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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 40 of 1997.

DATE OF DECISION...13.8.1999.....

Shri P.R.Ghosh Adhikary & 11 others.

(PETITIONER(S))

S/Shri B.K.Sharma, S.Sarma.

ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

Union of India & Ors.

RESPONDENT(S)

Sri A.Deb Roy, Sr.C.G.S.C.

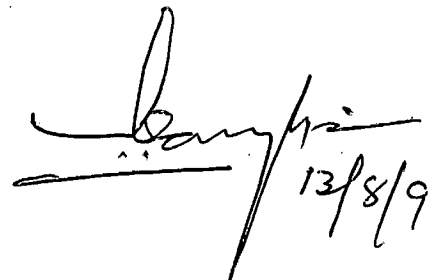
ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE JUSTICE SHRI D.N.BARUAH, VICE CHAIRMAN.

THE HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Administrative Member.


13/8/99

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 40 of 1997.

Date of Order : This the 13th day of August, 1999.

Justice Shri D.N.Baruah, Vice-Chairman.

Shri G.L.Sanglyine, Administrative Member.

Shri P.R.Ghosh Adhikary and 11 others.

All the applicants are working as Gauge
Reader under Central Water Commission.

. . . Applicants.

By Advocate S/Shri B.K.Sharma & S.Sarma.

- Versus -

Union of India & Ors.

. . . Respondents

By Shri A.Deb Roy, Sr.C.G.S.C.

O R D E R

G.L.SANGLYINE, ADMN.MEMBER,

This application was submitted by 12 applicants who were Gauge Reader in the Central Water Commission. They were appointed as Gauge Reader in 1984 and 1985 in the scale of pay of Rs. 200-250/-. They continued in the grade of Gauge Reader without any promotion. Therefore in 1986 and 1988 the applicant No.1 Shri P.R.Ghosh Adhikary submitted representations. According to him the minimum qualification for eligibility for promotion as Gauge Reader is H.S.L.C/School final/Madhyamik. This same minimum qualification is applicable in the case of Assistant Store Keeper and Lower Division Clerk. But the Assistant Store Keeper, LDC and Work Sarkar Grade-II enjoy better scale of pay of Rs.260-350/- or Rs.260-400/- which were later on revised at higher scale of pay than the revised scale of pay of Gauge Reader. They also had promotional prospect, whereas the Gauge Readers do not have any prospect for

promotion. As such he prayed for appropriate redressal. However, no reply was issued by the respondents. In 1994 six employees who are not applicants in this O.A except Sri Pradip Chakraborty and Swapan Kr. Das submitted representations to respondent No.2 for better pay scale and promotional avenues. This was not replied to by respondents. Then in 1995 applicant No.1 Sri P.R.Ghosh Adhikary submitted representation to respondent No.2 referring to the case of the Gauge Reader of the Central Public Works Department (CPWD for short) praying to pay him in the scale of pay of Rs.950-1500/- per month including arrears as in the case of the Gauge Reader of the CPWD. This was not replied to by the respondents. Sri Swapan K. Biswas, applicant No.6 also made representation praying for promotion on the ground that he is a member of Scheduled Caste community. This also was not replied to by the respondents. Thereafter the applicants had submitted this Original Application. In the case of the CPWD there is an award on re-categorisation/re-classification of work charged and regular classified establishment of CPWD as per O.M. dated 16.11.1993, Annexure-1 and there is also implementation of the award dated 31.1.1986 on the above mentioned employees as modified by the Delhi High Court judgment dated 21.1.1992 as per O.M. dated 20.12.1993, Annexure-2. The employees affected by this ^{award} /-included Gauge Readers of the CPWD. In this application the applicants have prayed that they be granted the same benefits as granted to the Gauge Readers of the CPWD in the above O.M. Further, they have prayed that they should be provided promotional avenue.


2. The respondents have submitted written statement contesting the prayers of the applicants.

3. We have heard learned counsel of both sides. It will be seen that there are two distinct issues, namely, promotional avenue and assigning a pay scale to the cadre of Gauge Reader

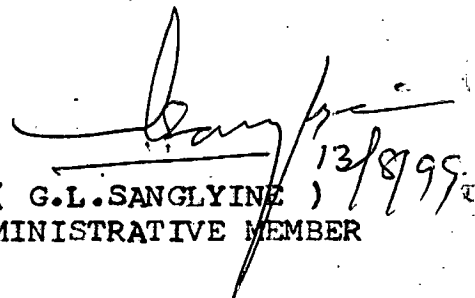
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in this application. It is also seen that many of the applicants did not approach the respondents for redressal of their grievances. On perusal of the application, written statement and hearing learned counsel of both sides, we are of the view that the matters needs be considered and disposed of first by the respondents. We therefore, direct the applicants to submit representations to the competent authority of the respondents within one month from the date of receipt of this order for redressal of their grievances. If such representations are received, the respondents shall dispose of the representations with a speaking order giving details and reasons within a period of 3 months from the date of receipt of the representations.

With the above directions the application is disposed of. No order as to costs.



(D.N.BARUAH)
VICE CHAIRMAN


13/8/99

(G.L.SANGLYINE)
ADMINISTRATIVE MEMBER