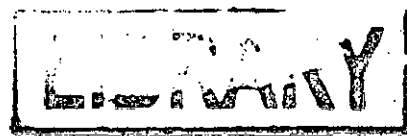




IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



O.A. No. 1552 of 2014
M.A. No. 603 of 2014

1. Shri Jai Kumar Sharma, Son of Late Deep
Narayan Sharma, aged about 54 years,
working as Tech-I, T.N. 5698, BFS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill.& P.O. Shankerpur, District
Munger, Pin - 811201, Bihar.
2. Shri Pradeep Kumar, Son of Shri Bipat
Mandal, aged about years, working as
Tech-I, T.N. 2230, MTS under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Bajrangwaly Chawk, Nayagaon, P.O.
Jamalpur, District Munger, Pin - 811214,
Bihar.
3. Shri Ashok Kumar, Son of Late Jugal
Prasad, aged about years, working as Sr.
Tech, T.N. 1928, MTS under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Bari Durgapur, P.O. Jamalpur, District
Munger, Pin - 811214, Bihar.
4. Shri Sunil Kumar Sinha, Son of Late
Mahendre Prasad Sinha, aged about
years, working as Sr. Tech, T.N. 1945, MTS
under C.W.M., Jamalpur Workshop, Eastern

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2.
Railway, P.O. Jamalpur, District Munger and
residing at Quarter No. 487GH, Rampur
Colony, P.O. Jamalpur, District Munger, Pin
- 811214, Bihar.

5. Shri Birendra Kumar Mandal, Son of Late
Kartik Mandal, aged about years,
working as Tech-I, T.N. 8570, M.S under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Nayagown, P.O. Jamalpur,
District Munger, Pin - 811214, Bihar.

6. Shri Krishna Nand Singh, Son of Late
Sudhir Prasad Singh, aged about 54 years,
working as Tech-I, T.N. 23444, WRS/II
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at P.O. Orabagicha, P.S. Dhardaroi,
District Munger, Pin - 811214, Bihar.

7. Shri Raj Kishore Mandal, Son of Late
Permeshwar Mandal, aged about 57 years,
working as Tech-I, T.N. 2419, MTS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Bari Deryapur, In front of Lal
Kothi Jubilee Wel, P.O. Jamalpur, District
Munger, Pin - 811214, Bihar.

8. Shri Pradeep Kumar Das, Son of Late
Sukhari Das, aged about 59 years, working
as Tech-I, T.N. 8815, M.S under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.

Tah

Jamalpur, District Munger and residing at
Q. No. 771/A, Dowlattpur Colony, P.O.
Jamalpur, District Munger, Pin - 811214,
Bihar.

9. Shri Jai Prakash Paul, Son of Late Somer Paul, aged about 57 years, working as Tech-I, T.N. 8789, M.S under C.W.M., Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Mahanda, P.O. Patlum, District Munger, Pin - 811214, Bihar.
10. Shri Binod Kumar Yadav, Son of Late Bishoo Yadav, aged about 55 years, working as Tech-I, T.N. 22245, DCS under C.W.M., Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Vill. Fulka, P.O. Jamalpur, District Munger, Pin - 811214, Bihar.
11. Shri Arjun Kumar, Son of Late Bechan Mandal, aged about 59 years, working as Tech-I, T.N. 22087, DCS under C.W.M., Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Vill. Raghunathpur, P.O. Shanpur Kachahri, District Munger, Pin - 811214, Bihar.
12. Shri Raj Kumar Rana, Son of Late Bhowan Singh Rana, aged about 54 years, working as Tech-I, T.N. 22057, DCS under C.W.M., Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at

hsl

Rampur Colony, Q. No. 451/EF, P.O.
Jamalpur, District Munger, Pin - 811214,
Bihar.

13. Shri Prashant Kumar Sinha, Son of Sri Anil
Chandra Sinha, aged about 55 years,
working as Tech-I, T.N. 22051, DCS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Rampur Colony, Q. No. 344/CD,
P.O. Jamalpur, District Munger, Pin -
811214, Bihar.

14. Shri Niranjan Mishra, Son of Sri
Ragunandan Mishra, aged about 57 years,
working as Tech-I, T.N. 8557, M.S under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Jorberpur (Pchath), P.O.
Dumrighat, District Khagarya, Bihar.

15. Shri Umesh Prasad Mandal, Son of Late
Kalpu Mandal, aged about 56 years,
working as Tech-I, T.N. 5578, BFS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Daulatpur Colony, Q. No.
753/A, P.O. Jamalpur, District Munger, Pin
- 811214, Bihar.

16. Shri Anup Kumar Paul, Son of Late A. C.
Paul, aged about 58 years, working as
Tech-I, T.N. 2082, MTS under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.



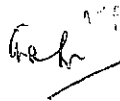
Jamalpur, District Munger and residing at
East Colony, Q. No. 27/CD, Workshop
Road, Jamalpur, P.O. Jamalpur, District
Munger, Pin - 811214, Bihar.

17. Shri Umesh Pd. Sharma,, Son of Late
Ramdeo Sharma, aged about 56 years,
working as Sr. Tech, T.N. 19777, WLD
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Samdalpur, P.O. & District
Munger, Pin - 811214, Bihar.

18. Shri Jai Prakash Sharma, Son of Late
Saudagar Sharma, aged about 55 years,
working as Tech-I, T.N. 8618, M.S under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Mogai bazar, P.O. Basudeopur,
District Munger, Pin - 811201, Bihar.

