

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION No. 197 of 2018 (D.B.)**

Sheshrao S/o Nathuji Madavi,  
Aged about 50 years, Occ. Service (Assistant Librarian),  
R/o Government College of Engineering Premises, Government  
Quarter, Chandrapur, Tq. and Dist. Chandrapur.

**Applicant.**

**Versus**

- 1) The State of Maharashtra,  
through its Secretary,  
Higher and Technical Education Department,  
Mantralaya, Mumbai-32.
- 2) The Director, Technical Education (M.S.),  
3<sup>rd</sup> floor Municipal Corporation Marg, Mumbai  
Post Box No.1967, Mumbai-400 001.
- 3) Joint Director, Technical Education,  
Nagpur Division, Govt. I.T.I. Premises, Sadar, Nagpur,  
Tah. and Dist. Nagpur.
- 4) Principal, Government Engineering College,  
Ballapur Bye-pass road, Chandrapur,  
Tah. & Dist. Chandrapur.

**Respondents.**

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**Shri S.N. Gaikwad, Advocate for the applicant.**

**Shri A.M. Khadatkar, learned P.O. for respondents.**

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**Coram :- Hon'ble Shri Shree Bhagwan, Vice Chairman and  
Shri M.A. Lovekar, Member (J).**

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**Date of Reserving for Judgment : 23<sup>rd</sup> June,2022.**

**Date of Pronouncement of Judgment : 7<sup>th</sup> July,2022.**

**JUDGMENT****(Delivered on this 7<sup>th</sup> day of July, 2022)****Per : Vice Chairman.**

Heard Shri S.N. Gaikwad, Id .counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. The applicant was initially appointed in the year 1989 on the post of Mali. Thereafter in the year 1992, he has been posted as a Laboratory Attendant. On 23/10/2003, he was posted as Assistant Librarian and now he is working under respondent no.4. From the date of joining as an Assistant Librarian, the applicant has completed 14 years of service and the service record of applicant is unblemished and satisfactory. The applicant is working in Group-C category and therefore he is entitled for time bound promotion / ACP after 12 years service.

3. Before completion of 12 years service on 26/6/2015, the applicant's pay scale was Rs. 10510+GP2000 = 12510. He was granted first ACP on 1/7/2016 and his pay was fixed as Rs.10890+400 = 11290+2300 as per document at A-12,P-49. The respondents have filed reply on 22/3/2019 and justified the pay fixation as per the guidelines given by All Indian Council for Technical Education, New Delhi ( in short "AICTE"). As per respondents' submission in para-3 at page no.51 "the post of Librarian is Group-C post, sanctioned under

the Director of Technical Education, Maharashtra State, Mumbai. The post of Librarian is State cadre post having seniority at State level, whereas, the post of Assistant Librarian is regional level Group-C post having seniority at regional level. In para-7, it has been submitted that as per G.R. dated 6/9/2014 the applicant's pay was Rs. 5200-20200 with GP Rs.2000. Accordingly as per the provisions of G.R. dated 6/9/2014, it is eligible to add GP of Rs.300/- to the existing grade pay. Therefore, the applicant has been sanctioned grade pay of Rs.2300/- w.e.f. 26/06/2015 vide the Joint Director, Technical Education, Nagpur order dated 15/10/2016 which is as per law. Copies of G.R. dated 5/7/2010 and 6/9/2014 are placed on record.

4. The G.R. dated 6/9/2014 is at page no.68 and in the preface of the G.R. in first page itself following table is given –

अ) पहिल्या लाभाअंतर्गत अनुज्ञेय करण्यात आलेले अतिरिक्त (समुचित) ग्रेड वेतन -

मूळ पदाचे ग्रेड वेतन (रुपये)	मूळ पदाच्या/ विद्यमान ग्रेड वेतनाव्यतिरिक्त अनुज्ञेय ग्रेड वेतन (रुपये)
२०००/- पर्यंत	२००/-
२००१/- ते ४०००/-	३००/-
४००१/- ते ५०००/-	४००/-
५००१/- पेक्षा जास्त मात्र ५४०० पर्यंत	५००/-

5. As per documents placed on record at page-77 along with reply, the letter dated 29/2/2016 issued by the Director of Technical Education, (M.S.), Mumbai the rules have been explained and

applicant's first ACP has been granted and pay has been fixed from Rs.5200-20200 with grade pay Rs.2000 to Grade pay Rs.2400. So as per G.R. dated 6/9/2014 grade pay has been increased from Rs. 2000 to 2400. In the order dated 19/7/2021, Tribunal directed the Pay Verification Unit, Nagpur to verify pay of the applicant and submit its report. The Accountants of Pay Verification Unit Shri Vilas Bodhankar submitted detailed report on 2/8/2021 at page no.84 and in the last few lines it has been mentioned that "in the revised pay structure, pay fixation is at the level of S-8 and in that **Rs.35,300 is the upper limit** there were examined in the page no.118 of service book of applicant and mentioned the comment that on 1/1/2016 the pay fixation of applicant has been done Rs.34,300/-. The Pay Verification Unit is the final authority. After verification from that Unit, pension paper of any employee is moved to Accountant General Office.

6. In view of above facts, no interference is required with the pay fixation of the applicant. Hence, the O.A. is required to be dismissed. Hence, the following order –

**ORDER**

The O.A. is dismissed. No order as to costs.

**(M.A.Lovekar)**  
**Member (J)**  
**Dated – 07/07/2022.**  
dnk.

**(Shree Bhagwan)**  
**Vice Chairman.**

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : D.N. Kadam

Court Name : Court of Hon'ble VC & M (J).

Judgment signed on : 07/07/2022.

Uploaded on : 07/07/2022.

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