

F. No. 9/4/2019-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 18th October, 2019

OFFICE MEMORANDUM

Subject: Stepping up of pay of senior Assistants of CSS drawing less pay on promotion in the Section Officers' Grade than their juniors – OM No.18/2/2007-CS-I dated 20.05.2014 – Writ Petitions filed in the matter - regarding.

The undersigned is directed to refer to this Department's OM of even number dated 01.07.2019 where by the Ministries/Departments were asked to defend the Writ Petitions filed in Hon'ble High Court of Delhi in the above matter on the basis of inputs provided by this Department.

2. The above said instructions were issued with a view to ensure that uniform facts are placed before the Hon'ble High Court with analysis of method of pay fixation/re-fixation of the petitioners pursuant to issue of DOPT OM dated 20.05.2014.
3. All the applications filed by a number of applicants were heard together and orders had been passed by the Learned CAT on 11.01.2019 rejecting prayer of the applicants.
4. Against the above orders of CAT, the applicants have filed Writ Petitions in Hon'ble High Court of Delhi. As on date, 10 Writ Petitions have been filed by individual/group of officers. The Ministries/Departments concerned have been asked to prepare counter replies based on the reply filed by this Department in WP No.1225/2019 (Prمود Sahoo &Ors. Vs. UOI). Accordingly, the Ministries/Departments are sending the counter replies prepared by them to this Department for vetting.
5. It is observed that the cause of action, prayers made and issues under adjudication in all the cases are the same. Hence, it has been decided that the Ministries/Departments may file the counter reply based on inputs made available by this Department (reply filed in Prمود Sahoo case) in consultation with Government Counsel after ensuring factual accuracy of the case. A copy of the reply so filed may be endorsed to this Department for records.
6. However, all fresh cases filed in Delhi High Court in the matter may be duly reported to this Department by the Ministry/Department concerned as and when the WPs are received at their end. Further, the counter replies may be filed immediately, under intimation to this Department.

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7. The Ministries/Departments have also been requested to get their cases tagged/connected with WP No.1225/2019 so that all the cases containing similar cause of action could be heard together.

8. This issues with the approval of Joint Secretary (CS).



(Chandra Shekhar)

Under Secretary to the Govt. of India

Ph: 24624046

To

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

New Delhi