19. Shri Prahlad Kumar, Son of Late
Nageshwar Prasad, aged about 58 years,
working as Tech-I, T.N. 20256, CRS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Samdalpur, P.O. & District
Munger, Pin - 811214, Bihar.

20. Shri Raj Kumar Sah, Son of Sri Gopal Sah,
aged about 58 years, working as Tech-I,
T.N. 14190, MCTR under C.W.M., Jamalpur
Workshop, Eastern Railway, P.O. Jamalpur,
District Munger and residing at & P.O.



Laldarwaza Behind Power House, District
Munger, Pin - 811201, Bihar.

21. Shri Bharat Bhushan Yadav, Son of Late

Meni Prasad Yadav, aged about 59 years,
working as Tech-I, T.N. 14264, MCTR
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Sahmalpur, P.O. Kajra, District
Lakhisari, Pin - 811309, Bihar.

22. Shri Nand Kishor Prasad, Son of Late

Gorelal Prasad, aged about 59 years,
working as Tech-I, T.N. 14178, MCTR
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. & P.O. Shankerpur, District
Munger, Pin - 811201, Bihar.

23. Shri Bijay Kumar Mandal, Son of Late

Jagdish Mandal, aged about 58 years,
working as Tech-I, T.N. 14279, MCTR
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Rampur (Mandal Tola), P.O.
Jamalpur, District Munger, Pin - 811214,
Bihar.

24. Shri Rambilash Sah, Son of Late

Raghunandan Prasad Sah, aged about 58
years, working as Tech-I, T.N. 14130,
MCTR under C.W.M., Jamalpur Workshop,
Eastern Railway, P.O. Jamalpur, District
Munger and residing at Vill. Mahadeba



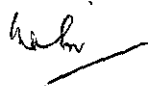
7
Bariarpur, District Munger, Pin - 811211,
Bihar.

25. Shri Rajendra Prasad, Son of Late Tuna
Saw, aged about 58 years, working as
Tech-I, T.N. 14121, MCTR under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Vill. Mahsoni, P.O. Kajra, District
Lakhisarai, Pin - 811309, Bihar.

26. Shri Abadh Kishor Singh, Son of Late
Dhanku Singh, aged about 57 years,
working as Tech-I, T.N. 14122, MCTR
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Charown, P.O. Nawagarhi,
District Munger, Pin - 811201, Bihar.

27. Shri Satrugan Mandal, Son of Late
Parmanand Mandal, aged about 57 years,
working as Tech-I, T.N. 14228, MCTR
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Bari Dariyapur, P.O. Jamalpur,
Pin - 811214, Bihar.

28. Shri Pramod Kumar Singh, Son of Late
Saryug Singh, aged about years,
working as Tech-I, T.N. 5467, BFS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Mungroria, P.O. Jamalpur,
District Munger, Pin - 811214, Bihar.



29. Shri Sanjōy Kumār, Son of Late Banwarī,
aged about 57 years, working as Tech-I,
T.N. 8622, M.S under C.W.M., Jamalpur
Workshop, Eastern Railway, P.O. Jamalpur,
District Munger and residing at Vill.
Nawagarhi, Sharn Singh Tola, P.O.
Nawagarhi, District Munger, Pin - 811214,
Bihar.

30. Shri Jai Prakash, Son of Late Ishwari
Prasad, aged about 56 years, working as
Tech-I, T.N. 8741, M.S under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
P.O. Bhalar, District Munger, Pin - 811212,
Bihar.

31. Shri Rajendra Pd. Sharma, Son of Late
Kesho Sharma, aged about 58 years,
working as Tech-I, T.N. 8633, M.S under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Shadipur GDJ College Road,
P.O. & District Munger, Pin - 811214, Bihar.

32. Shri Bijay Kumar Singh, Son of Late Kutay
Prasad Singh, aged about 59 years,
working as Tech-I, T.N. 11055, WRS-III
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Nahldiyara, P.O.
Gangaprasad, District Shahebganj,
Jharkhand, Pin -

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33. Shri Jitendra Mandal, Son of Late

Shivnarayan Mandal, aged about 58 years,
working as Tech-I, T.N. 8772, M.S under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Chhoti Keshopur (Nalapar),
Faridpur Road, P.O. Jamalpur, District
Munger, Pin - 811214, Bihar.

34. Shri Mohon Sharma, Son of Late Mahadeo

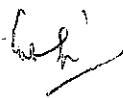
Sharma, aged about 58 years, working as
Sr. Tech, T.N. 8608, M.S under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Vill. Hashanpur, P.O. Dariyapur, District
Munger, Pin - 811214, Bihar.

35. Shri Arjun Prasad Bishwakarma, Son of

Khiro Mistry, aged about 58 years, working
as Tech-I, T.N. 5682, BFS under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Vill. Puraniganj (Shanti Nagar) P.O. &
District Munger, Pin - 811201, Bihar.

36. Shri Brajkishor Prasad, Son of Late Roshan

Sah, aged about 56 years, working as
Tech-I, T.N. 8777/842 MS/WRS-1, under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Mungrora Tedhigali
(Kalinathan), P.O. Jamalpur, District
Munger, Bihar, Pin - 811214.



