



2026:AHC:40625-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 2665 of 2026

Arun Kumar Yadav

.....Petitioner(s)

Versus

Central Administrative Tribunal Allahabad and 3
others

.....Respondent(s)

Counsel for Petitioner(s)	:	Vagish Yadav, Vijay Shankar Yadav
Counsel for Respondent(s)	:	C.S.C., Om Prakash Mishra

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. Heard Shri Vagish Yadav, learned counsel for the petitioner and Shri Om Prakash Mishra, learned counsel for the respondents.
2. This writ petition has been filed challenging the order dated 06.11.2025, whereby Central Administrative Tribunal, Allahabad Bench, Allahabad ('the Tribunal') has dismissed the Original Application ('O.A.') No. 1130 of 2017 filed by the petitioner denying to grant reliefs claimed therein.
3. The O.A. was filed challenging an order dated 01.02.2017, whereby the Competent Authority had rejected an application filed by the petitioner in furtherance of an order dated 15.12.2016 passed by this Court in Writ-A No. 41470 of 2009. Further relief was claimed before the Tribunal to direct the respondents to re-fix petitioner's grade pay of Rs. 1,900/- instead of Rs. 1,800/- as per the First Schedule of revised pay band for the post of Group 'D', upgraded Group 'C' and corresponding grade pay of Rs. 1,900/- (pay band/scale 5,200-20,200).
4. The case of the petitioner is that he was initially appointed as Labourer under unskilled category, i.e. a Group 'D' post on 18.07.2002 at Army Base Workshop, Allahabad. During his service tenure, he passed 10th Examination from U.P. Board in the year 2005, whereafter he appeared

for the Trade Test for promotion on 21.11.2005 and, having cleared the same, he was promoted as a Fitter (Mate) under semi-skilled category (Group 'D') w.e.f. 29.12.2005.

5. The claim of the petitioner was based upon the recommendations of Sixth Central Pay Commission ('Sixth C.P.C.') introduced by Government of India w.e.f. 01.01.2006, whereby it was provided that all employees belonging to Group 'D', who possess the prescribed qualification for the entry level in Group 'C', would be placed in Group 'C' running pay band w.e.f. 01.01.2006 and since the petitioner had been promoted to the post of Fitter (Mate) (Semi Skilled Category under Group 'D') in the year 2005, he was entitled for Grade Pay of Rs. 1,900/- corresponding to pay scale 5200-20200 applicable for entry level in Group 'C' but the same was not granted to him. He approached the Tribunal by filing O.A. No. 496 of 2009, which was dismissed on the ground that he had not raised his grievances before the Authority. Then, he filed Writ-A No. 41470 of 2009, which was disposed of by order dated 15.12.2016 permitting him to move appropriate application before the respondents, who were directed to pass appropriate orders thereon.

6. The Department rejected the application on the ground that since pay of the petitioner had been fixed upward in PB-1 (Rs. 5200-20200) at the rate of Rs. 5,530/- plus Grade Pay of Rs. 1,800/- as applicable for the post of Fitter (Mate) being semi skilled category, Grade Pay of Rs. 1,900/- in the same pay band which is applicable for skilled category, would not be admissible to the petitioner. On challenge laid to the order dated 01.12.2017 before the Tribunal, no error therein has been found by the Tribunal.

7. Learned counsel for the petitioner has made submissions that since Clause 2.2.9 contained in Sixth C.P.C. Report clearly provides that the employees belonging to Group 'D' who possess the prescribed

qualifications for entry level in Group 'C' will be placed in the Group 'C' running pay band straightaway w.e.f. 01.01.2006, denial on the part of the respondents and also rejection of petitioner's claim by the Tribunal without carefully perusing the said clause is unsustainable. It is further contended that neither the Department nor the Tribunal has appropriately considered the case of upgradation of the petitioner from one pay band to another based upon the said recommendation and, therefore, the order of the Tribunal should be set aside and the petitioner should be granted relief as claimed.

8. Submissions made have been opposed by the learned counsel for the respondents by referring to the stand taken in counter affidavit filed before the Tribunal and it is contended that as per the recommendations of Sixth C.P.C., introduced w.e.f. 01.01.2006, the pay scale of Fitter (Mate) (semi skilled category) of Rs. 2,650-4,000/- was revised to Rs. 4,440-7,440/- plus Grade Pay of Rs. 1,650/- and petitioner's grade pay was further upgraded/revised to Rs. 1,800/- w.e.f. 01.01.2006 based upon his qualification and as per the recommendations. It is further contended that Grade Pay of Rs. 1,900/- is applicable only to the skilled category and Rs. 1,800/- to semi skilled category and since the petitioner is serving under semi skilled category, his grade pay was rightly fixed as Rs. 1,800/-.

