



ALL INDIA CIVIL ACCOUNTS OFFICERS
(Senior Accounts Officers and Pay & Accounts Officers) ASSOCIATION
(Recognised by Govt. of India as per CCS (RSA) Rules, 1993 vide O/o CGA, Min. of Finance's letter No. 23003/1/2020-NGE-CGA /270 dated: 29th August, 2022)
House No: H-405, Street No. 4, RAJ NAGAR, PART-2,
PALAM COLONY, NEW DELHI- 110077.
nebaicaoa@gmail.com

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Virender Sharma

Rajeev Chandra

A.K. Chaurasia

Auditor

Rahul Butola

No. AICAOA/NEC/2025-26/191

Date: 12.11.2025

To,

The Controller General of Accounts
Mahalekha Niyantarak Bhawan,
E-Block, GPO Complex, INA,
New Delhi-110023.

Sub.: Fixation of pay at Level 11 on promotion of Sr. AOs as ACA-Reg.

Respected Madam,

I am writing on behalf of the All India Civil Accounts Officers (Sr. AOs & PAOs) Association (AICAOA) to draw your kind attention to the decision taken by the National Executive Committee of AICAOA in its meeting dated 25.10.2025.

Your attention is invited to O/o CGA's OM No. A-32013/8/2025/Gr. A/Induction/1391-1404 dated 28.07.2025 (copy enclosed) whereby Sr. AOs of ICAO have been promoted and appointed as ACA from the date of issuance of OM or date of the assumption of charge of the post.

Consequent to the promotion on appointment, the pay of the officials is required to be fixed on promotion. DoPT vide para 4 of OM No. 13/02/2017/-Estt-Pay -I dated 27.07.2017 (copy enclosed) has directed to include an option clause in promotion order. The said direction has not been followed in above said orders.

In this connection, it is stated that in Defence Accounts Department (DAD), the pay of newly promoted Sr. AOs on promotion as ACDA is fixed in Level-11. The CAT, Allahabad Bench vide decision in O.A. No. 0067/2015 (copy enclosed) has directed for fixing the pay in Level-11 on promotion as ACDA in IDAS.

Therefore, it is requested to issue instructions for fixation of pay in Level 11 on promotion of Sr. AOs as ACA.

With high regards,

Yours sincerely,

(Kaushal Mishra)
Secretary General (AICAOA)

Encl: As above.

Government of India
Ministry of Finance
Department of Expenditure
Office of Controller General of Accounts

Mahalekha Niyantarak Bhawan
GPO Complex, INA, New Delhi - 110 023

Dated: 28th July, 2025

ORDER

The President is pleased to appoint the following Senior Accounts Officers (Group 'A') to the post of Assistant Controller of Accounts [Junior Time Scale (JTS)] of Indian Civil Accounts Service of Level 10 in the Pay Matrix of CCS(RP) Rules, 2016 in terms of Indian Civil Accounts Service (Group 'A') Rules, 2025 with immediate effect or the date of assumption of charge of the post, whichever is later:-

