

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 188/2003

R.A/C.P No.

E.P/M.A No. 101/2004

1. Orders Sheet. O.A-188/2003 Pg. 1 to 5 order - 1 to 5 Disposal 22/9/04
2. Judgment/Order dtd. 26/07/2005 Pg. 1 to 5 all 8 pages
3. Judgment & Order dtd. Received from H.C/Supreme Court
4. O.A. 188/2003 Pg. 1 to 60
5. E.P/M.P. 101/2004 Pg. 1 to 4
6. R.A/C.P. Pg. to
7. W.S. filed by the Respondents No. 1 to 5. Pg. 1 to 12
8. Rejoinder submitted by the applicant Pg. 1 to 24
9. Reply Pg. to
10. Any other Papers Pg. to
11. Memo of Appearance
.....
12. Additional Affidavit
.....
13. Written Arguments
.....
14. Amendment Reply by Respondents
.....
15. Amendment Reply filed by the Applicant
.....
16. Counter Reply
.....

SECTION OFFICER (Judl.)

FORM NO. 4
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWALI BENCH

ORDERSHEET

Original Application : 188/03

Misc Petition No. :

Contempt Petition No. :

Review Application No. :

Applicants:- N. C. Das Chandray

Respondents:- H. O. I. Tom

Advocate for the Applicants:- M. Chanda, G.N. Chakraborty
S. Nath, S. Chandray

Advocate for the Respondents:- Cafe. A.K. Chandray

Notes of the Registry	Date	Order of the Tribunal
This application was filed but not in time Contempt petition is filed by Mr. C. P. Bar. Rs. 500 deposited via: IPO, BB No. 96158542	25.8.2003	Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman. The Hon'ble Mr. K.V. Prahaladan Member (A).
Dated ... 28.8.03 <i>Storer</i> <i>BB/1</i>		Heard Mr. M. Chanda, learned counsel for the applicant.
		The application is admitted. Call for the records.
		List on 25.9.2003 for orders.

Steps taken alongwith
envelopes.

Notice prepared & sent to
As for copy the respon-
dent No. 1 to 5 by Royal Mail
DINo 1857 to 1861

Stred 1/9/03

1/9/03

mb

25.9.2003

bb

Chowdhury
Member

Vice-Chairman

Chowdhury
Member

Vice-Chairman

No. W13 has been
bilel.

26
24.10.03

29.10.2003 On the prayer made by Mr. B.C. Pat-
hak, learned Addl.C.G.S.C. four weeks
time is allowed to the respondents to
file reply.

List the case on 2.12.2003 for
order.

K. Prahla-
dan
Member

B
Vice-Chairman

bb

23.12.2003 Present : The Hon'ble Mr. Justice B.
Panigrahi, Vice-Chairman.
The Hon'ble Sri K.V. Prahla-
dan, Member (A).

Prayer has been made on behalf of
the Mr. B.C. Pathak, learned Addl. C.G.S.
C. for the respondents to file written
statement. Let the written statement be
filed positively within four weeks failing
which no written statement will be accept-
ed. Rejoinder, if any, be filed within
two weeks after the service of copy of
the written statement.

Let it appear in the next avail-
able Division Bench.

K. Prahla-
dan
Member

B
Vice-Chairman

mb

(3) (3)

O.A. 188/2003

O.A. 188/2003

(3)

23.12.2003 Present : The Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman.
The Hon'ble Mr. K.V. Prahla-
dan, Member (A).

Mo. Ws has been
biled.

24/12/04

Granted two weeks time to file
rejoinder. Let it appear in the next
available Division Bench.

K. Prahla-
dan
Member

B
Vice-Chairman

mb

No. Ws has been
biled.

2.4.04

On the prayer learned counsel
for the respondents, the case is adjour-
ned to next Division Bench.

K. Prahla-
dan
Member (A)

K
Member (J)

pg

14.5.2004 present: The Hon'ble Shri Mukesh Kumar Gupta
Member (J).

The Hon'ble Shri K.V. Prahla-
dan
Member (J).

