

RESERVED
(On interim relief)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated: This the 23rd day of March 2006.

Original Application No. 995 of 1998.

Hon'ble Mr. K.B.S. Rajan, Member (J)
Hon'ble Mr. A.K. Singh, Member (A)

C.S. Pandey & Others

.....Applicants

By Adv: Sri Lalji Sinha

V E R S U S

Union of India & others

.....Respondents

By Adv: Sri S. Singh

O R D E R

By K.B.S. Rajan, JM

This OA was heard on 02-03-2006 when certain important clarifications were needed for proper adjudication of the case.

2. The challenge is against the assignment of seniority of the applicants 15 in numbers, of whom, grievance in respect of 7 is stated to have been redressed.

3. The seniority list is in respect of Chargeman II, and the applicants had been assigned their seniority w.e.f. 10th May, 1993 and thereafter, whereas their claim is that their seniority should have been fixed from a retrospective date i.e the date when from their pay had been fixed at Rs 425 -

b

700 (pre revised)/1400 - 2300 (Revised). The basis of the claim of the applicants is that the above was the pay scale to which the applicants were entitled to from an earlier date, and it is the same pay scale, which is attached to the post of Chargeman Grade II on the day these applicants were transferred to the said posts.

4. The contention of the respondents is that since the applicants were transferees, their seniority would be only from the date they were brought into the fold of Charge Man Grade II.

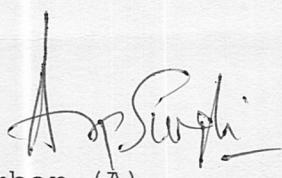
5. The following clarifications are, therefore, required:

- a) What are the modes of filling up of the post of Chargeman Gr. II - D.R./Promotion/Transfer on permanent basis from other posts.
- b) In the case of transfer on permanent basis, what were the posts the holders of which are transferred and their pay scale?
- c) Is there any option asked for such transfer to the post of Charge man Grade II and if so, whether the applicants gave their option?
- d) What are the avenues of promotion for those posts from where such transfers are admissible (In this case promotions in the D.M. cadre)

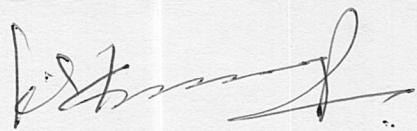
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- e) In the past were there any such transfers and if so, their details in brief with specific reference to their assignment of seniority.
- f) If the applicants were given the pay scale of Rs 1400-2300 from a particular date in the grade of DM and if they were eligible for transfer only on the basis of their being placed in that scale of pay, whether they had been informed of the seniority position that would be governing them in the event of their move from DM to Charge Man Grade II?

6. The above information be furnished by the Respondents before the next date of hearing.



Member (A)



Member (J)

/pc/