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O.A.No. 264/07

Order dated: 27<sup>th</sup> September, 2007.

The applicant's claim is that he was granted temporary status in 1981 and was taken in the regular appointment in 1984. Thus, for ACP purposes, on the basis of order dated 31-03-2004 issued by the Railway Board, reckoning 50% of the T.S. Service (i.e. 50% from 01-01-1981 to 01-4-1984 amounting to 13 months) his total regular service comes to 24 years in 2007 and as such, he is entitled to 2<sup>nd</sup> financial up-gradation, whereas, the respondents have given only first financial up-gradation and that too from 01-10-1999 vide Annexure A-1 order dated 28-03-2005. Applicant's representation dated 04-12-2006 is yet to be disposed of.

2. Though after six months of the submission of representation dated 4-12-2006 deemed rejection of the

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same could be presumed, it is felt that interest of justice would be met in case the respondents are directed to consider the case of the applicant and dispose of the representation. In case there be any difference in dates of grant of temporary status and/or regular appointment, whereby the calculation of 12 years/24 years of service is different from the one arrived at by the applicant, full details thereof should be furnished with supporting documents to the applicant. The applicant is given the liberty of approaching the Tribunal in case he is aggrieved by such communication. Time limit for disposal of representation dated 4-12-2006 is two months from the date of receipt of this order. No cost.

*Tarsem Lal*  
(TARSEM LAL)  
MEMBER(ADMN.)

*DR.K.B.S.RAJAN*  
(DR.K.B.S.RAJAN)  
MEMBER(JUDL.)