mr.R.K. Jain in OA Nos. 2884/15, 2870/15.



ORDER

Justice L. Narasimha Reddy, Chairman:-

In this batch of OAs, the applicants challenge the office memorandum dated 20.05.2014, issued by the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training (DOP&T), together with other ancillary proceedings, and the individual orders passed in respect of the applicants in some of the OAs. The brief background of this batch of cases is as under.

2. The Central Secretariat Service (for short, CSS) is almost an umbrella establishment to cater to the needs of various Ministries and other Central Government organisations. It comprises of posts of Assistants, Section Officers, Under Secretaries and Deputy Secretaries. Much of the induction takes place at the stage of Assistants, through a competitive examination held by the Union Public Service Commission.

3. Once an Assistant is appointed, he is allotted to a cadre in a Ministry or other Central Government establishment, known as "cadre units". Similar arrangements are made in respect of other posts, such as Section Officers, Under



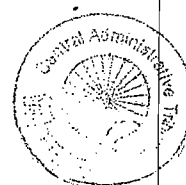
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Secretaries and Deputy Secretaries. While regular promotions from one category to another take place on centralized basis, *ad hoc* promotions occur in the cadre units, to meet the exigencies.

4. On account of the nature of work and the size of cadres in the respective Ministries, not being uniform, the necessity to promote employees of the CSS at the stage of Assistants or other posts does not take place in such a way that the seniority at the centralized level is reflected. In other words, an Assistant in a particular cadre unit may be promoted on *ad hoc* basis to a higher post at a relatively earlier point of time, compared to his counter-parts in other cadre units. This, naturally would lead to anomaly wherein an Assistant, who is junior in the overall CSS draws more salary than does his senior. However, within the cadre unit, this anomaly may not come into existence at all.

5. Representations were being made by the aggrieved Assistants and employees of other posts in the CSS pointing out these anomalies. Orders were being passed from time to time to address this issue, and in the year 1980, the matter was referred to a group of Arbitrators. The Award was implemented through office memorandum dated 13.04.1988. It



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is to the effect that in case an Assistant of the CSS appointed through a competitive examination of a particular year, was drawing less pay in the post of Section Officer after promotion, compared to a Section Officer who was appointed as Assistant in the examination held at a later point of time, the pay of the former shall be equated to that of the latter. This facility was extended to the post of senior Assistants, almost on same terms. Dealing with the situation arising out of a promotee Assistant, drawing lesser pay than a direct recruit Assistant, but junior to him, was addressed in office memorandum dated 08.10.1996. Since problems were recurring in different combinations, the DOP&T issued comprehensive guidelines vide office memorandum dated 04.11.1993.

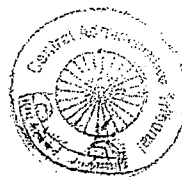
6. Having regard to the size of the establishment of the CSS and the number of employees and posts involved, certain anomalies in the context of implementation of the various office memoranda in the lines indicated above, were noticed. Addressing such anomalies, the DOP&T issued the impugned memorandum dated 20.05.2014. It was directed that the stepping up of pay shall be restricted only to those cases that are covered by office memoranda dated 13.04.1988, 23.02.1994



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and 08.10.1996, and that even in such cases, the purport of the office memorandum dated 04.11.1993 shall be taken into account. It was also directed that excess payments, if any, made to the employee on account of wrong stepping up of pay shall be recovered in terms of OM dated 06.02.2014. This was followed by OM dated 08.07.2014, reiterating the one dated 20.05.2014, with slight elaboration.

7. The applicants contend that it was only after a comprehensive exercise in the form of Arbitration, that the concept of stepping up of pay, subject to certain conditions, was evolved and extended to different categories of employees. According to them, the impugned proceedings have the effect of taking away the benefits extended to them and such an action is in violation of settled principles of law. They submit that the individual upgradations were ordered after ascertaining the relevant facts and entitlement, and that at no point of time, there was any misrepresentation of facts. They contend that the denial of upgradation of pay scales and the attempt to recover the amounts already paid cannot be sustained in law. Reliance is placed upon certain office memoranda and some precedents.



