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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 12.12.2025

+ W.P.(C) 10305/2016 & CM APPL. 3552/2023

UNION OF INDIA AND ORS

.....Petitioners

Through: Ms. Pratima N Lakra (CGSC),
Mr. Shailendra Kumar Mishra,
Mr. Priyam Sharma,
Mr.Chanakya Kene, Ms. Mansi
Aggarwal, Advs.

versus

SATYA PAL SINGH & ORS

.....Respondents

Through: Ms. Aanchal Anand, Adv. for
R-2 & 3.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioners, challenging the Order dated 06.02.2015 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 2620/2013, titled ***Satya Pal Singh & Ors. v. Union of India & Ors.***, whereby the learned Tribunal disposed of the O.A. filed by the respondents herein with the following directions:

“9. The OA is thus allowed and the respondents are directed to notify the revised pay structure as decided by their Committee (para 3) and give the revised pay scales to the incumbents if they possess the required qualifications as per annexure A-I of OM dated 24.07.1990. Award, of revised pay scales to the eligible incumbents possessing required qualifications cannot be held up on



the ground that RRs have not been notified. These directions should be implemented within a period of three months from the date of receipt of a copy of this order. No costs.”

2. The petitioners further challenge the Order dated 19.10.2016 passed by the learned Tribunal in a Contempt petition, being C.P. No. 618/2015, arising out of the above O.A., wherein the learned Tribunal observed as under:

“Shri V.S.R. Krishna, learned counsel for the respondents tried to convince us that the respondents have complied with the Tribunal's order, which we have noted last time and Ms. Seema Vashistha, Shri Rajan Chauhan and Shri Krishna, who admittedly were designated as Assistant Librarians, were placed in PB-1 with Grade Pay Rs.1900/-. We, however, note that in terms of the recommendations of the Committee held on 29.09.2010 and restructuring according to OM dated 24.07.1990 (filed with compliance affidavit filed today), as recorded in Para-3 of this Tribunal's order, they were entitled to Grade Pay Rs.2800/- in PB-1 as granted in case of Dr. R.M.L Hospital and Lady Harding Medical College.

We are at our wit's end to proceed in this matter because of the fact that it does not appear to be a case of wilful disobedience but arising out of a complete lack of understanding down the line in the Ministry of Health of their own circulars and decisions. Therefore, we give one last opportunity to the respondents to amend their order dated 04.10.2016 granting Grade Pay of Rs.2800/- in PB-1 to the Assistant Librarians, within a week. This is being done as a special case because the reason for non-compliance appears to be lack of understanding and not wilful disobedience.”



3. To give a brief background of the facts in which the present petition arises, pursuant to the recommendations of the 4th Central Pay Commission, particularly paragraph 11.63 thereof concerning library staff, the Government of India, *vide* Office Memorandum dated 24.07.1990, decided to introduce a revised pay structure for library staff, by prescribing pay scales and posts for different categories of library positions.

4. In order to implement the same, the petitioner no.3, that is, the Safdarjung Hospital, constituted a Committee for the categorization of the library at the Safdarjung Hospital under the Chairmanship of Dr. S.K. Das (hereinafter referred to as the 'Dr. S.K. Das Committee').

5. The said Committee, *vide* its recommendations dated 29.09.2010, categorised the library at the Safdarjung Hospital as Category-II and recommended the following revised designations and pay scales for the various posts therein:

"I. Asstt. Librarian to be re-designated as Library & Information Assistant and its up-gradation from PB-I + Rs. 1900 (Grade Pay) to PB-I + Rs. 2800 (Grade Pay).

II. Librarian to be re-designated as Senior Library & Information Assistant and its up-gradation from PB-I + Rs. 2400 (Grade Pay) to PB-I + Rs. 4200 (Grade Pay).

III. Creation of one post of Asstt. Library & Information Officer in PB-II + Rs. 4600 (Grade Pay)."

6. Complaining that the Office Memorandum dated 24.07.1990 has not been implemented by the petitioners, the respondents herein filed the aforesaid O.A..

