

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH : PATNA

Registration No. O.A.-139 of 1996

Date of Order : 4.11.1996

(Dictated in Open Court)

Sri Bhaskar Bose Applicant

Vs.

Union of India & Ors. ... Respondents

Counsel for the applicant : Mr.R.K.Jha

C O R A M

Hon'ble Mr. K. D. Saha, Member (Administrative)

Hon'ble Mr. D. Purkayastha, Member (Judicial)

O R D E R

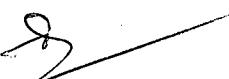
Hon'ble Mr. K. D. Saha, Member (Administrative) :-

Heard the learned counsel for the applicant Mr.R.K.Jha. The applicant has been working as Chargeman-A in the scale of Rs.1600-2660/- (RP) on regular basis with ~~effect~~ from 27.1.1990 in the Railway Workshop at Jamalpur. It is stated that pursuant to a circular dated 28.6.1984, the cadre of all Technical Supervisors of the Mechanical Deptt. (Workshop Group), pay scale upto Rs.700-900 (since revised to Rs.2000-3200/-), which were maintained on the zonal basis, were bifurcated workshopwise. There



are three workshops in the Eastern Railway, one at Jamalpur, another at Kachrapara and the third at Lilua, and options from the concerned staff in the workshops as to which workshop they would like to be posted were called for. Actually the bifurcations and adjustments of staff could not be made effective till 1986 and such options from the employees were called for even subsequently. It appears, the applicant opted for posting in the Kachrapara workshop. The Workshop Personnel Manager, Jamalpur issued a notice dated 14.8.1992 for selection to the post Dy.S.S. (pay scale Rs. 2000-3200) in Jamalpur workshop. The applicant was not considered for this selection on the ground that he had opted for Kachrapara Workshop. It is stated that employees similar to the applicant but posted in the Kachrapara Workshop who had opted for posting elsewhere, were duly considered to the higher grade of Rs. 2000-3200/- and promoted at the Kachrapara Workshop itself. The applicant is stated to have submitted several representations to the Chief Personnel Officer, Eastern Railway, as also other authorities for redressal of his grievance with regard to promotion to the grade of Dy.S.S. (Pay scale Rs. 2000-3200/-) but to no effect.

2. By this application, the applicant prays for issue of direction to consider his case for promotion to the grade of Dy.S.S. (Pay scale Rs. 2000-3200) in Jamalpur workshop itself w.e.f. the date of promotion of his



juniors to such grade with all consequential benefits.

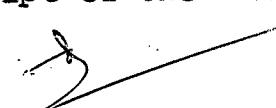
The applicant's further prayer is that in case he is considered to be transferred to Kachrapara Rly. Workshop as per his option, he may be relieved of his duties from Jamalpur only after his promotion as Dy.S.S.

3. It is noticed that the applicant was spared for transfer to Kachrapara Workshop on 6.4.1996 and he has since taken over there.

4. Considering the submissions made by the learned counsel for the applicant and averments on record, we are of the view that it will be better, if Respondent No. 2,

(The Chief Personnel Officer, Eastern Railway, Calcutta) is directed to look into the grievances of the applicant and to consider as per rules as to whether he can be promoted to the grade of 2000-3200/- at Kachrapara Workshop by suitable adjustment or in the alternative he can be promoted to such grade at the Jamalpur Workshop taking into account applicant's seniority position.

5. Accordingly, we hereby direct that the applicant may submit a fresh representation alongwith a copy of this order and a copy of O.A.-139/96 to the Chief Personnel Officer, Eastern Railway, Calcutta (Respondent No. 2), within a month from today mentioning his grievances in detail and on receipt of the same,



the Respondent No. 2 shall dispose of the above said representation by a reasoned and speaking order within a period of three months from the date of receipt of the representation alongwith O.A.-139/96 and copy of this order.

The application is disposed of accordingly at the admission stage etself.

Subz
11.11.96

(D. Purkayastha)
Member (J)

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A. 11.96 -

(K. D. Saha)
Member (A)

MPS.