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**Subject: New Delhi (India) local salaries**

**(AAA) following the comprehensive salary survey conducted in**

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1. The Dispute Tribunal shall be competent to hear and pass

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Tribunal concludes that in applying the test of Andronov, the decision to freeze existing salary scales ... does not constitute an administrative decision for the purpose of art. 2.1(a) of the Tribunal's Statute.

10. The Tribunal finds that Judgement Tintukasiri et al. and the present application deal with identical matters. Indeed, the main facts of Tintukasiri et al. are summarized in the above-referenced Judgment of the Dispute Tribunal as follows:

17. The 2011 Comprehensive Local Salary Survey was conducted from June to December 2011.

18. On 10 January 2012, an [Local Salary Survey Committee ("LSSC")] meeting was held, to consider and sign the LSSC report prepared by the salary survey specialists, by 11 January 2013, for presentation to the Headquarters Salary Steering Committee. The results of the survey indicated that United Nations salaries for the General Service and National Officer categories were higher than those of the retained comparators, by 27.2% and 41.4% respectively.

19. On 13 January 2012, the findings of the salary survey specialists were presented to the Headquarters Salary Steering Committee, which unanimously approved the survey results and recommended freezing of salaries for staff members already on board and the implementation of secondary salary scales for staff member recruited after 1 March 2012.

20. The [OHRM] promulgated the salary survey results on its website on 6 February 2012, indicating that the salary scale applicable to staff already on board would be frozen "until the gap is closed", whereas secondary salary scales would be applied to staff recruited on or after 1 March 2012.

11. Judgment Tintukasiri et al. was appealed, and this Tribunal decided to



