

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

**ORIGINAL APPLICATION NO. 402 OF 2013**  
**CUTTACK, THIS THE 11<sup>TH</sup> DAY OF JULY, 2013**

**CORAM :**

**HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)  
HON'BLE MR. R.C. MISRA, MEMBER (ADMN.)**

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1. Bijaya Swain,  
aged about 46 years,  
Son of Late Sarat Ch. Swain,  
At: Plot No. F/645, Sector -VI,  
Markatnagar,C.D.A., Cuttack-14.  
At present working as Watchman at  
SAI Training Centre, Barabati Stadium, Cuttack.
2. Niranjan Das,  
aged about 41 years,  
Son of Nityananda Das,  
At: Ramkrushnapur, P.O.-Natakai,  
P.S.- Salipur, Dist- Cuttack.  
At present working as Watchman at  
SAI Training Centre, Barabati Stadium, Cuttack

**...Applicants**

By the Advocate(s) - M/s- D. Mishra, S.K.Satpathy.

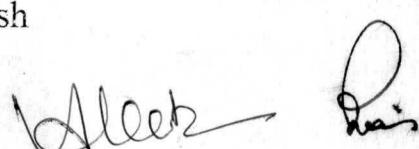
**VERSUS**

Union of India represented through

1. Secretary,  
Ministry of Sports, Parliament Street,  
New Delhi-110001.
2. Sport Authority of India represented through  
Director General, SAI,  
Jawaharlal Nehru Marg,  
Lodhi Road Complex, New Delhi-110001.
3. The Regional Diector,  
Sports Authority of India,  
Netaji Subhas Eastern Centre,  
Salt Lake City, Kolkata-98.
4. Centre In-Charge,  
Sports Authority of India,  
Training Centre at Barabati Stadium,  
Cuttack-1..

**... Respondents**

By the Advocate(s) - Mr. P.R.J.Dash



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ORDER (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. D. Mishra, Ld. Counsel for the applicants, and Mr. P.R.J.Dash, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

2. M.A. 417/13 filed for joint prosecution of this case is allowed and, accordingly, disposed of.

3. Mr. Mishra, Ld. Counsel for the applicants, submitted that applicants are working as Watchman under the establishment of SAI, i.e. Sports Authority of India, but despite their entitlement, Respondents have reduced their basic scale of pay whereas persons similarly situated in Group-D post are getting higher scale of pay. He submits that this action is discriminatory and violative of Article 14 and 300-A of the Constitution of India.

4. We find that the applicants, ventilating their grievance regarding gross discrimination in imparting higher basic pay to the juniors and restraining their basic scales in violation of all canons of law, have made representations on 25.09.2012 through proper channel to the Regional Director, SAI, Kolkata (Respondent No.3). Mr. Mishra, Ld. Counsel for the applicant, submitted that though their representations have been duly forwarded to the Respondent No.3 by the Assistant Director, S.A.I., Sports Training Centre vide letter dated 27.09.2012 under Annexure-A/10 series still then no consideration on the representations has been made and the applicants are in complete darkness regarding fate of their representations.





5. Mr. P.R.J.Dash, Ld. ACGSC, has no immediate instruction regarding fate of the representations made by the applicants. Therefore, without entering into the merits of this case, we dispose of this O.A. at the stage of admission itself by directing Respondent No.3 to consider the representations made by the applicants and if similarly situated persons have been extended the benefits then the same may be taken into account while considering the representations. Result of such consideration may be communicated to the applicant by way of reasoned and speaking order within 60 days from the date of receipt of copy of this order.

6. With the aforesaid order and direction, the O.A. stands disposed of at the stage of admission itself.

7. Let copy of this order along with paper book be sent to Respondent No. 3 at the cost of the applicants, for which Mr. Mishra, Ld. Counsel for the applicants, undertakes to file the postal requisites by

15.07.2013

  
MEMBER (Admn.)

  
MEMBER (Judl.)

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