

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.040/386/2016

Date of Order: This the 13<sup>th</sup> Day of February, 2018.

**HON'BLE SHRI UDAY KUMAR VARMA, ADMINISTRATIVE MEMBER**  
**HON'BLE SHRI S.N.TERDAL, JUDICIAL MEMBER**

Shri Ratan Kumar Thapa

MES 229675

HS II

O/O GE, Shillong

Applicant

By Advocate Mr.M.Chanda

-Versus-

1. Union of India  
Through the Secretary  
Ministry of Defence  
Govt. of India,  
South Block,  
New Delhi-110001
2. Union of India  
Through the Secretary  
Ministry of Finance  
Department of Expenditure  
New Delhi-110001
3. Union of India  
Through the Secretary  
Ministry of Personnel  
Public Grievances and Pensions  
Department of Personnel and Training  
New Delhi-110001.
4. Commander Works Engineer,  
Spread Eagle Falls  
Shillong-793001.

5. Garrison Engineer,  
Shillong Division Shillong-793002
6. Assistant Garrison Eengineer E/M,  
Shillong-793001. Respondents.

By Advocate Mr.R.Hazarika, Addl.C.G.S.C.

### **ORDER (O R A L)**

**Per Hon'ble Mr.Uday Kumar Varma, Member(A):**

Heard Mr.M.Chanda, learned counsel for the Applicant and Mr.R.Hazarika, learned Addl.C.G.S.C. for the Respondents.

1. When the matter came up for hearing, it was fairly vehemently admitted by the learned counsel for the Respondents that the Applicant has been wrongly placed in the Seniority List of highly Skilled Grade-II having a grade pay of Rs.2400/- which was erroneous as the applicant should have been rightfully placed in Highly Skilled Grade-1 (PB-1 with GP Rs 2800/-) w.e.f. 01.01.2008 alongside Shri Dharam Raj Singh, who is junior to the applicant on account of his initial appointment.

The relevant paragraph 9 of the written statement is reproduced below:-

“As regard to para 4.6. and Para 4.7 the answering respondents beg to state that after implementation of re-of industrial and Non-

Industrial Staff with modified pay scale w.e.f.

01.01.2006, the post of Highly Skilled (HS) were divided in equal ratio of 50:50 and re-designated as highly skilled Grade-II (in PB-1) with GP Rs. 2400/-) and Highly Skilled Grade-1 (in PB-1 with GP Rs 2800/-) with all Highly Skilled Gde-1 enbloc senior to Highly Skilled Gde-II. Accordingly seniority list of Highly Skilled Gde-1 and Highly Skilled Gde-II were prepared for placement of existing HS in GP Rs.2400/- and GP Rs.2800/- in equal ratio of 50:50. The applicant was placed in the seniority list of Highly Skilled Gde-II (PB-1 with GP Rs.2400/-) which was, however erroneous as the applicant deserved to have been placed in Highly Skilled Gde-1 (PB-1 with GP Rs.2800/-) w.e.f. 01.01.2008 alongside Shri Dharam Raj Singh, who is junior to the applicant on account of his initial appointment and date of birth.”

2. As the respondents have, as stated above, admitted to the error committed by them in placing the applicant in HS Grade II (with a GP of 2400/-) instead of H.S. Grade 1 (with GP of 2800/-), respondent No.4 Commander Works Engineer, Spread Eagle Falls, Shillong is hereby directed to immediately rectify this error and place him in HS Grade 1 (with GP of 2800/-) with effect from the date , his junior was placed in this Grade and further sanction and effect all consequential financial and promotional benefits to the applicant within 2 months

from the date of receipt of a certified copy of this order.

3. O.A. Accordingly, disposed off. No order as to costs.

(S.N.TERDAL)  
JUDICIAL MEMBER

(UDAY KUMAR VARMA)  
ADMINISTRATIVE MEMBER

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