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8. On behalf of the respondents detailed counter affidavit running into 50 pages, together with relevant documents, is filed in OA No.4590/2017. In other OAs also counter affidavits are filed. According to the respondents, the upgradation of salaries of the applicants and some other employees was made contrary to the three office memoranda dated 13.04.1988, 23.02.1994 and 08.10.1996, and that on noticing this anomaly, the impugned orders were issued with a view to protect the public exchequer. It is stated that while a genuine claim regarding pay structure can certainly be entertained, the upgradations that were made in total deviation and utter disregard of the specific orders issued from time to time, cannot be countenanced and continued.

9. Arguments on behalf of the applicants are led by Shri Naresh Kaushik, and other learned counsel have either added something more or adopted his arguments. It is argued that the very concept of upgradation of pay scales for removal of anomalies in the pay structure of the employees of the CSS was evolved, by taking recourse to the Arbitration, and the Award of the Arbitrators was implemented through OM dated 13.04.1988. He contends that as and when the other

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ramifications in the issue were noticed, the solutions were provided in the form of general or individual orders, and through the impugned orders the respondents are proposing to demolish the entire edifice, in the name of correction of anomalies. They contend that the impugned orders were not preceded by any individual notices to the effected parties, and that the action of the respondents is contrary to the judgments of the Hon'ble Supreme Court in *Chandi Prasad Uniyal & others v State of Uttarakhand & others* [(2012) 4 SCC 450] and *State of Punjab & others v Rafiq Masih* [(2014) 8 SCC 883].

10. On behalf of the respondents, Shri R. K. Sharma, learned counsel led the arguments. It is stated that specific orders were being issued from time to time, stipulating the guidelines for upgradation of the pay scales, wherever the anomalies were noticed, but in the course of implementation, several deviations were noticed. They submit that the pay scales of a large number of employees, including the applicants were upgraded, though their service particulars do not fit into the ones, covered by the memoranda referred to above. It is also their case that the decision of the Arbitrators in the form of Award was implemented through OM dated 13.04.1988, and the impugned

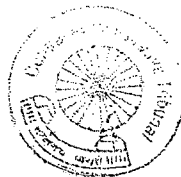


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OM apart from not touching the said OM, proposes to reiterate the same. The learned counsel submitted that the effort is only to ensure that benefits are not conferred on any employee beyond the scope of the specific memoranda that are issued from time to time. It is also stated that since review of the pay scales is undertaken in general, the necessity to issue individual notices does not arise, and that the exercise is only in form of an audit, and that no accrued rights are being taken away.

11. The whole controversy is about the existence or otherwise of anomalies in the pay scales of the applicants herein. In the introductory part of this judgment, a brief genesis of the issue is furnished. The size of the CSS is very large, and it caters to the needs of all the Ministries and Central Government establishments, mostly in the Capital. By 1994, the CSS comprised of 4757 Assistants and 2125 Section Officers apart from other categories. While the entire CSS is administered on centralized basis, the members thereof are allotted to cadres in different ministries and offices. They are known as "cadre units". Depending on the work in the cadre units, or the retirement of the officials in the higher posts, the necessity arises to promote the members of the lower cadre to

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higher one on *ad hoc* basis. Here itself, a caveat needs to be added that the regular promotions take place at the CSS level on the basis of the seniority list of the entire category, whereas the *ad hoc* promotions take place within the 'cadre unit'.

12. For example, if there exist 50 vacancies in the post of Section Officers, 50 senior most among the 4757 Assistants need to be promoted on regular basis. In contrast, if there are 60 Assistants in the cadre unit of a particular ministry, and necessity arises to make promotions to 3 posts of Section Officers in that Ministry on *ad hoc* basis, 3 senior most among the 60 Assistants need to be promoted. It may so happen that the Assistants who are promoted on *ad hoc* basis may figure far below in the combined list of that post in the CSS, and their counter-parts in other Ministries who are higher up in the list, may not be getting any *ad hoc* promotion also. The result would be that an Assistant who is relatively junior, would be drawing higher salary on account of his *ad hoc* promotion, compared to his seniors in the category of Assistants working in other Ministries.



