



FORM No. - 4
See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Application No. 212 of 2003

Applicant(s) A.K. Dalai Respondent(s) Union of India

Advocate for Applicant(s) Mr. Acharya Das Advocate for Respondent(s)

NOTES OF THE REGISTRY

G.P.O. for Rs. 50/- for
for consideration please

24/03 For Regn Pl.

23/4/03

23.04.03

Registrar

For Admission as per
Memo Bench.

ORDERS OF THE TRIBUNAL

REGISTER

25/4/2003
Registrar

Or.No.1 dated 29.4.2003

Heard Shri A.Das, learned counsel
for the Applicant and Shri R.C.Rath, learned
Standing Counsel (on whom a copy of this O.A.
has been served) appearing on behalf of the
Respondents/Railways.

Applicant, a Goods Guard, having
been medically decategorised has been given
a statonary job of Sr.Roster Clerk. While
working as Goods Guard, he was drawing his

200. 212/03

NOTES OF THE REGISTRY

Or. 21. 29.4.03

copy of order
alongwith copy of OA
communicated to all
resps. and said copy
of order handed over
to counsel for both side

h
s/r

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29.5.03

ORDERS OF THE TRIBUNAL

pay in the scale of Rs.4500-7000/-. On his adjustment as Senior Roster Clerk, he is also being paid his salary/wages in the scale of Rs.4500-7000/-. By filing this Original Application, the applicant has raised a grievance that the scale of pay of Goods Guard having been equated with that of the Head Clerk in stationery category, his pay ought to have been fixed in the scale of Rs.5000-9000/-. In order to substantiate the claim, Shri Das, the learned counsel for the applicant, relied on the Railway Board's letter No.E(NG)/L-98/PM2/8 dated 1.10.1999, which lays down "Comparison of grades of running staff with those of stationary staff for the purpose of promotion/selection". It is the case of the applicant that his representations dated 28.10.2000, 8.1.03 & 23.1.03 did not yield any fruitful result and, that is why, he has approached this Tribunal, in this Original Application under Section 19 of the A.T., 1985, for redressal of his grievances. On a perusal of representations dated 8.1.03 and 23.1.2003 (Annexures-A/9 and A/10, respectively) it appears that the applicant had prayed for his pay being fixed in the scale of Rs.5000-8000/-; although in the present O.A. he has claimed that the Goods Guard being equated with that of the Head Clerk in stationary category, he is entitled to pay scale of Rs.5500-9000/-.

Having heard the learned counsel of both the sides, the entire matter is

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remitted back to the Respondents-Department/Railways with direction to treat the grievances of the applicant, as raised in this O.A., to be a representation of the applicant made to them and to give due consideration over the matter and pass necessary orders within a period of 120 (one hundred twenty) days from the date of receipt of copies of this order, and also communicate the decision taken thereon to the applicant by that time.

With the aforesaid observation and direction this O.A. is disposed of at the stage of admission stage itself. No costs.

Send copies of this order along with copies of this O.A. to Respondents/Railways and free copies of this order be handed over ~~the~~ to the learned counsel of both the sides.

29/04/03
MEMBER(JUDICIAL)