37. Shri Anli Kumar Bhagat, Son of Late

Munilal Bhagat, aged about 56 years,
working as Sr. Tech, T.N. 1946, MTS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Beri Daulatpur, P.O. Jamalpur,
District Munger, Bihar, Pin - 811214

38. Shri Suresh Prasad Gupta, Son of Late

Jagarnath Sah, aged about 55 years,
working as Tech-I, T.N. 10779, WRS-3
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Naya Gaon (Bajrang Ball
Chowk) P.O. Jamalpur, District Munger,
Bihar, Pin - 811214,

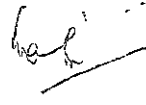
39. Shri R. K. Sinha, Son of Late Rajendra

Prasad Sinha, aged about 58 years,
working as Tech-I, T.N. 20409, CRS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Amola Colony, P.O. Jamalpur,
District Munger, Bihar, Pin - 811214

40. Shri Bashistha Pd. Sharma, Son of Ganesh

Pd. Sharma, aged about 57 years, working
as Tech-I, T.N. 5456, BFS under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Raiser (Nitubag), P.O. Basudeopur, District
Munger, Bihar, Pin - 811214

41. Shri Ranjit Singh, Son of Sri Kanhai Lal



Singh, aged about 58 years, working as
Tech-I, T.N. 8697, (M.S) under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Vill. Rampur Colony, Q. No. 320/AB, P.O.
Jamalpur, District Munger, Bihar, Pin - 811214

42. Shri Arun Kumar, Son of Sri Lakshmi
Mandal, aged about 57 years, working as
Tech-I, T.N. 1946, MTS under C.W.M.,
2433 WRS,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Beri Daulatpur, P.O. Jamalpur, District
Munger, Bihar, Pin - 811214

43. Shri Sankar Mandal, Son of Late
Madhusudh Mandal, aged about 56 years,
working as Tech-I, T.N. 8766, M.S under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Baddipara, P.O. Jamalpur,
District Munger, Bihar, Pin - 811214.

44. Shri S. K. Limboo, Son of Late H. K.
Limboo, aged about 53 years, working as
Tech-I, T.N. 23220, WRS-2 under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Baddipara, P.O. Jamalpur, District Munger,
Bihar, Pin - 811214,

45. Shri Indradeo Singh, Son of Late Ram
Sahay, aged about 57 years, working as
Tech-I, T.N. 5626, BFS under C.W.M.,

Jamalpur Workshop, Eastern Railway, P.O.

Jamalpur, District Munger and residing at

Vill. Singhshwar Tola, Nawagarhi, P.O.

Nawagarhi, District Munger, Bihar, Pin - 811214,

46. Md. Ahsan, Son of Md. Abid Ali, aged about

54 years, working as Tech-I, T.N. 5718,

BFS under C.W.M., Jamalpur Workshop,

Eastern Railway, P.O. Jamalpur, District

Munger and residing at Vill. Shahkund, P.O.

Shahkund, District Bagalpur, Bihar, Pin - 811214,

47. Shri Lala Krishna Kumar Prasad, Son of

Achutanand Prasad, aged about 58 years,

working as Tech-I, T.N. 20410, CRS under

C.W.M., Jamalpur Workshop, Eastern

Railway, P.O. Jamalpur, District Munger and

residing at Shastri Nagar Road No. 7, P.O.

Jamalpur, District Munger, Bihar, Pin - 811214,

48. Shri Alok Jyoti Sen, Son of Late Kalicharn

Sen, aged about 56 years, working as

Tech-I, T.N. 609, ELECT under C.W.M.,

Jamalpur Workshop, Eastern Railway, P.O.

Jamalpur, District Munger and residing at

Moh - Baldya Para, P.O. Jamalpur, District

Munger, Bihar, Pin - 811214,

49. Shri Ajay Kumar Yadav, Son of Late Tetar

Yadav, aged about 57 years, working as

Tech-I, T.N. 631, ELECT under C.W.M.,

Jamalpur Workshop, Eastern Railway, P.O.

Jamalpur, District Munger and residing at

Naya Tola Fulka, P.O. Jamalpur, District

402

Munger, Bihar, Pin - 811214,

50. Shri Ram Khelawan Paswan, Son of Late

Bideshi Paswan, aged about 56 years,
working as Tech-I, T.N. 801, ELECT (Test
Room) under C.W.M., Jamalpur Workshop,
Eastern Railway, P.O. Jamalpur, District
Munger and residing at Vill. Bhagi Chowk,
P.O. Jamalpur, District Munger, Bihar, Pin - 811214

51. Shri Suresh Paswan, Son of Late Jainath

Paswan, aged about 56 years, working as
Sr. Tech, T.N. 1957, MTS under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Loco Colony, Q. No. 222/B, P.O. Jamalpur,
District Munger, Bihar, Pin - 811214

52. Shri Uttam Prasad Singh, Son of Late

Bangali Prasad Singh, aged about 55
years, working as Tech-I, T.N. 5477, BFS
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. & P.O. Udhadih,
(Sultanganj), District Bhagalpur, Bihar, Pin
- 811214,

53. Shri Pratap Narayan Yadav, Son of Late

Sitaram Prasad Yadav, aged about 58
years, working as Sr. Tech, T.N. 20166,
CRS under C.W.M., Jamalpur Workshop,
Eastern Railway, P.O. Jamalpur, District
Munger and residing at Vill. Banauli, P.O.
Rajadih, District Munger, Bihar, Pin - 811214,

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54. Shri Chandra Shekhar Jha, Son of Late
Damoder Jha, aged about 55 years,
working as Tech-I, T.N. 23032,
WRS/2(CBS) under C.W.M., Jamalpur
Workshop, Eastern Railway, P.O. Jamalpur,
District Munger and residing at Vill. + P.O.
Dharahra, District Munger, Bihar, Pin - 811214,