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13. For the first time, the issue of disparity in the pay structure of Senior and Junior was addressed through office memorandum dated 04.02.1966. It reads as under:

"[GoI, M/o F. O.M. No.F.2(78-E.III(A)/66, dated the 4th February, 1966]

Removal of anomaly by stepping up of pay of Senior on promotion drawing less pay than his junior - (a) As a result of application of FR 22-C [Now FR 22 (I) (a) (1)]

In order to remove the anomaly of a Government servant promoted or appointed to a higher post on or after 01.04.1961 drawing a lower rate of pay in that post than another Government servant junior to him in the lower grade and promoted or appointed subsequently to another identical post, it has been decided that in such cases the pay of the senior officer in the higher post should be stepped up to a figure equal to the pay as fixed for the junior officer in that higher post. The stepping up should be done with effect from the date of promotion or appointment of the junior officer and will be subject to the following conditions, namely:-

- (a) Both the junior and senior officers should belong to the same cadre and posts in which they have been promoted or appointed should be identical and in the same cadre;
- (b) The scales of pay of the lower and higher posts in which they are entitled to draw pay should be identical;
- (c) The anomaly should be directly as a result of the application of FR 22-C. For example, if even in the lower post the junior officer draws from time to time a higher rate of pay than the senior by



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virtue of grant of advance increments, the above provisions will not be invoked to step up the pay of the senior officer.

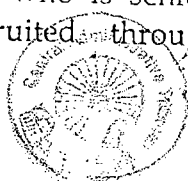
The orders re-fixing the pay of the senior officers in accordance with the above provisions shall be issued under FR-27. The next increment of the senior officer will be drawn on completion of the requisite qualifying service with effect from the date of re-fixation of pay."

This, however, did not satisfy the claims of many. Representations poured in from time to time, complaining of anomalies. The Government referred the issue to a Board of Arbitration in 1984. The terms of reference were as under:

"Whether the pay of Assistants of CSS who are senior by virtue of having been recruited through earlier exams, but are drawing less pay in Section Officer's Grade, on promotion than their juniors recruited through latter exams, be raised to same level which their juniors are drawing."

The issue involved the claims of 200 Assistants, and not of any other category of employees. After dealing with the versions presented by the employees, on the one hand, and the Department, on the other, the Board of Arbitrators made the following Award:

"The demand of the staff side is accepted to the extent that the pay of an Assistant of the Central Secretariat Service, who is senior by virtue of having been recruited through an earlier



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examination but is drawing less pay on promotion in the Section Officers' grade than his junior recruited through a later examination, shall not be less than the pay his junior is drawing in the same cadre.

The award shall take effect on and from 1st June, 1983."

The salient feature of this Award is that the necessity to upgrade the salary of a SO would arise if only an SO promoted from the post of Assistant, selected in the examination of a particular year, draws lesser salary than a SO who was promoted from the post of Assistant, selected in the examination conducted in the subsequent year or years. This recommendation was accepted, and OM dated 13.04.1988 was issued in this behalf.

14. Six years later, through OM dated 23.02.1994, this facility was extended to the senior Assistants of CSS recruited through earlier Assistant grade examination, but drawing lesser pay than their juniors recruited through later Assistant grade examination, notwithstanding the fact that the promotion of juniors is through Limited Departmental Competitive Examination (LDCE). This was, however, made subject to the conditions contained in OM dated 13.04.1988.



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15. Two years thereafter, another anomaly was noticed. For the post of Assistants in CSS, there is also a channel of promotion, in addition to direct recruitment. The benefit of upgradation was being extended only to the Assistants who were appointed through direct recruitment. OA No.365/1990 was filed by a promotee Assistant complaining that though the pay of a direct recruit Assistant, who is junior to him, was upgraded, he was denied the benefit. The OA was allowed, and OM dated 08.10.1996 was issued extending the benefit of upgradation in such cases also.

16. With a view to provide broad guidelines to various Ministries to be followed in the context of upgradation of pay scales, the DoP&T issued OM dated 04.11.1993. It reads as under:

"Instances which do not constitute an anomaly for stepping up of pay with reference to juniors. - Cases for stepping up of pay of seniors in a pay scale to that of juniors are generally considered if the following conditions are satisfied:-

- (a) both the junior and senior officer should belong to the same cadre and the posts in which they have been promoted or appointed should be identical and in the same cadre;