9. We have considered the submissions made and perused the material available on record.

10. Since Clause 2.2.9 of the recommendations made by Sixth C.P.C. has been referred, it is necessary to reproduce it. The same reads as under:-

“2.2.9 The posts of Secretary to Government of India/equivalent and Cabinet Secretary / equivalent are proposed to be kept in distinct pay bands. While a separate running pay band, designated as -1S scale, is being recommended for posts belonging to Group 'D', however, the same shall not be counted for any purpose as no future recruitment is to be made in this grade and **all the present employees belonging to**

Group 'D' who possess the prescribed qualifications for entry level in Group 'C', will be placed in the Group 'C' running pay band straight away with effect from 1-1-2006. Other Group 'D' employees, who do not possess the prescribed qualifications, are to be retrained and thereafter upgraded and placed in the Group 'C' running pay band. Till such time they are retrained and are redeployed, they will be placed in the-1S scale. The Commission clarifies that-1S pay scale is not a regular or a permanent pay scale. Insofar as the present employees are concerned, the scale will operate only till the time all the existing Group 'D' staff is placed in the Group 'C' running pay band. The exact mechanism for placing Group 'D' staff in the revised Group 'C' running pay band has been discussed in detail in Chapter 3.7 relating to Group D staff. Group 'D' employees who are not placed in the Group 'C' pay band straightaway will be given the band after their retraining without any loss of seniority vis a vis those in Group 'D' who possessed higher qualifications, redeployed and were placed in the Group 'C' running pay band with effect from 1-1-2006. The retraining will also emphasize the multi-skilling of these employees so that one single employee is able to perform multiple jobs that hitherto were being done by many employees. This will ensure that higher scale of pay does not place any additional pecuniary burden on the Government. Ansari Report on restructuring of Group D posts in Railways also recommends such a mechanism where many Group D posts are to be upgraded with higher skills so that the number of employees required to do the job gets reduced.”

11. The language used in Clause 2.2.9 is being apparently misunderstood by the petitioner. Admittedly, the petitioner was appointed as a Labourer (unskilled category) on a Group 'D' post in the year 2002 and, based upon his qualification of High School which he acquired in the year 2005, he was promoted as Fitter (Mate) under semi skilled category (Group 'D') w.e.f. 29.12.2005. He was never appointed as or promoted to a skilled category labourer and, therefore, Grade Pay of Rs. 1,900/- applicable for skilled category labourer could not be made applicable to him.

12. In so far as the revision/upgradation of grade pay in PB-1, as claimed by the petitioner is concerned, the respondents have taken a clear stand that pay scale of Fitter (Mate) (semi skilled category) was revised and grade pay was fixed as Rs. 1,650/-. The Group 'D' employees, who were

having minimum qualifications as per the recommendations made by the Commission for entry level into PB-1, the grade pay was revised to Rs. 1,800/- w.e.f. 01.01.2006 which the petitioner is being paid. As to how there would be further revision from Rs. 1,800/- to Rs. 1,900/- is not understandable. There is no provision for 'revision over revision' or 'upgradation over upgradation' and, apparently, benefits as per the recommendations of Sixth C.P.C. were admissible only once and based upon the qualifications which the concerned employee possessed with as on the date when the said recommendations had come into force, i.e. on 01.01.2006.

13. In view of the above, if the reasoning recorded by the respondents in the order dated 01.12.2017 rejecting the claim of the petitioner is looked at, it is found that the respondents have thoroughly analyzed the working status of the petitioner *vis-a-vis* corresponding pay band/grade pay and its revision/upgradation based upon the recommendations of Sixth P.C. They have found that at the time of appointment of the petitioner, he was 8th pass, during his service he passed High School Examination in the year 2005, cleared the trade test in 2005, he was promoted as Fitter (Mate) under semi skilled category on 29.12.2005 and his earlier pay scale of Rs. 2,650-4,000/- (Fifth Pay Commission) was revised as Rs. 4,440-7,440/- with Grade Pay of Rs. 1,650/- attached to the post of semi skilled category.

14. The respondents further observed that based upon the Sixth Pay C.P.C. Report (Revised Pay Rules, 2008), pay of Group 'D' employees possessing revised minimum qualification prescribed for entry in PB-1 was to be fixed w.e.f. 01.01.2006 in PB-1 with Grade Pay of Rs. 1,800/-, which was accordingly fixed in the case of the petitioner also and, therefore, the claim of the petitioner for further upgradation and grant of Grade Pay of Rs. 1,900/-, which is applicable for the skilled category which the petitioner does not belong to, is not tenable.

15. In view of the above discussion, we are of the considered opinion that the respondents have not only correctly interpreted the recommendations of Sixth C.P.C. but also rightly applied the same in the case of the petitioner and have rightly denied him the relief *qua* further fixation/revision/upgradation to Grade Pay of Rs. 1,900/-. We also do not find any error in the order of the Tribunal, which is also based upon the correct appreciation of material available on record.

16. Consequently, there is no merit in the writ petition. The same is, therefore, **dismissed**.

(Kshitij Shailendra, J) (Arun Bhansali, CJ)

February 23, 2026

AKShukla/-