Adjourned on the request made by Mr. B.C. Pathak, learned Addl.C.G.S.C. for the res-
pondents for filing reply. List before the
next available Division Bench.

K. Prahla-
dan
Member (A)

Member (J)

bb

27.8.2004 present: The Hon'ble Shri D.C. Verma
Vice-Chairman (J).

The Hon'ble Shri K.V. Prahla-
dan
Member (A).

Mr. B.C. Pathak, learned Addl.C.G.S.C.
has submitted leave note. Adjourned accor-
dingly. List before the next Division Bench.

K. Prahla-
dan
Member (A)

Vice-Chairman

bb

26-8-04
Case is ready for
hearing

22.9.04

Present: Hon'ble Mr. Justice R.K. Batta
Vice-Chairman.
Hon'ble Mr.K.V.Prahladan, Administra-
tive Member.

As per. order dated
22/9/04, Notice of
order set to D/Section
for issuing to resp. &
Nos. 6 & 7, by regd.
with A/D post.

Heard learned counsel for the
parties.

In view of the order passed in
M.P.No.101/2004 the newly added
Respondent Nos.6 & 7 are allowed to be
implead as party Respondents in the
O.A. Amendment to be carried out by
the learned counsel for the applicant
within 15 days from to-day. The other
respondents may file additional written
statement if, they so desire. Stand
over to 9th November, 2004.

KV.P.
Member

R
Vice-Chairman

lm

09.11.2004

Mr. M.Chanda, learned Advocate for
the petitioner as well as Mr.B.C.
Pathak, learned Addl.C.G.S.C. were
present.

Service of respondents no.6 & 7
is awaited. Awaiting service of Respon-
dent Nos.6 & 7/ fresh steps for service
in case the applicant so desires.

Stand over to 6.1.2004.

KV.P.
Member

R
Vice-Chairman

bb

22.03.2005 Present : The Hon'ble Mr. Justice G.
Sivarajan, Vice-Chairman.

The Hon'ble Mr. K. V.
Prahladan, Member (A).

At the request of Ms. U. Das,
learned Addl. C.G.S.C. for the respondent
the case is adjourned. List on 12.4.2005.

KV.P.
Member (A)

R
Vice-Chairman

mb

12.4.05.

Post the matter on 11.5.05.

K. V. Balakrishnan
Member9
Vice-Chairman

lm

11.5.05.

At the request of learned counsel
for the applicant case is adjourned to
3.6.05.K. V. Balakrishnan
Member9
Vice-Chairman

lm

3.6.05.

At the request of learned counsel
for the parties case is adjourned to
15.6.05.K. V. Balakrishnan
Member9
Vice-Chairman

lm

15.6.2005

Mr. A.K. Chaudhuri, learned Addl. C.G.S.
C. for the respondents seeks adjournment.
Post on 24.6.2005.K. V. Balakrishnan
Member9
Vice-Chairman

mb

24.6.2005

Post on 26.7.2005.

9
Vice-Chairman

mb

26.7.05

Heard counsel for the parties. Hearing
concluded. Judgment delivered in open Court,
kept in separate sheets.The application is disposed of in terms
of the order. No costs.K. V. Balakrishnan
Member9
Vice-Chairman9.8.05
Copy of the Judgment pg
has been sent to the
S.P.C.C. for hearing
The same to the applicant.
by Posts
SS.

X

CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH.

O.A. No. 188 of 2003

DATE OF DECISION: 26.7.2005.

Shri Narendra Chandra Das Choudhury

APPLICANT(S)

Mr. M.Chanda

**ADVOCATE FOR THE
APPLICANT(S)**

- VERSUS -

Union of India & Ors.

RESPONDENT(S)

Mr A.K.Chaudhuri, Addl.C.G.S.C.

**ADVOCATE FOR THE
RESPONDENT(S)**

THE HON'BLE MR JUSTICE G. SIVARAJAN, VICE CHAIRMAN.

THE HON'BLE MR. K.V. PRAHLADAN, 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 Vice-Chairman.