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- (b) the scales of pay or the lower and higher posts in which the junior and senior officer are entitled to draw pay should be identical;
- (c) the anomaly should be directly as a result of the application of FR 22-C. For example, if even in the lower post the junior officer draws from time to time a higher rate of pay than the senior by virtue of grant of advance increments or on any other account, the above provisions will not be invoked to step up the pay of senior officer.
2. Instances have come to the notice of this Department requesting for stepping up of pay due to the following reasons:-
- (a) where a senior proceeds on Extraordinary Leave which results in postponement of Date of Next Increment in the lower post, consequently he starts drawing less pay than his junior in the lower grade itself. He, therefore, cannot claim pay parity on promotion even though he may be promoted earlier to the higher grade;
- (b) if a senior forgoes/refuses promotion leading to his junior being promoted/appointed to the higher post earlier, junior draws higher pay than the senior. The senior may be on deputation while junior avails of the *ad hoc* promotion in the cadre. The increased pay drawn by a junior either due to *ad hoc* officiating/regular service rendered in the higher posts for periods earlier than the senior, cannot, therefore, be an anomaly in strict sense of the term;
- (c) if a senior joins the higher post later than the junior, for whatsoever reasons, whereby he draws less pay than the



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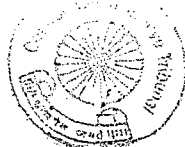
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junior in such cases, senior cannot claim stepping up of pay at par with the junior;

- (d) if a senior is appointed later than the junior in the lower post itself whereby he is in receipt of lesser pay than the junior, in such cases also the senior cannot claim pay parity in the higher post though he may have been promoted earlier to the higher post;
- (e) where a person is promoted from lower to a higher post, his pay is fixed with reference to the pay drawn by him in the lower post under FR 22-C and he is likely to get more pay than a direct appointee whose pay is fixed under different set of rules. For example, an UDC on promotion to the post of Assistant gets his pay fixed under FR 22-C with reference to the pay drawn in the post of UDC, whereas the pay of Assistant (DR) is fixed normally at the minimum under FR 22-B (2). In such cases, the senior direct recruit cannot claim pay parity with the junior promoted from a lower post to higher post as seniority alone is not a criteria for allowing stepping up;
- (f) where a junior gets more pay due to additional increments earned on acquiring higher qualifications.

3. In the instances referred to in para 2 above, a junior drawing more pay than the senior will not constitute an anomaly. In such cases, stepping up of pay will not, therefore, be admissible."

This was not challenged by any one, and it held the field all through.



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17. In the recent past, it was noticed that the orders of upgradation of pay were being issued indiscriminately and in violation of the specific orders issued on the subject, and with a view to curb that, the impugned memorandum dated 20.05.2014 was issued. The gist of the three office memoranda dated 13.04.1988, 23.02.1994 and 08.10.1996 was mentioned. Brief facts of OA No.869/1991 and the anomalies that have crept into the implementation of the orders thereon were also noticed. In para 4 it was mentioned as under:

"In spite of issue of this clarification, some Ministries/Departments have been seeking clarifications as to whether stepping up of pay of senior Assistants drawing less pay on promotion to Section Officer's Grade than their juniors is admissible or not even if the junior was drawing more pay than their seniors in the lower grade i.e. Assistant grade."

Ultimately, the following directives were issued to the various Ministries to be followed in the context of upgradation of pay scales of the officers of the CSS:

"6. The Ministries/Departments may, therefore, allow stepping up of pay in only the cases covered in para 5(i) to (iii) above, at the time of promotion to Section Officer Grade. In all other cases of stepping up of pay other than those mentioned at para 5(i) to (iii) above, the provisions of DOP&T's OM No.4/7/92-Estt.(Pay-1) dated 04.11.1993 will be applicable.



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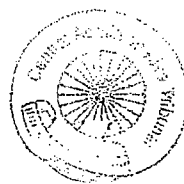
7. Stepping up of pay already allowed in the cases where the individuals are not covered by the OM No.5/16/80-CS.I dated 13.4.1988, OM No.5/21/92-ES.I dated 23.2.1994, OM No.5/1/96-CS.I 08.10.1996 and where the conditions laid down in the OM No.4/7/92-Estt.(Pay-1) dated 04.11.1993 are also not fulfilled may be reviewed, and pay may be re-fixed accordingly. The excess payments made to the employees in the cases of wrong stepping up of pay be recovered in terms of DOP&T OM No.18/26/2011-Estt.(Pay-1) dated 6.2.2014. A compliance report in this regard may be furnished to this Department by 31st August, 2014 positively.

8. This issues with the concurrence of Estt (Pay-1), DOP&T vide UO/ID No.6017/2013-Pay-1 dated 19.07.2013 & 29.08.2013 and Department of Expenditure vide ID No.1(5)/96-E-III(A) dated 19.08.2013."