55. Shri Bishnudeo Mandal, Son of Late
Singeshwar Mandal, aged about 58 years,
working as Sr. Tech, T.N. 20175, CRS
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Chhoti Keshopur, P.O.
Jamalpur, Near of Targachh Kali No. 2,
District Munger, Bihar, Pin - 811214,

56. Shri Anjani Kumar, Son of Late Jamuna
Prasad Singh, aged about 55 years,
working as Sr. Tech, T.N. 21028, S.M under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Nayagaon, P.O. Jamalpur,
District Munger, Bihar, Pin - 811214,

57. Shri Anant Kumar Anant, Son of Sri Ajab Lal
Yadav, aged about 59 years, working as Sr.
Tech, T.N. 20165, CRS under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Daulatpur Railway Colony, Near P.D. High
School, Jamalpur, P.O. Jamalpur, District



Munger, Bihar, Pin - 811214,

58. Shri Shashi Shekhar Lall, Son of Late
Janak Lal Mandal, aged about 56 years,
working as Tech-I, T.N. 20306, CRS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Bajrangbali Chowk, Nayagaon,
P.O. Jamalpur, District Munger, Bihar, Pin - 811214,

59. Shri Rajendra Yadav, Son of Late
Madhusudan Yadav, aged about 57 years,
working as Sr. Tech, T.N. 20149, CRS
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Nayatola (Laheta), P.O.
Chatbari, Via Dharahra, District Munger,
Bihar, Pin - 811214,

60. Shri Bijoy Kumar, Son of Late Mukund Lal,
aged about 55 years, working as Tech-I,
T.N. 5688, BFS under C.W.M., Jamalpur
Workshop, Eastern Railway, P.O. Jamalpur,
District Munger and residing at Sandalpur,
P.O. & District Munger, Bihar, Pin - 811201.

61. Shri Sahendra Prasad Singh, Son of Late
Mushru Prasad Singh, aged about 59
years, working as Tech-I, T.N. 5685, BFS
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. + P.O. Kharia, District
Munger, Bihar, Pin - 811214

62. Shri Arun Kumar Sharma, Son of Late Hari

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16
Prasad Sharma, aged about 56 years.

working as Sr. Tech, T.N. 5872, BFS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Rampur Maldan Colony, Q. No. -
6/IJ, P.O. Jamalpur, District Munger, Bihar,
Pin - 811214,

63. Shri Nakul Singh, Son of Late Arun Singh,
aged about 58 years, working as Tech-I,
T.N. 8773, M.S under C.W.M., Jamalpur
Workshop, Eastern Railway, P.O. Jamalpur,
District Munger and residing at Vill.
Jagdishpur, P.O. Dharaha, District Munger,
Bihar, Pin - 811214,

64. Shri Pranmohan Yadav, Son of Late
Gajadhar Prasad Yadav, aged about 54
years, working as Sr. Tech, T.N. 18404,
BST under C.W.M., Jamalpur Workshop,
Eastern Railway, P.O. Jamalpur, District
Munger and residing at & P.O. Lahchi,
District Munger, Bihar, Pin - 811214,

65. Shri Prem Prakash Dubey, Son of Late
Bankey Bihari Dubey, aged about 59 years,
working as Sr. Tech, T.N. 1968, MTS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Gatrimagar. Road No. 03, P.O.
Jamalpur, District Munger, Bihar, Pin - 811214,

66. Shri Umesh Rajak, Son of Late Dindayal
Rajak, aged about 54 years, working as

Asst

Tech-I, T.N. 18467, BST under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Vill. Rampur, P.O. Jamalpur, District
Munger, Bihar, Pin - 811214

67. Shri Om Prakash Pathak, Son of Late
Praduman Pathak, aged about 56 years,
working as Tech-I, T.N. 23137, WRS/2
(CBS) under C.W.M., Jamalpur Workshop,
Eastern Railway, P.O. Jamalpur, District
Munger and residing at Rampur Colony, Q.
No. 322/AB, P.O. Jamalpur, District Munger,
Bihar, Pin - 811214

68. Shri Damodar Das, Son of Late Gailu Das,
aged about 60 years, working as Tech-I,
T.N. 703, Shop - Electrical under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Vill. Kalan Rampur, District Munger, Bihar,
Pin - 811214,

69. Shri Sheo Shankar Mahato, Son of Late
Prasadi Mahato, aged about 56 years,
working as MCM, T.N. 18504, Shop BST
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Manikpur, P.O. Kawadpur,
District Lakhi Sarai, Bihar, Pin - 811106.

70. Md. Jawald Akhtar, Son of Late Md. Idris
Ahmad, aged about 57 years, working as
MCM, T.N. 90, Shop P.H (Electrical) under

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C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Moh: Dilawarpur, P.O. & District
Munger, Bihar, Pin - 811201.

71. Shri Mahendra Prasad Mandal, Son of Late
Shivnandan Prasad Sah, aged about 59
years, working as Tech-I, T.N. 5601, BFS
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Mugroua, (Gopl Sah Flower
Mill), P.O. Jamalpur, District Munger, Bihar,
Pin - 811214,

72. Colin Richard Daly, Son of Late Mousish
Rudolph Daly, aged about 58 years,
working as Tech-I, T.N. 12129, BST under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at D.D. Tulsi Road, (Nayagaon)
P.O. Jamalpur, District Munger, Bihar, Pin - 811214,

73. Shri Shyam Narayan Mandal, Son of Late
D. N. Mandal, aged about 57 years, *KS*
working as Tech-I, T.N. 13195, SMS under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Mangalbazar, Rampur Colony,
Q. No. 322/AB, P.O. Jamalpur, District
Munger, Bihar, Pin - 811214.