6

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 188 of 2003.

Date of Order : This the 26th Day of July, 2005.

The Hon'ble Mr Justice G.Sivarajan, Vice-Chairman
The Hon'ble Mr K.V.Prahledan, Administrative Member.

Shri Narendra Chandra Das Choudhury,
Son of Late Nagendra Chandra Das Choudhury,
Electrician H.S. II
Office of the Garrison Engineer,
Masimpur, MES,
P.O. Silchar-25,
Dist. Cachar, Assam.

... Applicant

By Advocate Shri M.Chanda

- Versus -

1. The Union of India,
represented by the Secretary to the
Government of India, Ministry of Defence,
New Delhi.
2. The Headquarter Chief Engineer,
Eastern Command,
Fort William,
Kolkata.
3. The Command Works Engineer,
S.E.Falls, Shillong-11.
4. The Army Headquarter Engineer-in-
Chief's Branch, Kashmir House,
P.O. New Delhi, New Delhi-110011.
5. The Garrison Engineer,
Silchar.
6. Md./ M.R.Laskar,
O/o the Garrison Engineer,
Silchar, Viranti,
P.O. Lailapur,
C/O 99 APO.
7. Sri S.C.Nath,
O/o the Garrison Engineer,
Silchar, Masimpur,
P.O. Arunachal,
C/O 99 APO.

... Respondents

By Shri A.K.Chaudhuri, Addl.C.G.S.C.

ORDERSIVARAJAN L(V.C)

The applicant is presently working as Electrician HS-II in the office of the Garrison Engineer under the 5th respondent. He has filed this application seeking for direction to the respondents to promote him to the cadre of Electrician HS-II with immediate effect at least with effect from 15.10.1984 in the light of the instructions contained in the Army Head-quarter's letters dated 10.2.1995, 9.4.2002 and 24.5.2003 with all consequential service benefits including monetary benefits by necessary modification of the promotion order of the applicant dated 7.4.97 in the cadre of Electrician HS-II. The applicant claims the benefit of fitment of industrial workers of MES in pay scales recommended by the third pay commission. It is the case of the applicant that though the letter dated 15.10.1984 issued by the Government of India, Ministry of Defence had conveyed the sanction of the President for upgradation of the semi skilled grade Rs.210-290/- to the Skilled grade Rs.260-400/- in the case of 14 job titles and for fresh induction to the trades listed in the order, inter alia from direct recruits with ITI certificate/Ex-trade apprentices/NCTVT etc. inducted in the semi-skilled grade, who have rendered 2 years service in that grade the post held by the applicant viz Instrument Repairer has not been included. The post of Instrument Repairer renamed as Mechanic Precision Instrument (MPI) has not been included in the list of persons entitled for upgradation. It is stated that wireman-electrician (SK) were included as it is evident from the Government letter dated 24.6.1987 (Annexure-4). Even then the post of

fbw

Instrument Repairer or MPI has not been included. The applicant referred us to the communication dated 2.5.1994 (Annexure-5) containing copy of Govt. of India letter No.91026/EIC/(3)/672/D dated 21.2.1994 which added Instrument Repairer – Electrical (SK) as S.No.6(b) in the Ministry's letter dated 24.6.1987 and also the communications dated 19.4.95 (Annexure-6), 13.1.97 (Annexure-7) and submitted that the applicant is entitled to be upgraded to the Electrician HS-II grade i.e. to Rs.330-480/- under the 20% vacancy from 15.10.84. The applicant made representation dated 27.12.96 (Annexure-9) which was forwarded to the AGE, Silchar with recommendation as per communication dated 26.5.97 (Annexure-10). He made further representation dated 19.11.99 (Annexure-11) before the Commandant Works Engineers, MES, C/o 99 APO followed by representation dated 3.9.2001 (Annexure-12) which was also forwarded as per communication dated 28.2.2001 (Annexure-13). The applicant had also made further petition dated 19.5.2003 and 16.8.2002 (Annexure 16 and 17 respectively). The respondents have sent a communication dated 24.5.03, Annexure-18 to the Garrison Engineer, Silchar with copy to the applicant. As already stated the applicant wants the benefit of upgradation to Highly Skilled grade in 20% quota with effect from 15.10.1984.