7. The learned Tribunal, however, while taking note of the



recommendations dated 29.09.2010 of the Dr. S.K. Das Committee, disposed of the O.A. by issuing the directions extracted hereinabove.

8. Aggrieved by the alleged non-implementation of the said order, the respondents filed the aforesaid contempt petition, wherein the learned Tribunal made the observations quoted above.

9. The learned counsel for the petitioners submits that the learned Tribunal has failed to appreciate that the recommendations of the Dr. S.K. Das Committee had not been accepted by the petitioners. She submits that, in view thereof, no directions could have been issued by the learned Tribunal on the basis of the said recommendations.

10. She further submits that the petitioners had placed the respondents in the correct pay scale in accordance with the Recruitment Rules and, therefore, the observations made by the learned Tribunal in its Order dated 19.10.2016 were in fact, an attempt to expand the scope of the earlier Order dated 06.02.2015 passed by the learned Tribunal itself.

11. On the other hand, the learned counsel for the respondents submits that the respondents are entitled to the pay scales as recommended in the Office Memorandum dated 24.07.1990. She contends that the respondents' pay scales were, in fact, reduced pursuant to the recommendations of the Dr. S.K. Das Committee, and that the respondents have been subjected to discrimination inasmuch as, three other officers have been granted pay scales in terms of the Office Memorandum dated 24.07.1990, whereas the respondents have been granted pay scales only in terms of the recommendations of the Dr. S.K. Das Committee.



12. We have considered the submissions made by the learned counsels for the parties.

13. As regards the objection raised by the learned counsel for the petitioners that the learned Tribunal erred in issuing the directions contained in the Order dated 06.02.2015, it may be noted that pursuant to the Office Memorandum dated 24.07.1990, which was issued to implement paragraph 11.63 of the 4th CPC recommendations, the petitioners themselves constituted the Dr. S.K. Das Committee. The Dr. S.K. Das Committee, in its report dated 29.09.2010, recommended the categorization of the Safdarjung Hospital Library as Category-II and revision of the pay scales as under:

“The Committee is of the view that since the Library at VMMC & SJH is being recommended for Category-II library, the staff should also be posted as per Category-II library guidelines. Similar procedure had been followed for upgradation in similar Central Govt. hospitals like RML & LHMC; as under”

S.no.	Name of Existing	Pre-revised scale	Sanctioned Strength	To be Redesignated as	Sanction strength	Pay Band recommend ed
1.	Asst. Librarian	5200-20200 +1900(GP)	3	Library & Information Assistant	3	Rs. 5200-20200 + 2800 (GP)
2.	Librarian	5200-20200+2400(GP)	3	Senior Library & Information Assistant	2	Rs. 9300-34800+4200 (GP)
3.				Asst. Library Information Officer	1 (Out of above existing 03 Librarian, one post may be upgraded for being Incharge of the Library)	Rs. 9300-34800+4600(GP)

However, as per the guidelines, the



upgradation and redesignation of posts will be done subject to fulfillment of the qualifications by the existing staff. In case the existing incumbents does not fulfil the qualification laid down, he/she will continue in the existing scale of pay on personal basis. However, as and when the post falls vacant, it will be filled up in the appropriate scale in accordance with the rules of recruitment.”

14. In their reply to the O.A., the petitioners also relied upon the said recommendation and asserted as under:

“4.7 to 4.9 A Committee was constituted for considering the various activities of Library at S.J. Hospital as per the parameters/formula prescribed by the Ministry of Finance, Deptt. of Expenditure O.M. No.10(10/IC/86 dated 24.07.90 In its meeting held on 29.09.2010 , the Committee categorised the library of S.J. Hospital in Cat.II and recommended the up-gradation/creation of following posts:

i. Asstt. Librarian to be re-designated as Library & Information Assistant and its up-gradation from PB-I + Rs.1900 (Grade Pay) to PB + Rs.2800 (Grade Pay)

to PB + Rs.2800 (Grade Pay)

ii. Librarian to be re-designated as Senior Library & Information Assistant and its up-gradation from PBI + Rs.2400 (Grade Pay) to PB-I + Rs.4200 (Grade Pay)

iii. Creation of one post of Asstt. Library & Information Officer in PB-II + Rs.4600 (Grade Pay)