Sl. No.	Name of the Officer	Presently posted as Senior Accounts Officer in Ministries/Departments
1.	Shri P. Karuppaswamy	CBDT, Madurai
2.	Ms. Jayanthi Udayakumar	Agriculture, Chennai
3.	Ms. Asha Prasad	MHA, Delhi
4.	Ms. Rita Sharma	CA&PD, Delhi
5.	Shri S.K. Sharma	O/o CGA, Delhi
6.	Shri P. Prithweeraj Purshothaman	H&UA, Mumbai
7.	Shri P. K. Sharma	Finance, Delhi
8.	Shri Ajay Sachdev	O/o CGA, Delhi
9.	Shri Preetam Singh	I&B, Delhi
10.	Ms. Usha Shenoy	Planning, Bengaluru
11.	Ms. Vidhya Ranganatha	Agriculture, Mumbai
12.	Ms. Poonam R. Bhagwandasani	CBDT, Mumbai
13.	Ms. Elizabeth Thomas	CBIC, Mumbai
14.	Shri N.A. Mendon	CA&PD, Mumbai
15.	Shri Pooran Singh	CBDT, Jaipur
16.	Shri R.K. Dwivedi	Education, Bhopal
17.	Shri Rati Ram Chauhan	CBDT, Delhi
18.	Ms. Urmila	CA&PD, Delhi
19.	Shri J. N. Koli	PFMS, Delhi
20.	Shri Partap Singh	PFMS, Delhi
21.	Shri Ashok Kumar Shorya	Jal Shakti, Delhi
22.	Shri K. C. Gautam	Agriculture, Delhi
23.	Shri Dharmendra Kr. Singh	MNRE, Delhi
24.	Ms. Sunita Kumari	DONER, Delhi
25.	Shri G. P. Singhal	CBIC, Jaipur
26.	Ms. G. Sreepriya	O/o CGA, Delhi
27.	Shri Jitender Kumar	PFMS, Delhi
28.	Ms. Niti Rastogi	Health, Delhi
29.	Shri Jai Krishna Uniyal	MHA, Delhi
30.	Ms. Ramani John	CBDT, Trivendrum
31.	Shri S. K. Pyne	CA&PD, Kolkata
32.	Ms. Shyama Shashikumar Nair	CA&PD, Mumbai
33.	Shri A. Hari Kumar	MHA, Raipur

Contd...2/-

Sl. No.	Name of the Officer	Presently posted as Senior Accounts Officer in Ministries/Departments
34.	Ms. Rani Gunasekaran	CBIC, Coimbatore
35.	Shri Yatinder Pal Singh	DONER, Delhi
36.	Shri Sunil Kumar Sharma	Education, Delhi

Tripti Patra

(Tripti Patra Ghosh)

Joint Controller General of Accounts(HR-I)

Copy to:

1. Pr. CCAs, /M/o Home Affairs/ CBIC/ M/o PS&W and RT&H/M/o External Affairs/ M/o Education/CBDT, New Delhi.
2. Additional Controller General of Accounts, PFMS Division, O/o CGA, New Delhi.
3. Additional Secretary, (PF-S), Department of Expenditure, Ministry of Finance, New Delhi.
4. Financial Adviser(SS/AS/JS) of concerned Ministries/Departments.
5. Director General, INGAF, New Delhi.
6. CCAs/FC of concerned Ministries/Departments.
7. CAs, NITI Aayog/Ministry of Jal Shakti/Ministry of Earth Science, New Delhi.
8. Director(Admn), Deptt. of Expenditure, Ministry of Finance, New Delhi w.r.t. MoF DoE I.D. Note. No. A-32013/3/2025-Ad.I dated 22.07.2025.
9. The Deputy Director(PFC-I), PFMS Division, Department of Expenditure, Ministry of Finance, New Delhi w.r.t. their ID Note No. 4(06)/PFMS/2023 dated 28.07.2025.
10. Concerned officers.
11. PSO/PPS/Sr.PS/PS to CGA/Addl. CGAs/Jt. CGAs, O/o CGA, New Delhi.
12. Sr.AO(ITD), O/o CGA, New Delhi – for uploading on CGA's website.
13. Sr. AO(Admn/Cash), O/o CGA, New Delhi.
14. Personal file.
15. Guard file.

No.13/02/2017-Estt.(Pay-I)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

North Block, New Delhi
Dated 27th July, 2017

OFFICE MEMORANDUM

Subject: Availability of option for fixation of pay on promotion from the Date of Next Increment (DNI) in the lower post and method of fixation of pay from DNI, if opted for, in context of CCS (RP) Rules, 2016-regarding.