2. The respondents have filed a written statement where it is stated that the claim of the applicant is hopelessly barred by limitation on account of long lapse of about 10 years. It is stated that if any directions are issued at this point of time it will affect lot of other persons who are not in the party array. It is also stated that the applicant got his benefit under Annexure-18 order dated 24.5.2003.

LPH

3. We have heard Mr M.Chanda, learned counsel for the applicant and Mr A.K.Chaudhuri, learned Addl.C.G.S.C for the respondents. Mr Chanda, on the basis of documents annexed with the application and based on pleadings, submits that the applicant is entitled to the relief sought for in this application. Mr A.K.Chaudhuri, learned Addl.C.G.S.C on the other hand submits that the claim for upgradation of the semi skilled grade-II to the highly skilled Grade-I with effect from 15.10.1984 is a highly belated one. He further submits that if the applicant has passed the skilled trade test he will be given promotion from HS-II to HS-I as stated in the communication dated 24.5.2003 (Annexure-18). Mr Chanda, learned counsel for the applicant then submitted that the Calcutta Bench of the Tribunal had issued certain directions in the matter of anomaly occurred in the upgradation as evident from the communication dated 9.4.02 (Annexure-A to the rejoinder) and submitted that it cannot be said that the claim has become stale.

4. We have considered the rival contentions of the parties. The applicant has made various representations which are pending before the authorities. No decision has yet been taken on those representations in the matter of promotion to the post of Electrician HS-II and for that matter Annexure-18 order reads thus :

"Application dated 16 Aug 2002 and 21 Mar 2003 alongwith its connected documents submitted by MES-228330 Shri NC Das Choudhury, Elect HS-II received vide your letter under reference are returned herewith. In this connection, after passing of trade test for HS-II to HS-I which was conducted by HQ CE SZ Shillong during 04 & 05 Dec 2002, the individual can be promoted to Elect HS-I with notional seniority at par with his juniors who have been promoted from Elect (SK) to Elect HS-II earlier with pay benefit of Elect HS-I only. Please inform the individual accordingly

lpm

as conveyed vide our earlier letter No. 1228/NCDC/28/E1C(2) dt. 05 Apr. 97."

Thus according to the applicant even after passing the trade test also this has not been implemented by the respondents and no final decision in this regard has yet been taken by the respondents. Considering all aspects of the matter we direct the applicant to file a detailed representation narrating his grievances within one month from today and if such representation is received by the respondents the respondents are directed to pass appropriate order thereon within four months from the date of receipt of such representation. We make it clear that the representation must be with regard to the implementation of Annexure-18 order and in respect of matters stated in the letter dated 9.4.2002 which is the recommendation of an Expert Committee with regard to certain anomalies. The decision taken thereon will be communicated to the applicant without delay.

Application is accordingly disposed of. No order as to costs.


 (K.V.PRAHLADAN)
 ADMINISTRATIVE MEMBER


 ~ 9
 (G.SIVARAJAN)
 VICE CHAIRMAN

19
केन्द्रीय नियन्त्रित नियन्त्रण
Central Administrative Tribunal
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

O.A. No. /2003

Sri Narendra Chandra Das Choudhury

-vs-

Union of India & Ors.

LIST OF DATES AND SYNOPSIS OF THE APPLICATION

1971 The applicant was initially appointed as Wireman on regular basis under G.E. Silchar, MES.

1972 The applicant was allowed to appear in the Trade Test after being found eligible for consideration of his promotion to the post of Electrician.

17.2.78 The applicant was declared quasi permanent w.e.f. 3.6.1971 vide letter dated 17.2.1978. (Annexure-1).

1982 The applicant appeared in the Trade Test for consideration of his up gradation to the post of Instrument Repairer, which subsequently redesignated as Machine Precision Instrument (in short-MPI).

