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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK
O.A.No.260/00499 of 2015
Cuttack this the 20th day of August, 2015
CORAM
HON'BLE SHRI R.C.MISRA, MEMBER(A)

Namita Kar
Aged about 44 years
W/o.ShriSribatsaMahapatra
At present working as Senior Translator under
Chief Commissioner Office
Central Excise, Customs & Service Tax
Bhubaneswar Zone,C.R.Building
RajaswaViharBhubaneswar-751 007

...Applicant

By the Advocate(s)-Mr.D.K.Mohanty
-VERSUS-

Union of India represented through

1. The Secretary
Govt. of India
Ministry of Finance
Department of revenue
Central Board of Excise and Customs
New Delhi
2. Chairman
Central Board of Excise and Customs
Flat No.201, 8, Deepshikha Building
Rajendra Place, New Delhi
3. Director General HRD
Central Board of Excise and Customs
New Delhi
4. Chief Commissioner
Chief Commissioner Office
Central Excise, Customs & Service Tax
Bhubaneswar Zone,C.R.Building
Rajaswa Vihar,Bhubaneswar-751 007
5. Commissioner,
Central Excise, Customs and Service Tax
Bhubaneswar-1
Commissionerate,G.R.Building
Rajaswa Vihar,Bhubaneswar-751 007

...Respondents

By the Advocate(s)-Mr.A.K.Mohapatra

ORDER(Oral)

R.C.MISRA, MEMBER(A):

Heard Mr.D.K.Mohanty, learned counsel for the applicant and Mr.A.K.Mohapatra, learned ACGSC appearing for the Respondents and perused the records.

2. Applicant of this case is presently working as Senior Hindi Translator in the Central Excise, Customs and Service Tax organization at Bhubaneswar. Her prayer in this O.A. is that she should be granted the same scale of pay as is being given to the official language cadre of the Central Secretariat Official Language Section (CSOLS) with effect from 1.1.1996. During the course of hearing on admission, Mr.D.K.Mohanty submitted that vide OM dated 14.7.2003 issued by the Ministry of Finance higher scale of pay has been granted retrospectively with effect from 1.1.1996 to Junior Hindi Translator, Senior Hindi Translator and Assistant Directors of CSOLS. This facility has been further extended to one Dhananjaya Singh, working in the Central Excise Customs and Service Tax on the basis of the orders of the CAT, Calcutta Bench which has been upheld by the Hon'ble High Court of Calcutta. The claim of the applicant is that since similarly placed persons have been granted the higher scale of pay, she should not be deprived of this facility. It has been brought to my notice that the applicant has made a representation dated 18.7.2014 to Respondent No.5, viz., Commissioner, Central Excise, Customs & Service Tax, in which she has made such a prayer, but this representation has so far not been considered by the authorities.

3. Considering the submissions made by the learned counsel for both the sides, at this stage, without expressing any opinion on the merit of the matter, I would direct Respondent No.5 to consider and dispose of the aforesaid representation as per rules and communicate the decision to the applicant within a period of three months from the date of receipt of this order. However, while considering the representation, respondents may take into account the decision which has been mentioned by the applicant therein. If finally, the benefits are decided to be conferred on the applicant, the same may be conferred within a further period of three months from the date of communication of the decision.

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

5. On the prayer made by learned counsel copy of this order along with paper book be sent to Respondent Nos.4 and 5 by Speed Post at the cost of the applicant, for which Mr.D.K.Mohanty undertakes to file the postal requisites by 24.8.2015. Free copy of this order be made over to learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)