Prior to implementation of 6th CPC Report, the pay fixation on promotion was governed by provisions of FR 22(I)(a)(1). In 6th CPC context, the first part of FR 22(I)(a)(1) was replaced by Rule 13 of CCS (RP) Rules, 2008. Similarly, consequent upon implementation of CCS (RP) Rules, 2016 in 7th CPC context, the pay fixation on promotion is regulated by the provisions of Rule 13 of CCS (RP) Rules, 2016. This rule regulates pay fixation on promotion if the same is opted by the employee from the date of promotion itself. The issue of relevancy of provisions of FR 22(I)(a)(1) as well as the methodology of fixation of pay on promotion to a post carrying duties and responsibilities of greater importance, of a Government Servant in case he opts for pay fixation from the Date of Next Increment (DNI) has been considered in this Department.

2. In this context, proviso under FR 22(I)(a)(1) *inter-alia* provides that the Government Servant (other than those appointed on deputation basis to ex-cadre post or on ad-hoc basis or on direct recruitment basis) shall have the option, to be exercised within one month from the date of promotion, to have the pay fixed under this rule from the date of such promotion or to have the pay fixed from the date of accrual of next increment in the scale of the pay in lower grade.

3. After due consideration in this matter, the President is pleased to decide as follows:

(i) FR 22(I)(a)(1) holds good with regard to availability of option clause for pay fixation, to a Government Servant holding a post, other than a tenure post, in a substantive or temporary or officiating capacity, who is promoted or appointed in a substantive, temporary or officiating capacity, as the case may be, subject to the fulfilment of the eligibility conditions as prescribed in the relevant Recruitment Rules, to another post carrying duties or responsibilities of greater importance than those attaching to the post held by him/her. Such Government Servant may opt to have his/her pay fixed from the Date of his/her Next Increment (either 1st July or 1st January, as the case may be) accruing in the Level of the post from which he/she is promoted, except in cases of appointment on deputation basis to an ex-cadre post or on direct recruitment basis or appointment/promotion on ad-hoc basis.

...../-

(iv) In such cases where Government Servant opts to have his/her pay fixed from the date of his/her next increment in the Level of the post from which he/she is promoted, the next increment as well as Date of Next Increment (DNI) will be regulated accordingly.

4. It is further reiterated that in order to enable the officials to exercise the option within the time limit prescribed, the option clause for pay fixation on promotion with effect from date of promotion/DNI shall invariably be incorporated in the promotion/appointment order so that there are no cases of delay in exercising the options due to administrative lapse.

5. In so far as their application to the employees belonging to the Indian Audit and Accounts Department is concerned, these orders issue in consultation with the Comptroller & Auditor General of India.

Pushpender Kumar

(Pushpender Kumar)

Under Secretary to the Government of India

Tel. No.011-23040489

To

All Ministries/Departments as per standard list.

Copy also forwarded to:

1. Secretaries to Union Public Service Commission / Supreme Court of India/ Lok Sabha Sectt. / Rajya Sabha Sectt. /Cabinet Sectt. / Central Vigilance Commission / President's Sectt. / Vice-President's Sectt./Prime Minister's Office / Niti Ayog.
2. Office of Comptroller & Auditor General of India.
3. Controller General of Accounts/Controller of Accounts, Ministry of Finance.
4. Department of Personnel and Training (AIS Division)/ JCA /Admn. Section.
5. Governors of all States/Lt. Governors of all Union Territories.
6. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
7. All Members of Staff Side of the National Council of JCM / Departmental Council.
8. All Officers/Sections of DoPT / Department of Administrative Reforms & Public Grievances/Department of Pensions & Pensioners Welfare/ PESB.
9. Joint Secretary (Pers), Ministry of Finance, D/o Expenditure.
10. Additional Secretary (Union Territories), Ministry of Home Affairs.
- ✓ 11. NIC with a request to upload the OM on the website of DoPT.

Pushpender Kumar

(Pushpender Kumar)

Under Secretary to the Government of India



RESERVED ON 21.05.2024.