8.12.86 The applicant declared passed in the Trade Test vide P.T.O. No. 49/86 (Annexure-2).

15.10.84 The Deputy Secretary, Govt. of India, Ministry of defence introduced a three grade structure for facilitating promotional avenues of the MES Industrial workers vide Office Order bearing No.

3310/DS/(Q&M)/Cir-I/84 dated 15.10.1984.
(Annexure-3).

✓ 24.6.87 The Govt. of India, Ministry of Defence vide order bearing letter No.91026/E-I-C/88/116/D(W-II) rationalized certain trades of the Industrial cadre by way of redesignation.

30.9.91 The applicant submitted representation praying for promotion in the grade of H.S.II as well as H.S.I.

21.2.94 The Govt. of India, Ministry of Defence vide letter No. 91026/E-I-C(3)/672/E(W.II) issued an addendum made a further amendment by redesignating the post of 'Instrument - Repairer' to the cadre of 'Electrician (SK)'.

2.5.94 The aforesaid amendment is communicated vide GE's letter No. 1000/P/1534/E-I(Annexure-5).

10.2.95 The office of the E-in-C's Branch, Army Headquarter, New Delhi instructed all the commands to convene Review DPCs to consider the promotion of the incumbent holding the post Instrument Repairer/M.P.I. to the cadre of Electrician H.S. (II). (Annexure-6).

21.2.95 The applicant was awarded commendation certificate issued by the G.E.

5.11.96 Some of the Instrument Repairer who were similarly situated like that the present applicant were considered for antedated promotion by holding review DPC.

13.1.97 Some of the Instrument Repairer who are junior to the present applicant were promoted to the post of

Electrician HS-I vide their promotion order dated 13.1.1997. (Annexure-7).

1995 The applicant was allowed to appear in the trade test for consideration of his promotion to the post of Electrician HS-II.

7.4.97 The applicant passed the Trade Test and was promoted to the post of Electrician H.S.II vide order dated 7.4.1997.

27.12.96 The applicant submitted representation praying for consideration of his promotion to the grade of HS II and H.S. I.

19.11.99 The applicant submitted representation inter alia praying for consequential promotional benefit both in the grade of H.S.II and H.S. I. (Annexure-11).

3.9.01 The applicant submitted representation which was forwarded to the Headquarter, 137 Works Engineer.

4.12.02 The applicant appeared in the Trade Test for

5.12.02 Electrician H.S. I.

23.6.03 The applicant declared passed vide G.E.Silchar Part II order No.25 (Annexure-15).

15.5.03 The applicant again submitted representation for

16.8.03 consideration of his promotion as well as notional seniority both in the grade of HS-II and H.S. I.

21.5.03 The Commandar Works Engineer, vide his letter bearing No. 1228/DPC/204/EIC(2) informed the applicant that he may be promoted to Electrician HS I with notional seniority at par with his juniors who have been promoted to Electrician (SK) to Electrician HS II earlier, with pay benefit

✓ with Electrician HS I as conveyed earlier vide letter dated 5.4.1997 (Annexure-17).

9.4.02 The Army Headquarter, Engineer-in-Chief Branch, New Delhi vide it's letter informed that an expert committee was constituted on the order of the Hon'ble CAT, Kolkata passed in O.A. No. 118/97 for redressal of grievances of employees.

P R A Y E R

8.1 That the respondents be directed to promote the applicant to the cadre of Electrician (HS II) with immediate effect at least with effect from 15.10.1984 in the light of the instructions contained in the Army Head-quarter's letters dated 10.2.1995, 9.4.2002 and 24.5.2003 with all consequential service benefit including monetary benefit by necessary modification of the promotion order of the applicant dated 7.4.97 in the cadre of Electrician H.S-II.

8.2 To direct the respondents to consider the promotion of the applicants in the cadre of Electrician H.S. I at least with effect from the date of promotion of his immediate juniors in the light of the instruction contained in the letter issued by the Govt. of India, dated 15.10.1984, 10.2.1995, 9.4.2002 and 24.5.2003 with all consequential service benefits including seniority and monetary.