74. Shri Nirmal Kumar Rajak, Son of Late
Damodar Rajak, aged about 48 years,
working as Tech-I, T.N. 2490, MTS, under

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C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at & P.O. Ghorghat, (Via
Bariyarpur) District Munger, Bihar, Pin - 811214.

75. Shri Sunil Kumar Chourasia, Son of Late
Rajendra Prasad Das, aged about 55
years, working as Tech-I, T.N. 12135, BST,
under C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Ramankabad, (Habely
Kharagpur) District Munger, Bihar, Pin - 811214.

76. Shri Narendra Prasad Sinha, Son of Late
Rajendra Prasad, aged about 58 years,
working as Tech-I, T.N. 5480, BFS, under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Deoghar, Post Khapra, P.S.
Tetya Bumbbar, District Munger, Bihar, Pin - 811214.

77. Shri Prem Chandra Chourasia, Son of Sri
Lakhan Lal Mandal, aged about 57 years,
working as Sr. Tech, T.N. 1941 MTS, under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Mangroua, (Near Masjid),
P.O. Jamalpur, District Munger, Bihar, Pin - 811214.

78. Shri Narayan Modi, Son of Late Bhagwat
Modi, aged about 57 years, working as Sr.
Tech, T.N. 414, Shop WRS-I, under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at

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VIII, Nayachawk (Barbighi), P.O. Mirajan
 Hat, District Bhagalpur, Bihar, Pin -
 812005.

79. Shri Upendra Prasad Sah, Son of Late

Sitaram Sah, aged about 59 years,
 working as Sr. Tech, T.N. 5528, BFS, under
 C.W.M., Jamalpur Workshop, Eastern
 Railway, P.O. Jamalpur, District Munger and
 residing at Gatrinagar, Road No. 2, P.O.
 Jamalpur, District Munger, Bihar, Pin - 811214.

80. Shri N. N. Sahay, Son of Late Brajnandan

Sahay, aged about 56 years, working as
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 Tech-I, T.N. 8561/21033, M.S/I.M, under
 C.W.M., Jamalpur Workshop, Eastern
 Railway, P.O. Jamalpur, District Munger and
 residing at Q. No. 752/B, Daulatpur
 Colony, P.O. Jamalpur, District Munger,
 Bihar, Pin - 811214.

81. Shri Ganesh Prasad Singh, Son of Late

Rampada Rath Singh, aged about 57
 years, working as Sr. Tech, T.N. 680,
 Electrical, under C.W.M., Jamalpur
 Workshop, Eastern Railway, P.O. Jamalpur,
 District Munger and residing at Railway Q.
 No. 313/GH, Rampur Colony, P.O.
 Jamalpur, District Munger, Bihar, Pin - 811214.

82. Shri Suresh Kumar Thakur, Son of Late

Banarsi Thakur, aged about 57 years,
 working as Tech-I, T.N. 571, WRS/1, under
 C.W.M., Jamalpur Workshop, Eastern

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Railway, P.O. Jamalpur, District Munger and
residing at Safiabab, P.O. Safiabab, District
Munger, Bihar, Pin - 811214.

83. Shri Kaleshwar Prasad Singh, Son of Late
Tej Narayan Singh, aged about 58 years,
working as Tech-I, T.N. 670, WRM/1, under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Vill. Bhalar, P.O. Bhalar, District
Munger, Bihar, Pin - 811214.

84. Shri Achyuta Nand Yadav, Son of Dukhi
Yadav, aged about 56 years, working as
Tech-I, T.N. 314, Electrical, under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Vill. Milkichuk No. 01, P.O. Janki Nagar,
District Munger, Bihar, Pin - 811214.

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85. Shri Rajendra Kumar Singh, Son of Late Satyadeo Singh, aged about 56 years, working as Sr. Tech, T.N. 23214, WRS/ CBS under C.W.M., Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and Vill. + P.O. Nonsar, Via Sultanganj, District Bhagalpur, Pin - 811214, Bihar.

86. Shri Rajendra Prasad, Son of Late Jaglal Prasad (Jago Prasad), aged about 56 years, working as Tech-I, T.N. 646, WRS/I under C.W.M., Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Chhoti Daulatpur Pashupalan Gali, P.O. Jamalpur, District Munger, Bihar, Pin - 811214.

87. Shri Subodh Kumar Singh, Son of Shri Badhy Nath Singh, aged about 56 years, working as Tech-I, T.N. 1991 MTS/23070 WRS/2 under C.W.M., Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Q. No. T/10/KL Rampur Maidan Colony, P. O. Jamalpur, District Munger, Bihar, Pin - 811214,

88. Shri Mangal Pandit, Son of Late Banrasi Pandit, aged about 57 years, working as Tech-I, T.N. 13029, SMS under C.W.M.,

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Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Vill. Faridpur, P.O. Jamalpur, District
Munger, Bihar, Pin - 811214,

89. Shri Satish Chandra Das, Son of Late Raso
Das, aged about 58 years, working as Sr.
Tech, T.N. 8647, M.S under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at
Vill. Baraichawk, P.O. Pataw, District
Munger, Bihar, Pin - 811214.