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD**

Dated: This the 30th day of May 2024

Hon'ble Mr. Justice Om Prakash VII, Member (J)
Hon'ble Mr. Mohan Pyare, Member (A)

Original Application No. 330/00067/2015
Along with
Original Application No. 330/00678/2014

1. V.N Singh S/o Late U.B. Singh, IDAS Ex-ACDA, A/c No. 8305565 R/o 174A/48B, Rajapur G.P.O, Allahabad retired from office of the PCDA (R&D) West Block-V, R.K. Puram, New Delhi.
2. A.K. Nigam S/o Late J.C. Nigam, IDAS ACDA, A/c No. 8315746 R/o 32 Elgin Road, Civil Lines, Allahabad serving in the office of PCDA (P), Allahabad.
3. Praveen Kumar Sharma S/o Late Harikishan Lal Sharma, IDAS, Ex-Dy. CDA, A/c No. 8304649, at present R/o 81/11D, Tilak Nagar, Allahpur, Allahabad, retired from office of the PCDA(C.C.), Lucknow.
4. M. C. Chawla S/o Late Balram Chawla, IDAS, Ex-ACDA, A/C No. 8310060, at present R/o. B-25, G.T.B. Nagar, Kareli, hed Allahabad, retired from office of the PCDA(C.C.), Lucknow.
5. Smt. Usha Srivastava, wife of Late P. K. Srivastava Ex-IDAS, A/c No. 8307996 resident of 181E/5K, Rajrooppur, Prayagraj (Allahabad) PIN-211011.
6. Pramod Narain S/o Late S. N. Srivastava, IDAS, Ex-ACDA, A/c No. 8315764, resident of 109/318, R. K. Nagar, Gumiti No. 5, Kanpur, retired from office of the CDA, Jabalpur (M.P.)
7. R. K. Singh S/o Late Yadunath Singh, IDAS, Ex-ACDA, A/c No. 8308818, at present R/o C/o S. C. Singh, 178/61/2, Tagore Residency Dr. A. K. Sur Road, Tagore Town, Allahabad, retired from office of the PCDA(C.C), Lucknow.
8. Ratan Ram S/o Late Madho Ram, IDAS, Ex-ACDA, A/c No. 8306724, R/o E.W.S. Colony, Bhardwaj Puram, Allahpur, Allahabad, retired from office of the PCDA(C.C.), Lucknow.

.....Applicants in OA No.67/2015

By Advocates : Shri B.D. Tiwari/Shri V.K. Tiwari

Versus

1. Union of India through Secretary, Ministry of Finance (Department of Expenditure), North Block, New Delhi.
2. Controller General Defence Accounts, Ulan Batar Road, Palam, Delhi Cantt-110010.
3. Principal C.D.A. (R&D), West Block-V, R. K. Puram, New Delhi.
4. Principal C.D.A. (Pension), Draupadi Ghat, Allahabad (U.P.).
5. Principal C.D.A. (C.C.), Lucknow.
6. C.D.A., Ridge Road, Jabalpur (M.P.)

.....Respondents

By Advocate: Shri Ram Kumar Verma

**With
Original Application No. 678/2014**

1. Abdul Majeed S/o Late Tabib Ahmed, IDAS, Ex-ACDA, A/c No. 8306815, R/o B-25/1, G.T.B. Nagar, Kareli, Allahabad, retired from office of the PCDA(P), Allahabad.
2. K. C. Gupta S/o Late P. C. Gupta, IDAS, Ex-ACDA, A/c No. 8305597, R/o. E.W.S.-90, Preetam Nagar Colony, Allahabad, retired from office of the PCDA(P), Allahabad.
3. Satish Arora S/o Late Harikishan, IDAS, Ex-ACDA, A/c No. 8315738, R/o. 1117A, Kalyani Devi, Allahabad, retired from office of the PCDA(P), Allahabad.
4. Alok Patni S/o Late Gopal Krishna Patni, IDAS, Ex-ACDA, A/c No. 8305577, R/o. Flat No. 4, EWS Colony, Baghambari Road, Allahabad, retired from office of the PCDA(P), Allahabad.
5. A. N. Bhargava S/o Shri Dwarika Nath Bhargava, IDAS, Ex-ACDA, A/C No. 8314018, R/o. Plot No. 15, MIG Preetam Nagar, Allahabad, retired from office of the PCDA(P), Allahabad.
6. Ram Kumar Ojha S/o Late R. P. Ojha, IDAS, Ex-ACDA, A/c No. 8295804, R/o. 14/4, Indira Vihar, Drumond Road, Allahabad, retired from office of the PCDA(P), Allahabad.