Further clarification was given through OM dated 08.07.2014. It was mentioned that the instructions contained in OMs dated 13.04.1988, 23.02.1994 and 08.10.1996 as well as those in OM dated 04.11.1993, are general in nature, and none of them are mutually exclusive of the other. It reads as under:

"Sub: Stepping up of pay of Senior Assistants of CSS drawing less pay on promotion in the Section Officers Grade than their juniors - clarifications regarding.

The undersigned is directed to refer to this Department's OM of even number dated 20.05.2014 and to state that there has been confusion regarding the interpretation of three OMs (OM No.5/16/80-CS.I dated 13.4.1988, OM



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No.5/21/92-CS.I dated 23.2.1994, OM No. 5/1/96-CS.I dated 8.10.96) vis-à-vis general instructions issued vide DOP&T OM No.4/6/92-Estt.(Pay-I) dated 04.11.1993. The matter was discussed in consultation with Estt. (Pay) Division of DOP&T once again and it has been clarified that -

- (1) OMs dated 14.04.1988, 23.02.1994 and 08.10.1996 and general instructions issued vide OM dated 04.11.1993 are not exclusive of each other. Since the OM dated 04.11.1993 stipulates general conditions of stepping up of pay, this should be followed even in cases covered under OMs dated 13.04.1988, 23.02.1994 and 08.10.1996. All the three OMs are to be read with and subject to the general instructions in the matter issued vide DOP&T OM dated 04.11.1993, therefore, stepping up of pay is not (NOT) to be allowed where junior was drawing more pay than the senior in the lower grade.
- (2) In a nutshell, as per OMs dated 13.04.1988, 23.02.1994 and 08.10.1996, stepping up of pay of senior Assistants of CSS on promotion as Section Officer may be allowed in the following cases subject to the general instructions in the matter issued vide DOP&T OM dated 04.11.1993:
 - (i) Stepping up of pay of Senior DR Assistant with reference to a Junior DR Assistant recruited through a later Assistant Grade Examination on promotion as Section Officer (OM dated 13.04.1988);
 - (ii) Stepping up of pay of Senior DR Assistant with reference to a Junior DR Assistant recruited through a later Assistant Grade Examination on



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promotion as Section Officer against LDCE Quota (OM dated 23.02.1994);

(iii) Stepping up of pay of senior promotee Assistant with reference to a Junior DR Assistant on promotion as Section Officer (OA No.365/90-Shri K.C. Sehgal vs. UOI) and stepping up of pay of Senior DR Assistant of same Assistant Grade Examination on promotion as Section Officer (OA No.869/91-Shri L.K. Chawla vs. UOI) (OM dated 08.10.1996)."

18. In the light of these memoranda, the respective Ministries issued individual orders wherever it was found that the pay scale of the members of the CSS was found to be contrary to the relevant memoranda.

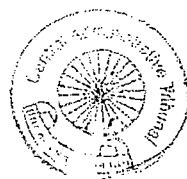
19. The applicants are not able to establish that the impugned orders have the effect of bringing about any legal regime that would have the effect of taking away any of their rights. On the other hand, they, i.e., the impugned orders, reiterate the general guidelines that have been issued from time to time. They did not either dilute or expand the scope thereof. It is not in dispute that all the applicants were being paid salaries attached to their posts together with increments from time to time. They got certain additional benefits by claiming that their juniors were drawing higher scale of pay. The guidelines to be followed in this behalf are already in place, and



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were operating for decades together. The scope of each of the OM is well defined and hardly there exists any scope for misunderstanding the OM. However, if any benefit is extended contrary to such OM, that cannot be countenanced in law. A serious dent would occur to the public exchequer if an employee is paid emoluments more than what he is otherwise entitled to. The benefit extended at a particular level would not stop at that. It would have a cascading effect, and would become part of retirement benefits also. In terms of the emoluments and the resultant pension, even a small upgradation would turn into a burden of lakhs of Rupees on the exchequer. While the employee has every right to claim what he is otherwise entitled to, he cannot enrich himself by claiming something which is not due to him.

20. Even while making the claims for upgradation, the applicants who are fairly senior officers, were required to be truthful and objective. The mere fact that an otherwise impermissible claim for upgradation was accepted and the pay scales were upgraded, does not create any vested right in the employee either to retain the benefit or to insist on continuance of the same.