90. Shri Aditya Singh, Son of Late Uday
Narayan Singh, aged about 56 years,
working as Tech-I, T.N. 633, Elect. under
C.W.M., Jamalpur Workshop, Eastern
Railway, P.O. Jamalpur, District Munger and
residing at Nayagaon, D.D. Tuls Road, P.O.
Jamalpur, District Munger, Bihar, Pin - 811214.

91. Md. Jamaluddin, Son of Md. Yunus, aged
about 58 years, working as Tech-I, T.N.
886, Elect. under C.W.M., Jamalpur
Workshop, Eastern Railway, P.O. Jamalpur,
District Munger and residing at Vill.
Mubarak Chawk, P.O. Bank, District
Munger, Bihar, Pin - 811214.

92. Shri Goutam Ganguly, Son of Sri S. R.
Ganguly, aged about 56 years, working as
Tech-I, T.N. 2008, MTS under C.W.M.,
Jamalpur Workshop, Eastern Railway, P.O.
Jamalpur, District Munger and residing at

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Q. No. 356/AB; Rampur Colony, P.O.

Jamalpur, District Munger, Bihar, Pin - 811214.

939. Shri Arbind Kumar Singh, Son of Late

Dhirnarayan Singh, aged about 55 years,

working as Tech-I, T.N. 9181, WCS/2 under

C.W.M., Jamalpur Workshop, Eastern

Railway, P.O. Jamalpur, District Munger and

residing at Vill. Mohanpur, P.O. & P.S.

Dharahara, District Munger, Bihar, Pin - 811214.

Q4. Rajendra Kumar, Son of Sri Ram Swarath Kumar, aged about 60 years, working as Sr. Tech., Ex. T.N. 26079, T.M.S. under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Vill. + P.O. Farda Tola Shlv Rampur, District Munger, Pin - 811201.

Q5. Upendra Mandal, Son of Late Saryug Mandal, ^{Ticket No. Ex TN - 14196} aged about 60 years, working under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Vill. Kataria, P.O. Dariapur, District Munger, Pin - 811201.

Q6. Yogendra Prasad Singh, Son of Late Mishri Prasad Singh, aged about 60 years, working as Tech-I, Ex. T.N. 14241, MCTR under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Vill. Udhadih, District Bhagalpur, Pin - 811214,

Q7. Dilip Kumar, Son of Late Ramkishun Sah, aged about 56 years, working as Tech-I, Ex. T.N. 419, WRS-I under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Mungranpa, Tedhi Gall, P.O. Jamalpur, District Munger, Pin - 811214,

Q8. Shyam Murari Ambastha, Son of Late Jugal Kishor Narayan, aged about 60 years, working as Tech-I, T.N. 18408, BST, under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Keshopur, Kayasttola (Shantikunj), P.O. Jamalpur, District Munger, Pin - 811214,

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99. Rabindra Pd. Yadav, Son of Kartick Gope, aged about 63 years, working as Tech-I, Ex. T.N. 5464 BFS, under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Vill. Jagdishpur, P.O. Jamalpur, District Munger, Pin - 811214.
100. Bhikhari Mandal, Son of Late Kishun Mandal, aged about 60 years, working as Tech-I, T.N. Ex. 8646, M.S. under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Vill. Naya Patami, P.O. Patam, District Munger, Pin - 811214
101. Kailash Prasad Singh, Son of Late Narsingh Prasad Singh, aged about 61 years, working under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Vill. Ramnagar, P.O. Jamalpur, District Munger, Pin - 811214
102. Sahdeo Prasad Roy, Son of Late Jitendra Prasad Roy, aged about 62 years, working as Tech-I, T.N. 3418, DSS under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at + P.O. Puralesarai (Brahamasthan), District Munger, Pin - 811214
103. Bharat Kishore Mandal, Son of Late Ram Khelawan Mandal, aged about 61 years, working as Sr. Tech, Ex. T.N. 2054, MTS under Chief Works Manager, Jamalpur Workshop, Eastern Railway, P.O. Jamalpur, District Munger and residing at Nayagaon, (Thakurbari Road), P.O. Jamalpur, District Munger, Pin - 811214.

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1. Union of India, Service through the General Manager, Eastern Railway, Fairlie Place, 17, N. S. Road, Kolkata - 700001;
2. The General Manager, Eastern Railway, Fairlie Place, 17, N. S. Road, Kolkata - 700001.
3. The Chief Personnel Officer, Eastern Railway, Fairlie Place, 17, N. S. Road, Kolkata - 700001;
4. The Chief Works Manager, Eastern Railway, Jamalpur Railway Workshop, Jamalpur; - 811214
5. The Workshop Personnel Officer, Eastern Railway, Jamalpur Railway Workshop, Jamalpur; - 811214 .

....Respondents

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 350/01552/2014
M.A. 350/00603/2017

Date of order: 23.02.2021

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

JAI KUMAR SHARMA & ORS.

VS.

UNION OF INDIA & ORS. (Eastern Railway)

For the Applicants : Ms. A. Sarkar, Counsel

For the Respondents : Mr. A.K. Guha, Counsel

ORDER

Dr. Nandita Chatterjee, Administrative Member:

Aggrieved with non-receipt of MACP benefits, the applicants have approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following benefits:-

- i) To grant leave under Rule 4(5)(a) of the Administrative (Procedure) Rules, 1987 to the applicants to file this joint application;
- ii) To direct the respondents to cancel, withdraw and/or rescind the purported speaking order dated 15.04.2014 as contained in Annexure "A-4" herein;
- iii) To direct the respondents to grant MACP benefit to the applicants in terms of the MACP Scheme dated 10.06.09 as contained in Annexure "A-2" herein;
- iv) To direct the respondents to produce the entire records of the case before this Hon'ble Tribunal for adjudication of the issues involved herein;
- v) And to pass such further or other order or orders as to this Hon'ble Tribunal may deem fit and proper."