7. M. K. Srivastava S/o Late B. K. Srivastava, IDAS, Ex-ACDA, A/c No. 8305566, R/o. B-679, G.T.B. Nagar, Kareli, Allahabad, retired from office of the PCDA(P), Allahabad.

8. Sangam Lal Pandey S/o Late Siya Ram Pandey IDAS, Ex-ACDA, A/c No. 8305591, R/o Sikandarpur, Bhijha, Kausambi, retired from officer of the PCDA(P), Allahabad.

.....Applicants in OA No. 678/14

By Advocates: Shri B.D. Tiwari/Sri V.K. Tiwari/Sri P.N. Pathak

Versus

1. Union of India through Secretary, Ministry of Finance (Department of Expenditure), North Block, New Delhi.

2. Controller General Defence Accounts, Ulan Batar Road, Palam, Delhi Cantt-110010.

3. PCDA (P), Allahabad (U.P.)

.....Respondents in OA No. 678/2014

By Advocate: Shri Ram Kumar Verma

ORDER

By Justice Om Prakash VII, Member (J)

Both the Original Applications are being decided with the consent of learned counsels for the parties by a common order as the reliefs and controversy involved in both the cases are similar and identical. OA No. 330/00067/2015 is being treated as a leading case.

2. The applicants have filed these Original Applications under section 19 of the Administrative Tribunals Act, 1985 with the following reliefs:-

Reliefs in OA No. 67/2015

“(i) To quash and set aside the order of the respondents as communicated by the Controller General Defence Accounts, Delhi Cantt Vide their letter No. AN-I/1381/ TRK/Rep/187 dated 01.02.2014, AN- 1/1381/TRK/ Rep/198, AN-I/1381/TRK/Rep/211 dated 11.02.2014, AN-I/1381/TRK/Rep/220 dated 07.04.2014, AN-I/1381/ TRK/Rep/239 dated 27.06.2014 and by Respondent No.

3 i.e. PCDA (R&D), New Delhi vide letter No. AN-I/R&D/98/ Prom/IDAS/Vol-II dated 25.02.2014 etc. respectively, as shown in Annexure No. A-1.

(ii) To command or Direct the respondents to allow the benefit of STS pay scale i.e. Rs. 10,000-325-15,200 (revised to PB-3 in the pay band of Rs. 15,600/- to Rs. 39,100 with grade pay Rs. 6600/- to the applicants with effect from the date they were promoted as ACDA's in the Cadre of IDAS with further promotion as Junior Administrative Grade after five years service in STS grade with all consequential benefits of pay fixation, arrears of pay fixation with further benefits of revision of their retiral benefits from the date they have been retired from service at par with judgment and order passed by the Hon'ble CAT Madras Bench, upheld by Hon'ble Madras High Court and also similar order passed by the Hon'ble CAT Chandigarh in O.A. No. 1238/HP/2013 dated 10.09.2013.

(iii) To further direct the respondents to grant the applicants an interest @ 12% per annum on the amount calculated as per relief No. (ii) in as much as it is the respondents who have denied the aforesaid benefits to the applicants for such a long period even after the court orders mentioned above.

(iv) To pass any other or further order as the Hon'ble Court deems fit and proper in the circumstances of the case.

(v) To award the cost of the petition”.

Reliefs in OA No.678/14

(i) To quash and set aside the order of the respondents as communicated by the Controller General Defence Accounts, Delhi Cantt Vide their letter No. AN-I/1381/TRK/Rep/170, AN-I/1381/TRK/Rep/180, AN-I/1381/TRK/Rep/159, AN-I/1381/TRK/Rep/177, AN-I/1381/TRK/Rep/134 all dated 03.01.2014 and letter No. AN-I/1381/TRK/Rep/200, AN-I/1381/ TRK/Rep/192 dated 11.02.2014 respectively shown as Annexure No. A-1.

