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OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

Original Application No.219 of 2007.

Allahabad, this the 1st day of September, 2008.

Hon'ble Mr. A.K. Gaur, J.M.

Hon'ble Mrs. Manjulika Gautam, A.M.

1. Brahm Kumar Gupta, S/o late Babu Lal Gupta, Commercial Courier/Allahabad, R/o Railway Quarter No. 702 B, Lalit Nagar, Allahabad.
2. Ram Narain, S/o Sri Ghasiety, Commercial Courier/Allahabad, R/o Railway Quarter No. 738 F, Lalit Nagar, Allahabad.
3. Kamla Kant Yadav, S/o Sri Ram Iqbal Yadav, Commercial Courier, Allahabad, R/o Village Tiwari pura, P.O. Dubawal, District Allahabad.
4. Faujdar, S/o late Ram Deo, Commercial Courier, Allahabad, R/o Village Behasara, Post Behasara Bazar, District Mirzapur.
5. Dalganji Meena, S/o Sri Ratan Lal Meena, Commercial Courier, Allahabad, R/o Railway Quarter No. 61-A Smith Road, Allahabad.

...Applicants.

By Advocate : Sri Z.A. Farooqui.

Versus

1. Union of India through the G.M., N.C.R., Allahabad.
2. The Chairman, Railway Board, Ministry of Railways, Rail Bhawan, New Delhi.
3. The D.R.M., N.C.R., Allahabad.
4. The Sr. Divisional Commercial Manager, N.C.R., Allahabad.
5. The Sr. Divisional Personnel Officer, N.C.R., Allahabad.

...Respondents.

By Advocate : Shri D.P. Singh.

ORDER

By A.K. Gaur, Member-J

Heard the learned counsel for the parties.

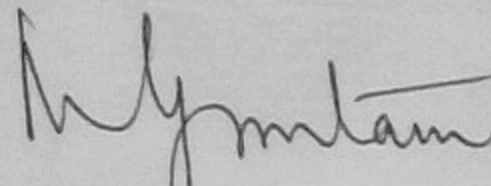
2. It has been contended by Sri Farooqui, learned counsel for the applicants that the applicants have been working as Commercial Courier in the grade of

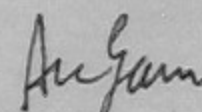
Rs. 825-1200 (2750-4400) in Commercial Branch under D.R.M., N.C.R., Allahabad. According to the learned counsel for the applicants, the sanctioned strength of Commercial Courier in Allahabad Division is eight and presently six persons are working as Commercial Courier. The Commercial couriers are selected from Group 'D' non-technical staff of traffic and commercial branches, who are in the grade below the scale of Rs. 800-1200/Rs. 2650-4000 through suitability test. It is averred in the O.A. that the Commercial Couriers are assigned duty to collect returns and balance sheet etc. from all stations of the Division in accordance with regular scheduled programme. Besides, they have to collect goods invoices periodically issued by the stations and they in turn submit the collected returns and balance sheets and good invoices to the office of the Traffic Accounts, N.C.R., Allahabad. It is also contended that the Ministry of Railways conducted the cadre review of certain Group 'C' and 'D' staff and decided to restructure the Group 'C' and 'D' categories in accordance with the revised percentage, but the post of Commercial courier did not figure in the restructuring. The Assured Career Progression Scheme envisages two financial promotion of a railway employee during his service career, but as there is lone grade of Rs. 2750-4400/-in the category of Commercial Courier, the benefit under ACP has been denied. The learned counsel for the applicants fairly submitted that the applicants have already preferred a representation dated 31.8.2006 (page 50) to the DRM, N.C.R., Allahabad. In the aforesaid representation, the applicants were aggrieved with non-inclusion of category of Commercial Courier Grade Rs. 825-1200 (Rs.2750-4400) in any of the orders of Restructuring implemented w.e.f. 1.3.93 and 1.11.2003.

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3. In view of the above, we are of the considered view that the grievance of the applicants might be redressed if a direction is given to the competent authority to consider and decide the representation of the applicant dated 31.8.2006 (page 50) by a reasoned and speaking order within a period of three months from the date of receipt of a certified copy of this order. We may also observe that the decision so taken by the competent authority shall be referred to the Railway Board for its approval.

4. The O.A. stands disposed of in the above terms with no order as to costs.


MEMBER-A


MEMBER-J

GIRISH/-