2. Heard both Ld. Counsel, examined pleadings, documents on record as well as those furnished during hearing.

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3. The applicants have prayed for leave to pursue this joint application, and, on being satisfied that the applicants share common interest and are pursuing a common cause of action, such leave is granted under Rule 4(5)(a) of Central Administrative Tribunal (Procedure) Rules, 1987 subject to payment of individual court fees.

M.A. No. 350/00603/2017 is disposed of accordingly.

4. The facts, in brief, as submitted by the Ld. Counsel for the applicants, are, that, vide RBE No. 101/2009, the Railway Board had circulated the Modified Assured Career Progression Scheme (MACP) for the benefit of the Railway Employees and the same was further circulated for the employees of the Eastern Railway vide memo dated 27.6.2009.

The applicants, thereafter, represented seeking the benefits of the MACP Scheme, but, not having received and favourable reply thereupon, approached this Tribunal in first stage litigation in O.A. No. 350/00002/2014 alleging non-consideration of their representations. This Tribunal disposed of the O.A. on 20.1.2014, and, in compliance to directions therein, the respondents issued a speaking order vide which the representation of the applicants' praying for MACP benefits were rejected. Being aggrieved with such rejection, the applicants have approached this Tribunal seeking the above mentioned relief.

The applicants have furnished, inter alia, the following grounds in support of their claim.

(i) That, the applicants were appointed as Act Trade Apprentice under the Apprentice Act, 1961 and the respondent authorities were required to

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absorb such Apprentice trainees only in vacancies available in the respective designated trades @ ratio of 14% of the total skilled members.

As suitable vacancies were not available, the applicants were initially recruited as Gr. 'D' staff (Khalasi), whereas they ought to have initially been appointed in Gr. 'C' Artisan posts.

(ii) That, their appointments in Gr. 'D' posts were entirely on stop gap/adhoc basis, and, that, no scope of further promotion was indicated in their appointment orders (Annexed at A-1 to the O.A.).

(iii) Hence, the applicants' appointment as Semi Skilled (III) was in the context of direct recruitment against 25% direct recruitment from open market quota as per directives in IREM.

Accordingly, the applicants had claimed their entitlement to MACP benefits taking into account their entry grade as Gr. 'C' staff in terms of CPO/KKK's Sr. No. 102/2009 and 198/2009, and, particularly, with reference to Para 9 of the Circular No. 102/2009.

The applicants would allege that, contrary to the provisions of IREM, the respondents have considered the entry grade of the applicants to be Gr. 'D' and had considered their movement to Semi-Skilled III as a promotion, rather than a direct recruitment and consequent to such erroneous decision, the applicants have been granted only two MACP benefits on their promotion to SS II and SS I respectively. While in reality if their entry grade as SS III is established, the benefits of 1st MACP should accrue from the dates when they were directly recruited as SS III (Gr. 'C' Artisan posts).

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5. The respondents, on the other hand, would argue as follows:-
- (i) As established from Annexure A-1 to the O.A., all the applicants have been engaged as temporary Khalasis between the period 1979 to 1981, and, that the applicants, despite their averments on the requisites of the Apprenticeship Act, had joined such posts without any demur.
 - (ii) That, the rules on appointment of Skilled Artisans are as under:-

"IX. SKILLED ARTISANS

159. (1) The vacancies in the category of Skilled Artisans Grade III in scale Rs. 950-1500/- in various Engineering Departments will be filled as under:

- (i) 25% by selection from course completed 'Act Apprentices', ITI passed candidates and Matriculates from the open market; serving employees who are course completed Act Apprentices or ITI qualified could be considered against this quota allowing age relaxation as applicable to serving employees.
- (ii) 25% from service semi-skilled and un-skilled staff with educational qualification as laid down in Apprentices Act, and 50% by promotion of staff in the lower grade as per prescribed procedure."

The respondents would, therefore, argue that as the applicants were initially appointed as Gr. 'D' Temporary Khalasis they were considered for promotion to Gr. 'C' Artisan category, namely, Skilled Artisan III in accordance with Rule 159(1)(ii) of IREM, namely, that on the basis of 25% from serving semi-skilled and unskilled staff as per provision on being found suitable in trade test.

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(iii) The respondent authorities have also furnished the service book of applicant No. 1 (Annexure R-3 to the O.A.) in which it has been noted that the applicant was initially appointed as a Khalasi on 8.9.79 and, thereafter, by virtue of promotion was promoted as SS III on 27.3.1981.

6. The applicants would counter the claim of the respondent authorities by arguing that as the prescribed procedure for promotion to the post of Gr. 'C' Artisan category from Gr. 'D' namely, the eligibility criteria such as minimum three years of regular service of three years residency period, offering options or conduct of routine tests followed by viva-voce, were not followed in the case of the applicants, they could not have been promoted to the post of Gr. 'C' Artisans on departmental quota.

Ld. Counsel for the applicant would vociferously aver that the applicants, who were admittedly Act Apprentices, and, qualified as serving employees, (course completed Act Apprentices), participated in the selection process which was noted in the IREM as follows:-

"..... Matriculates from the open market; serving employees who are course completed Act Apprentices or ITI qualified could be considered against this quota could be considered against this quota allowing age relaxation as applicable to serving employees."