Consequent upon implementation of 27% reservation for other backward classes students in Safdarjang Hospital/Vardhman Mahavir Medical college, New Delhi one post of Asstt. Library Information Officer in PB-II + Rs.4600 Grade Pay and seven posts of Library & Information Asstt. in PB-II +Rs.4200 Grade Pay were created vide Ministry of Health &F.W.’s letter No.A-310113/2/2010-H dated 30.08.2011.

The appointment to these up-graded/newly



created posts can only be made as per the notified Rectt. Rules. The action for amendment/framing of the Rectt. Rules for these posts have already been initiated. The framing/amendment of Rectt. Rules require consultation with other nodal agencies like DOP&T, UPSC and Ministry of Law. As and when these Rectt. Rules are notified, action will be taken to fill up these posts.”

15. The only plea taken by the petitioners was that the above recommendations could be implemented only upon notification of the Recruitment Rules. The learned Tribunal did not accept the said plea and observed as under:

“7. The OM dated, 24.07.1990 gave general recommendation for Library staff in Government of India. As would be apparent from various orders cited by the learned counsel for the applicants, Libraries in different hospitals have different cadre structures and the matter has to be examined in the light of OM dated 24.07.1990 and appropriate decision taken. The respondents have already done so and identified the posts which need to be upgraded/created in Safdarjung Hospital and thereafter amendments are proposed to be carried out in the RRs. Their stand is that once the amended RRs are notified, only then appointment to these posts can be made as it would require consultation with other nodal agencies like DoP&T, UPSC and Ministry of Law. It is very clear from the OM 24.07.1990 that this is regarding new pay structure for Library staff. Annexure-1 of the OM also prescribes qualification and experience for direct recruitment and promotion. Paragraph 3.1 of the aforesaid OM is relevant which reads as follows:

“3.1 The employees in the scales of pay indicated in column 3 of table under para 2.1 may be



placed in the revised scales shown there against in column 4 provided the incumbent fulfills the recruitment qualifications, as indicated in Annexure I to this O.M. In case existing incumbent does not fulfill the qualification as laid down in Annexure-I, he will continue in the existing scale of pay on personal basis. However, as and when the post falls vacant, it will be filled up in the appropriate scale in accordance with the rules of recruitment."

8. *We, therefore, see no difficulty in implementation of the new pay structure along with the revised qualifications and they need not be kept pending till notification of the amended RRs. If an incumbent does not have the requisite qualification as indicated in Annexure I of the OM, he would not get the higher pay scale and if he has, he would."*

16. We find no infirmity in the above observation of the learned Tribunal. Once the Office Memorandum dated 24.07.1990 had accepted the recommendations of the 4th CPC, and in implementation thereof the petitioners had constituted the Dr. S.K. Das Committee, which recommended revised pay scales, and the process for amendment of the Recruitment Rules had also been initiated pursuant thereto, the respondents could not be made to suffer merely on account of the petitioners' own administrative delay in notifying the Recruitment Rules. The learned Tribunal, therefore, adopted a *via media* in the direction contained in paragraph 9 of its order, which has been reproduced hereinabove. We find no ambiguity therein and no reason to interfere with the final directions issued by the learned Tribunal.



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17. Interestingly, the petitioners also did not challenge the Order dated 06.12.2015 passed by the learned Tribunal until the passing of the directions/observations made by the learned Tribunal *vide* its Order dated 19.10.2016 in the Contempt Petition filed by the respondents. The present petition is, therefore, filed only as an afterthought.

18. Accordingly, the present petition is disposed of with a direction to the petitioners to strictly comply with the said directions and grant the consequential relief to the respondents within a period of eight weeks, if not already granted, along with interest at the rate of 8% per annum.

19. The pending application stands disposed of.

20. There shall be no order as to costs.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 12, 2025/prg/k/DG