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21. Though an attempt is made to convince us that the OM dated 04.11.1993 cannot be sustained in law, the applicants are not able to substantiate it. It was issued almost as a measure of caution, and to ensure that a benefit which had to be extended under a typical set of facts, cannot be granted to others who do not fit into those parameters.

22. As regards recovery, consequential to the re-fixation of pay scales, while the applicants placed reliance upon the judgment of Hon'ble Supreme Court in *Rafiq Masih's case* (supra), the respondents contend that the situation is covered by the ratio in *Chandi Prasad Uniyal's case* (supra). In this regard, it needs to be observed that the matter pertaining to recovery of amounts paid to employees due to wrong fixation of pay scales was dealt with extensively by the Hon'ble Supreme Court in *Chandi Prasad Uniyal's case* (supra). After referring to various judgments that dealt with the subject earlier, namely, *Shyam Babu Verma vs. Union of India* and *Sahib Ram vs. State of Haryana*, the Hon'ble Supreme Court held as under:-

"17. We are, therefore, of the considered view that except few instances pointed out in *Syed Abdul Qadir case* (supra) and in *Col. B.J. Akkara (retd.) case* (supra), the



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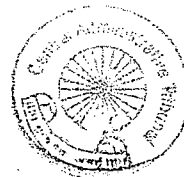
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excess payment made due to wrong/irregular pay fixation can always be recovered.

18. Appellants in the appeal will not fall in any of these exceptional categories, over and above, there was a stipulation in the fixation order that in the condition of irregular/wrong pay fixation, the institution in which the appellants were working would be responsible for recovery of the amount received in excess from the salary/pension. In such circumstances, we find no reason to interfere with the judgment of the High Court. However, we order the excess payment made be recovered from the appellant's salary in twelve equal monthly installments starting from October 2012. The appeal stands dismissed with no order as to costs. IA Nos.2 and 3 are disposed of."

At a subsequent stage in *Rafiq Masih's case* (supra), a two Judge-Bench of Hon'ble Supreme Court felt that there is inconsistency between two sets of judgments on the same subject. The following observations were made:-

"In view of an apparent difference of views expressed on the one hand in Shyam Babu Verma and Ors. vs. Union of India & Ors. (1994) 2 SCC 521 and Sahib Ram Verma vs. State of Haryana (1995) Supp. 1 SCC 18; and on the other hand in Chandi Prasad Uniyal and Ors. vs. State of Uttarakhand & Ors. (2012) 8 SCC 417, we are of the view that the remaining special leave petitions should be placed before a Bench of Three Judges. The Registry is accordingly directed to place the file of the remaining special leave petitions before the Hon'ble the Chief Justice of India for taking instructions for the constitution of a Bench of three Judges, to adjudicate upon the present controversy."

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23. A Bench of 3 Judges of the Hon'ble Supreme Court in *Rafiq Masih's case* (supra) examined the purport of various judgments referred to above. However, we do not find anything in the judgment in that case to suggest that the judgment in *Chandi Prasad Uniyal's case* (supra) was either overruled or was held to be not laying the correct proposition of law. It is a different matter that certain directions were issued in the context of recovery. They were mostly keeping in view, the employees belonging to Class-3 & 4.

24. In the instant case, the applicants are from Central Secretariat Service and many of them are occupying very high positions. They should not be interested in possessing anything which they are not legitimately entitled to. The only direction that can be issued in this behalf is that in case the recovery becomes necessary from the applicants, it shall be in easy installments and without any interest.

25. In case any of the applicants are of the view that their cases fit into the OMs dated 13.04.1988, 23.02.1994 and 08.10.1996, and are not fit by OM dated 04.11.1993, they can certainly make individual representations duly supplying the



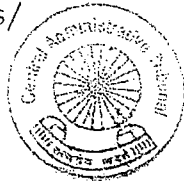
relevant particulars, indicating how they are entitled to such benefits. If such representations are made, the concerned authority shall pass appropriate orders thereon within two months from the date of such representation.

26. We do not find any basis to interfere with the impugned orders. The OAs are accordingly dismissed but with the observations made in preceding paragraphs. There shall be no orders as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/as/



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21/01/19
सचिव (न्यायिक)
Section Officer (Judicial)
केन्द्रीय प्रशासनिक प्रतिकरण
Central Administrative Tribunal
नयाँ दिल्ली, नई दिल्ली
New Delhi Branch, New Delhi