In other words, while the respondents would contend that the applicants were promoted to the Gr. 'C' Artisan posts by virtue of Rule 159(1)(ii) of IREM, the applicants would aver that they had actually qualified against 25% selection against direct quota.

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7. The moot issue to be resolved in this matter is whether the applicants were promotees to SS III or direct recruits in the category of SS III.

We have examined the records in this context as well as have considered the submissions made during hearing by both Ld. Counsel and would infer as follows:-

- (i) Admittedly, the applicants were all engaged as Gr. 'D' employees (temporary Khalasis) as per Annexure A-1 to the O.A.
- (ii) There is, however, nothing on record to establish that the applicants received any offer of appointment as direct recruits in the category of semi-skilled III and the applicants have not annexed any of such offers of appointment in their pleadings.

The applicants have also not countered the contentions of the respondents that the applicants were considered under Para (ii) of Rule 159 (1) of IREM Vol. I and were qualified only on the basis of trade tests, excepting to contend that the eligibility of minimum three years regular service of three years residency period offering of options or conduct of written test, viva-voce etc. was not applied in the case of the applicants during their selection as SS III.

The applicants, however, neither in their Original Application, nor in their rejoinder have anywhere averred the details of their participation in any selection process prior to their engagement as Semi-Skilled III direct recruits by the respondent authorities.

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8. Applicant No. 1 has not offered any rebuttal to the entry in his service book as per Annexure R-3 to the O.A. and no records have been furnished before us to demonstrate that at least applicant No. 1 had objected to being recorded as a promotetion 27.3.1981 vis-à-vis his claim that he was engaged as a direct recruit.

The applicants would rely on O.A. No. 1135/2012 (**Subrata Mukherjee & ors. v. Union of India & ors.**) read with O.A. No. 1148 of 2012 (**Samir Ranjan Roy & ors. v. Union of India & ors.**) in which this Tribunal had granted applicants one more financial upgradation under the MACP Scheme upon holding that the applicants therein had received only two promotions and that the entry grade of the applicants is in Gr. 'C'.

We have examined the contents of the cited O.A. in details and we find that the factual difference in the cited O.A.s and the instant O.A. are as follows:-

- (i) That, in the cited O.A., MACP had initially been granted to the applicants and, thereafter withdrawn with consequent orders on recovery which had been challenged by the applicants initially in O.A. No. 580 of 2011, and, thereafter in the cited O.A.s, assailing the speaking order issued in compliance to directions in O.A. No. 580 of 2011.
- (ii) In Para 11 of the cited O.A., this Tribunal had referred to certain annexures whereby documents were annexed demonstrating that a certain applicant, namely, Naba Kumar Saha was indeed given appointments on 12.2.1981 as

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temporary/adhoc Trimmer and was thereafter appointed on regular basis on Skilled Grade on 18.2.1981. In the case of another applicant, namely, one Somnath Banerjee, order on his regular appointment was issued 7 days after his appointment on temporary basis.

Accordingly, the Tribunal concluded, as the employee could not be promoted from Gr. 'D' to Gr. 'C' within a period of one week, entry grade of the applicant in the cited O.A. was in Gr. 'C'.

In the instant matter, no such documents have been listed by the applicants wherefrom we can derive that the applicant's regular appointment followed almost immediately after their appointment as a temporary Khalasi (Gr. 'D').

From the extracts of the service book annexed as R-3 to the O.A. in the case of the applicant No. 1, there was a difference of nearly 2 years between his appointment as Gr. 'D' and his purported promotion to Gr. 'C'. The applicants have not placed anything before us to establish as to what specific examination process they had undertaken to be considered as a direct recruit as per Rule 159(1) of the Vol. I of IREM nor have they disputed that they had participated in the trade test as contended by the respondent authorities.

The respondent authorities, in response to directions of this Tribunal, could furnish certain promotional orders which refers to promotions to SS I but has not been able to furnish before us the promotional orders of the applicants to SS III as claimed by the respondents in their pleadings.

[Signature]

9. Hence, we are of the considered view that in the absence of substantiating records, as furnished by certain applicants in the cited O.A.s, it is difficult to arrive at a firm conclusion that the entry grade of the applicants was indeed in Gr. 'C' and that the appointment of the applicants in Semi-Skilled Gr. III is to be treated as direct recruitment.

10. Accordingly, we would like to dispose of this O.A. with the following observation and directions:-

- (i) In the event, the applicants were appointed directly as Gr. 'C' Artisans/Semi-Skilled Gr. III, they would be in possession of their offers of appointment/appointment orders.
- (ii) The applicants are hence accorded liberty to approach the competent respondent authorities by means of a representation annexing such appointment orders within a period of six weeks from the date of receipt of a copy of this order. And, in the event, the applicants approach with such documents as directed above, the competent respondent authority will examine the veracity of such claim vis-à-vis their records, and, thereafter, decide in the light of this Tribunal's judgment in **Subrata Mukherjee & ors. (supra)** and **Samir Ranjan Roy & ors. (supra)**.


The respondents will decide within a period of 16 weeks from the date of receipt of such representations from the concerned applicants, and, if it is decided conclusively that the applicants were indeed appointed in the entry grade of Gr. 'C', one more benefit under MACP

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Scheme should be granted to the applicants and consequent benefits should follow within a period of 8 weeks therefrom.

11. With these directions, the O.A. is disposed of. No costs.


(Dr. Nandita Chatterjee)
Administrative Member


(Bidisha Banerjee)
Judicial Member

SP