

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1334/2016

M.A. No. 1307/2016

New Delhi, this the 16<sup>th</sup> day of May, 2016

**HON'BLE MR. P.K. BASU, MEMBER (A)  
HON'BLE DR. BRAHM AVTAR AGRAWAL, MEMBER (J)**

1. Sarvesh Dixit,  
Special Education Teacher,  
Aged 27 years,  
S/o Shri Kamla Kant Dixit,  
R/o 263, Dheerpur Nirankari Colony,  
New Delhi-110009.
2. Sanjit Kumar,  
Special Education Teacher,  
Aged 25 years,  
S/o Shri Ashok Prasad Das,  
R/o H.No. 140, Nehru Enclave,  
Alipur, Delhi-110036.
3. Nandan Kumar,  
Special Education Teacher,  
Aged 28 years,  
S/o Shri Awadesh Das,  
R/o A-416, Gali Chaupal,  
Shalamar Village, Delhi.
4. Mukesh Kumar Pal,  
Special Education Teacher,  
Aged 30 years,  
S/o Shri Sher Bahadur Pal,  
R/o GBSSS Joshi Colony, Delhi.
5. Rajinder Prasad,  
Special Education Teacher,  
Aged 34 years,  
S/o Shri Vaidyanath Prasad,  
R/o 1435, Jeetpur Gomo Thana 21,  
Dhanbad-828401.

6. Ganesh Kumar Verma,  
Special Education Teacher,  
Aged 32 years,  
S/o Shri Moti Lal,  
F-12/A, Gali No.29,  
Mahendra Park, Delhi-110033.
7. Gopal Keshari,  
Special Education Teacher,  
Aged 29 years,  
S/o Shri Om Prakash Keshari,  
R/o F-12/A, Gali No.29,  
Mahendra Park, Delhi-110033.
8. Santosh Kumar,  
Special Education Teacher,  
Aged 25 years,  
S/o Shri Murahua Prasad,  
R/o GBSSS Sirapur, Delhi-110042.
9. Shailendra Kumar Mourya,  
Special Education Teacher,  
Aged 26 years,  
S/o Shri Ghanshyam Das Mourya,  
R/o F-12/A, Gali No.29,  
Mahendra Park, Delhi-110033.
10. Gyanendra Nath Singh,  
Special Education Teacher,  
Aged 27 years,  
S/o Shri Devendra Nath Singh,  
R/o Shahdara, GT Road, GBSSS.
11. Mukesh Yadav,  
Special Education Teacher,  
Aged 24 years,  
S/o Shri Ramesh Chandra Yadav,  
R/o 131, Kunwar Singh Nagar,  
Nangloi, Delhi.

12. Brajendra Pal,  
Special Education Teacher,  
Aged 32 years,  
S/o Shri Bhagwan Dutt Singh,  
R/o P-5/134, Nagli Vihar Extn.  
Delhi-110043.
13. Ashish Rai,  
Special Education Teacher,  
Aged 25 years,  
S/o Shri Rajendra Prasad Rai,  
R/o 818, Burari, Delhi-110054.
14. Sunil Kumar Yadav,  
Special Education Teacher,  
Aged 27 years,  
S/o Shri Paras Nath Yadav,  
R/o SKV, Vijay Nagar, Delhi.
15. Nishant Rai,  
Special Education Teacher,  
Aged 26 years,  
S/o Shri Atma Ram,  
R/o Dr. Mukherjee Nagar,  
GBSSS, Delhi.
16. Jai Prakash Tiwari,  
Special Education Teacher,  
Aged 30 years,  
S/o Shri Dayashankar Tiwari,  
R/o SBV, Lajpat Nagar,  
Ring Road Shaheed Hemu Colony. .. Applicants

(By Advocate : Shri Anuj Aggarwal with  
Shri Tenjing Thinlay Lepcha)

Versus

1. Union of India,  
Through its Secretary,  
Ministry of Human Resources Development,  
Shastri Bhawan, New Delhi-110001.

2. Government of NCT of Delhi,  
Through its Chief Secretary,  
Secretariat, I.P. Estate,  
New Delhi-110002.
  3. Director of Education,  
Directorate of Education,  
Govt. of NCT of Delhi,  
Old Secretariat Building,  
Civil Lines, New Delhi-110054.
  4. Department of Finance,  
Through its Principal Secretary,  
Government of NCT of Delhi,  
4<sup>th</sup> Level, A Wing, Delhi Secretariat,  
I.P. Estate, New Delhi-110002.
  5. Deputy Director of Education,  
IEDSS, Government of NCT of Delhi,  
Amrita Shergil School Building,  
Behind Lady Shri Ram College,  
Lajpat Nagar-IV,  
Delhi-110024.
- .. Respondents

(By Advocate : Shri N.K. Singh for Mrs. Avnish Ahlawat for R-2 to 5)

**ORDER (Oral)**

**By Hon'ble Mr. P.K. Basu**

Heard both the sides.

2. MA 1307/2016 filed for joining together is allowed.
3. The controversy involved in this matter is that the applicants, who are regular employees under respondent Nos.2 and 3, do not get their salary on a monthly basis but after a gap of 3-4 months causing financial hardships to them.

4. Shri N.K. Singh, learned counsel appearing on behalf of respondents No.2 to 5 states that the salaries of the applicants are paid from grant received from respondent No.1 – Ministry of Human Resources Development and as and when the grant arrives, they immediately release their salary. Since the grants do not come on monthly basis, the payment of salary of the applicants is delayed.

5. The prayer of the applicants is basically that like other Govt. employees in the Govt. of NCT of Delhi, they should be paid salary on monthly basis and also that they should be paid interest on the delayed payments.

6. None appears on behalf of respondent No.1 – Ministry of Human Resources Development, where the problem seems to lie.

7. We are of the opinion that there is no dispute regarding eligibility of salary to the applicants. The matter is only the question of administrative lapses between the Ministry of Human Resources Development and Govt. of NCT of Delhi.

8. We, therefore, dispose of this O.A. with a direction to respondent No.1 to ensure that either grant be released to Govt. of NCT of Delhi on a monthly basis and thereafter, respondent Nos. 2 and 3 to disburse the salary expeditiously in the same fashion as salary to other employees are disbursed, i.e. on the last working day of the month. In case, it is not possible for respondent No.1 to

release the grant on monthly basis, then grant should be issued in advance on quarterly basis before the quarter starts, to obviate the delay in releasing the salary. This system should be introduced from the quarter starting July, 2016. We also direct the respondents that the applicants, who have not received their salary on time in the past, should be paid interest for delay as occurred in the release of salary, at the prevalent rate of interest applicable on GPF account of employees.

9. At this stage, Shri Anuj Aggarwal, the learned counsel for the applicant, states that for the past two months, the applicants have not been paid the salary. The Respondent Nos. 1, 2 and 3 are directed to ensure that the salary due is paid to the applicants before 31.05.2016.

10. With the above directions, the O.A. is disposed of. No order as to costs.

Order **DASTI.**

**(Dr. Brahm Avtar Agrawal)**  
**Member (J)**

**(P.K. Basu)**  
**Member (A)**

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