

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 043/00136/2020

Date of Order: This, the 16th day of September 2020

THE HON'BLE SMT. MANJULA DAS, MEMBER (J)

Md. Rahizuddin Mullah
MES 229267
MCM (Pipe Filter)
O/o GE, Shillong Division, Shillong
Pin – 793002 Meghalaya.

...Applicant



By Advocates: Sri M. Chanda & Mrs. U. Dutta

-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 Personnel
Public Grievances and Pensions
Department of Personnel and Training
New Delhi – 110001.
3. Commander Works Engineer
Spread Eagle Falls
Shillong – 793001.
4. Garrison Engineer
Shillong Division
Shillong – 793002, C/o 99 APO.

...Respondents.

By Advocate: Sri S.K. Ghosh, Addl. CGSC

O R D E R (ORAL)

MANJULA DAS, MEMBER (J)

This matter has been taken up through Video Conferencing.

2. By this O.A., applicant makes the following reliefs under Section 19 of the Administrative Tribunals Act, 1985:-



“8.1 That the Hon’ble Tribunal be pleased to direct the respondents to re-fix the pay of the applicant in the appropriate higher scale of pay of Rs. 5000-8000 from the date of promotion of the applicant to the post of MCM (pipe fitter) or from any other date as deemed fit and proper and also to grant basic pay of the applicant at par with his juniors by way of stepping up of pay with immediate effect with all consequential benefit.

8.2 That the Hon’ble Tribunal be pleased to declare that the applicant is legally entitled to benefit of 3rd MACP w.e.f. 06.02.2014 on completion of 30 years of service in the grade pay of Rs. 4600 in the relevant pay band in terms of DoPT Govt. of India O.M. dated 19.05.2009 with all consequential benefit including arrear monetary benefit.

8.3 Costs of the application.

8.4 Any other relief (s) to which the applicant is entitled as the Hon’ble Tribunal may deem fit and proper.”

3. Sri M. Chanda, learned counsel appearing for the applicant submits that the pay of the applicant should be fixed in the appropriate pay scale of Rs. 5000-8000 instead of Rs. 4500-7000 in the promotion post of MCM (pipe fitter) w.e.f. 01.08.2004. According to Sri Chanda, on the

promotion of the applicant to the post of MCM (pipe fitter0 w.e.f. 01.08.2004, his pay has been wrongly carried out in the lower pay scale of Rs. 4500-7000/- . Moreover, benefit of 3rd MACP in the Grade Pay of Rs. 4600/- due and admissible to the applicant on completion of 30 years of service as on 06.02.2014 has not been given to the applicant. The applicant submitted representation on 19.08.2019 to the CWE Shillong, AO, GE, Shillong and also to the GE, MES Shillong Division. But to no result.



4. However, Sri M. Chanda, learned counsel for the applicant prays liberty to submit this O.A. before the respondent authorities which may be disposed of by them within a time frame by treating the same as a comprehensive representation wherein Sri S.K. Ghosh, learned Addl. CGSC appearing on behalf of the respondents agreed to.

5. By accepting the prayer made by the learned counsel for both the parties, without going into the merit of the case as well as without issuing notice upon the respondents, I hereby direct the applicant to submit this O.A. before the appropriate respondent authorities within a period of 15 (fifteen) days from the date of receipt copy

of this order. On receipt of such, the respondent authorities shall treat the same as a comprehensive representation and dispose of it within a period of two months thereafter.

5. It is made clear that whatever decision to be passed by the respondent authorities should be a reasoned and speaking and the same shall be communicated to the applicant forthwith.



6. With the above direction, O.A. stands disposed of accordingly at the admission stage.

7. There shall be no order as to costs.

**(MANJULA DAS)
MEMBER (J)**

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