(ii) To command or Direct the respondents to allow the benefit of STS pay scale i.e. Rs. 10,000-325-15,200 (revised to PB-3 in the pay band of Rs. 15,600/- to Rs. 39,100 with grade pay Rs. 6600/- to the applicants with effect from the date they were promoted as ACDA's in the Cadre of IDAS with further promotion as Junior Administrative Grade after five years service in STS grade with all consequential benefits of pay fixation, arrears of pay fixation with further benefits of revision of their retiral benefits from the date they have been retired from service at par with judgment and order passed by the Hon'ble CAT Madras Bench, upheld by the Madras High Court and also similar order

passed by the CAT Chandigarh in O.A. No. 1238/HP/2013 dated 10.09.2013.

- (iii) To further direct the respondents to grant the applicants an interest @ 12% per annum on the amount calculated as per relief No. (ii) in as much as it is the respondents who have denied the aforesaid benefits to the applicants for such a long period even after the court orders mentioned above.*
- (iv) To pass any other or further order as the Hon'ble Court deems fit and proper in the circumstances of the case.*
- (v) To award the cost of the petition”.*

3. The brief facts of both the OAs are that all the applicants had entered in the Defence Accounts Department as Clerks/Auditors and consequent upon passing of Sub Ordinate Accounts Services Examination, they were promoted to the post of Section Officer (Accounts). Thereafter they were promoted to the post of Assistant Accounts Officer, Accounts Officer and Senior Accounts Officer on seniority cum fitness basis. They were selected for promotion to Group 'A' post of IDAS cadre and posted as ACDA and thereafter retired from service on different dates of the years 2010 to 2015. On recommendation of sixth CPC, the Grade Pay of Rs. 5400/- was given to the employees, which were posted from the post of Auditors to the post of ACDA, due to which, anomalies amongst various categories of the officers working in the Group 'A' & Group 'B' posts in Defence Accounts Department occurred. Aggrieved against the aforesaid anomalies, some of the officers as well as members of Association moved a representation before the concerned authority. Applicants came to know that Central Administrative Tribunal, Chandigarh Bench in OA No. 1238/HP/2013 Kalyan Singh and others Vs. Union of India and others has allowed the petition relating to aforesaid anomalies vide order dated 10.09.2013 granting higher Grade pay of Rs. 6600/- with PB-3 in the pay band of Rs. 15600/- to Rs. 39100/- with effect from the date they were promoted as ACDA's in the cadre of IDAS along with all consequential benefits. Similar

relief has also been granted by CAT, Madras in its order dated 26.04.2010 (T.R. Krishnamurthy Vs. Union of India and others – OA No. 35/2009). Applicants prayed to extend them the benefits of the aforementioned court orders as their case are identical to the case of applicants of Chandigarh and Madras. In this regard, applicants preferred representations before the Competent Authority, but the same were rejected vide impugned orders dated 01.02.2014, 11.02.2014, 07.04.2014, 27.06.2014 and 25.02.2014. The aforesaid impugned orders are challenged in this OA.

4. We have heard Shri B.D. Tiwari learned counsel for the applicants and Shri Ram Kumar Verma, learned counsel for the respondents and perused the records.

