

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
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O.A. No.350/00695/2020.

Date of order : This the 14th Day of September, 2020.

Hon'ble Mrs. Bidisha Banerjee, Judicial Member

Hon'ble Mr Tarun Shridhar, Administrative Member



Nemai Bose, son of Late Jiban Kumar Bose,
Aged about 60 years, worked as Chief
Athletics Coach posted at STC Bhopal,
Madhyapradesh, residing at 3 No. Bijay
Nagar, Near 3 No. Boys School, P.O. & P.S
Naihati, District 24 Parganas (North)
Pin - 743165.

.....Applicant

By Advocate : Mr T. K. Biswas

-Versus -

1. Union of India,
Service through the Secretary,
Sports Authority of India,
Ministry of Youth Affairs & Sports,
Jawaharlal Nehru Stadium Complex,
East Gate, Lodhi Road, New Delhi-110003.
2. The Director, Coaching & Personnel
Sports Authority of India, Jawaharlal Nehru
Stadium Complex (East Gate),
Gate No. 10, Lodhi Road, P.O.C.G.O Complex,
New Delhi-110003.
3. The Deputy Director (Vig)
Sports Authority of India, Jawaharlal Nehru
Stadium Complex, East Gate, Lodhi Road,
New Delhi-110003.
4. The Regional Director,
Sports Authority of India,
Central Region, Gram Gora Bhiskeneri Suraj Nagar,
Bhopal, Madhya Pradesh, Pin-462044.

.....Respondents

None present for the respondents.

Ms Bidisha Banerjee, Member(J)

The applicant has preferred this O.A to seek the following reliefs :

- a) *An order directing the respondents to grant the 3rd MACP in favour of the applicant with effect from 2.9.2016 because the applicant was completed 30 years of service on that day and further directing the respondents to release all arrear with interest for delay payment purpose.*
- b) *And order directing the respondents to consider his representation dated 14.8.2020 (Annexure A-5) within specified time without any further delay and also produce all records which was related in this case.*
- c) *Any such other order or orders as to this Hon'ble Tribunal may deem fit and proper.*



2. According to the applicant he joined service on 03.09.1986 as Athletic Coach and subsequently he was promoted to Grade-I Coach and finally in October 2008 he was promoted to Selection Grade in the pay scale of Rs.12000-16500/- (Pre-revised). Applicant claimed that by 02.09.2016 he has completed 30 years of service and as per recommendation of the 6th Central Pay Commission he is entitled to financial upgradation in the next higher grade pay on completion of 30 years regular service. The applicant has claimed that during his service career he was accorded with two physical promotions. Being aggrieved of the fact that despite continuous and regular service for 30 years the applicant did not obtain any MACP benefit, which however, was granted to 11 of his similarly situated colleagues, the applicant submitted his representation on 14.08.2020 for 3rd MACP on completion of 30 years regular service on 02.09.2016. That the respondents on earlier occasions considered his case for granting 3rd financial upgradation as per MACP Scheme. As no response has been received from the respondents he has filed this O.A seeking the aforesaid reliefs.

3. Heard Ld. counsel for the applicant, examined documents on record. None present for the respondents despite service. Rule 16(1) of CAT (Procedure) Rules is invoked and this matter is taken up for disposal at the admission stage itself.

4. As it seems that the representation of the applicant is still pending and the respondents on an earlier occasions decided to consider his case, accordingly without entering into the merits of the matter, we hereby direct the concerned respondent authorities to dispose of the representation dated 14.08.2020 at Annexure A-5, in accordance with law within a period of two months from the date of receipt of a copy of this order. The respondent authority shall communicate his decision in the form of a speaking and reasoned order to the applicant thereafter and in case of favourable decision to ensure that the resultant benefits are disbursed to the applicant within a further period of two months of the said order.

With these directions, O.A stands disposed of. No order as to costs.

(TARUN SHRIDHAR)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)