5. Submission of learned counsel for the applicants is that respondents denied the Grade Pay of Rs. 6600/- to the applicants on promotion from Sr. Accounts Officer to the post of ACDA Group 'A' cadre of IDAS which is arbitrary, illegal and against the principle of natural justice as the same has already been paid by the respondents in pursuance to the judgment of CAT, Madras Bench judgment dated 26.04.2010 passed in OA No. 35/2009. Learned counsel for the applicants submitted that on the recommendation of 6th Central Pay Commission, MACP was granted to all the Central Government Civilian employees. According to MACP, Auditors, who have completed 30 years of their service, 3rd financial upgradation became eligible for enhanced rate of Grade Pay from Rs. 4800/- to Rs. 5400/- per month. Aggrieved against the above anomaly, Assistant Accounts Officer Group 'B' officers went to the CAT, Madras Bench vide OA No. 966/2009 S. Prabhu and others Vs. UOI and others and OA No. 967/2009 S. Ranga Rajan and others Vs. Union of India and others and CAT, Madras vide order dated 29.12.2010 found anomaly as has been claimed by the applicants in that OA and allowed the aforesaid OAs and granted the benefit of Rs. 5400/- to the Assistant Accounts Officer Group 'B' officers. Learned counsel for the applicants lastly submitted that all the applicants have been promoted from Senior AO

Group 'B' gazetted post to Group A post of ACDA after 01.01.2006. The applicant before promotions from Senior AO were getting PB-3 scale of pay Rs. 15600-39100 with Grade Pay of Rs. 5400/- and after promotion from Senior AO Group 'B' to the post of ACDA Group 'A' have been given the same running grade pay of Rs. 5400/- in pay band -3 of Rs. 15600-39100, thus, they have not benefited monetary benefits after promotions from Senior AO Group 'B' to the post of ACDA Group 'A' posts. Thus, respondents have acted arbitrarily, illegally, without following the norms of 6th CPC recommendations.

6. In rebuttal, learned counsel for the respondents argued that on implementation of recommendation of 3rd Pay Commission, the scales were bifurcated into following three scales of pay.

ACGDAS, DCDA, ACDAs included in the integrated time scale of IDAS	1. 1100 (6 th year or under)-50-1600 2. 700-4-900-FB-40-1100-50-1300
AOs/ACDAs	1100-50-1500
ACGDAs (in STS)/DCsDA	3000-100-3500-125-4500

Further on implementation of 4th Pay Commission, the scales of pay were bifurcated into following four scales of pay:

ACGDAs (in STS)/DCDAs	3000-100-3500-125-4500
ACGDAs (in JTS)/ACDAs	2200-75-2800-EB-100-4000
Sr. Accounts Officer	2200-75-2800-EB-100-4000
Accounts officer	2375-75-3200-EB-100-3500

As per 5th Pay Commission, the scales of pay were further bifurcated into following four scales of pay:

DCDAs	10000-325-15200
ACDA	8000-275-13500
Sr. Accounts Officer	8000-275-13500
Accounts officer	7500-250-12000

After the approval of 6th Pay Commission, the pay scale were again bifurcated into following three pay scales:-

Sr. Accounts Officer	15600-39100 GP 5400
JTS	15600-29100 GP 5400
STS	15600-39100 GP 6600

Learned counsel for the respondents further argued that pay scale of all the posts in the Defence Accounts Department are according to the Government of India's orders/regulations. The claim of the applicants that they should be granted pay scale of STS cadre after promotion from the post of Sr. AO is not supported with any rule or order. Learned counsel for the respondents also argued that against the order dated 10.09.2013 passed in OA No. 1238-HP-2013, writ petition No. 512/2014 has already been filed before the Hon'ble High Court of Punjab and Haryana and the Hon'ble High Court stayed the effect and operation of order of the Chandigarh CAT. Learned counsel for the respondents next argued that the scheme of MACP provides the financial up-gradation on the basis of stagnation of an employee in the service. The benefit of up gradation under MACP scheme is purely personal. Under the scheme benefit of up-gradation in next grade pay is allowed without any change in designation or powers. The person who gets the benefit remains on the same post but seniors to him cannot get the advantage of up-gradation because they have earned all the three promotion in terms of the scheme of MACP. In such situation, the senior cannot claim for stepping up by enhancing in grade pay.

7. We have heard the learned counsel for the parties and gone through the pleadings available on record.

8. From perusal of order passed by the Chandigarh Bench of the Tribunal in OA No. 1238-HP-2013, it is evident that CAT, Chandigarh Bench has decided that the case of applicants were squarely covered by the decision of Madras Bench passed in OA No.

35/2009 dated 26.04.2010 (T.R. Krishnamurthy Vs. Union of India and others). In this order, the Tribunal specifically relied upon the decision of CAT Madras Bench in the case of T.R. Krishnamurthy (supra). For proper adjudication of this case, the relevant portion of order of Chandigarh Bench of this Tribunal is reproduced below:-

“4. It is well settled by now that those who do not come to court need not be at a disadvantageous position as compared to those who had gone to Courts and were allowed relief. If they are otherwise similarly situated, they are entitled for similar treatment as held in the case of Inderpal Yadav v. Union of India, (1985) 2 SLR 248; K. I. Shephard and Others v. Union of India AIR 1988 SC 686 and K.T. Veerappa and Others v. State of Karnataka & Others, (2006) 9 SCC 406. In State of Karnataka v. C. Lalita, (2006) 2 SCC 747 it was held that "service jurisprudence evolved by this Court from time to time postulates that all persons similarly situated should be treated similarly. Only because one person has approached the Court that would not mean that persons similarly situated should be treated differently". In Gulam Rasul Lone v. State of Jammu & Kashmir, (2009) 15 SCC 321, the Hon'ble Supreme Court held that "it is no way trite law that where the Writ Petitioner approaches the High Court after a long delay, relief(s) prayed for may be denied to them on the ground of delay and latches irrespective of the fact that they are similarly situated to the other candidates who obtain the benefit of the Judgment.".

5. In view of the above proposition of law the impugned orders, Annexures A-1 and A-2 denying the claimed benefit to the applicants only on the premise that they were not a party to the proceedings, cannot be sustained and is quashed and set aside. The respondents are directed to grant the benefit of STS pay scale i.e. Rs.10000-325-15200 (revised to PB-3 in the pay band of Rs.15600- 39100 with grade pay Rs.6600/-) to the applicants w.e.f. the date they were promoted as ACDA's In the cadre of IDAS with further promotion as Junior Administrative Grade after five years service in STS grade with all consequential benefits of pay fixation, arrears of pay fixation with further benefits of revision of their retiral benefits from the date they have been retired from service, within a period of two months from the date of receipt of a certified copy of this order. The prayer of the applicants for grant of interest and costs is however declined”.

Union of India went to the Hon'ble Madras High Court by way of Writ Petition No. 23816/2010 and after hearing to both the parties, Hon'ble High Court has dismissed the Writ Petition on merits and the order of the Madras Bench of this Tribunal was confirmed. Thereafter, respondents filed Special Leave Petition in the Hon'ble Supreme Court, which was also dismissed Further order of the T.R. Krishnamurthy has been given scale of pay to DCDA by the respondents

9. Thus, relying upon the order passed by the CAT, Chandigarh Bench wherein the Tribunal relied upon the case of T.R. Krishnamurthy (supra), which was confirmed by the Hon'ble Supreme Court and High Court, the O.A. is liable to be allowed. Accordingly, the O.A. is allowed and impugned order dated 25.02.2014, 03.03.2014, 07.04.2014, 11.02.2014, 27.06.2014, 25.02.2014 are hereby set aside. Respondents are hereby directed to re-consider and decide the claim of the applicants for grant of STS pay scale of Rs. 10,000-325-15200 (revised in PB 3 in the pay band of Rs. 15600/- to Rs. 39100 with grade pay of Rs. 6600/- from the date they were promoted as ACDA in the cadre of IDAS, in view of the judicial pronouncements noted above. If the applicants are similarly situated to the applicants in the aforementioned case, they be granted the relevant benefits within a period of three months from the date of receipt of certified copy of this order. All associated MAs stand disposed of. No order as to costs.

10. Copy of judgment be also kept in the record of OA No. 678/2014.

(MOHAN PYARE)
Member (A)

(JUSTICE OM PRAKASH VII)
Member (J)

Manish/-