8.3 Costs of the application.

8.4 Any other relief(s) to which the applicants are entitled as the Hon'ble Tribunal may deem fit proper.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

(An Application under Section 19 of the Administrative Tribunals Act, 1985)

17
Filed by the applicant.
through:
Subrata Nath
Advocate.
Sarkar
20.08.03.

Title of the case : O. A. No. /2003

Sri Narendra Chandra Das Choudhury : Applicant

- Versus -

Union of India & Others: Respondents.

INDEX

SL. No.	Anncxurc	Particulars	Page No.
01.	---	Application	1-23
02.	---	Verification	24
03.	1	Copy of the letter dated 17.2.78	25-26
04.	2	Copy of the P.T.O. dated 8.12.86	27-28
05.	3	Copy of the letter dated 15.10.84	29-30
06.	4	Copy of the order dated 24.6.87	31-34
07.	5	Copy of the letter dated 21.2.84 2.5.94	35
08.	6	Copy of the letter dated 10.2.95 19.4.95	36
09.	7	Copy of the order of promotion dated 13.1.97	37-38
10.	8	Copy of the Part II order dated 7.4.97	39
11.	9	Copy of the representations dated 27.12.96,	40-42
12.	10	Copy of the letter dated 26.5.97	43
13.	11	Copy of the representation dated 19.1.99	44-46
14.	12	Copy of the representation dated 3.9.01	47-49
15.	13	Copy of the letter dated 28.2.01	50
16.	14	Copy of the Commendation certificate dated 21.2.95	51
17.	15	Copy of the Part II order dated 23.6.03	52
18.	16	Copy of the representation dated 19.5.2000/3	53
19.	17	Copy of the representation dated 16.8.03	54-58
20.	18	Copy of the letter dated 24.5.03	59
21.	19	Copy of the letter dated 14.7.95	60

Filed by

Subrata Nath
Advocate

Date : 20.08.03.

Narendra Chandra Das Choudhury

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

(An Application under Section 19 of the Administrative
Tribunals Act, 1985)

O. A. No. _____/2003

BETWEEN

Sri Narendra Chandra Das Choudhury
Son of Late Nagendra Chandra Das Choudhury
Electrician H.S. II
Office of the Garrison Engineer
Masimpur, MES
P.O. Silchar-25
District-Cachar,
Assam

...Applicant

-AND-

1. The Union of India,
Represented by the Secretary to the
Government of India, Ministry of Defence,
New Delhi.
2. The Headquarter Chief Engineer
Eastern Command,
Fort William
Kolkata

Narendra Chandra Das Choudhury

3. The Command Works Engineer
S.E.Falls, Shillong-11

4. The Army Headquarter Engineer-in
Chief's Branch, Kashmir House,
P.O. New Delhi, New Delhi-110011.

5. The Garrison Engineer,
Silchar

(As per order dt. 22/9/04
passed in P.P. 101/04,
resp. Nos 627 implied as
party.)

DETAILS OF THE APPLICATION

1. Particulars of order(s) against which this application is made.

This application is made praying for a direction upon the respondents to promote the applicant to the cadre of Electrician H.S. II at least with effect from 15.10.1984 as well as to the cadre of Electrician H.S. I at with effect from the date of promotion of his immediate junior with all consequential service benefits including seniority and monetary in the light of the instructions contained in the Army Headquarter letter dated 10.2.1995 as well as letter dated 9.4.2002.

Marendra Chandra Das Choudhury

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2. Jurisdiction of the Tribunal.

The applicants declare that the subject matter of this application is well within the jurisdiction of this Hon'ble Tribunal.

3. Limitation.

The applicants further declare that this application is filed within the limitation prescribed under section-21 of the Administrative Tribunals Act, 1985.

4. Facts of the Case.

- 4.1 That the applicant is a citizen of India and as such he is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.
- 4.2 That the applicant was initially appointed in the year 1971 as Wireman on regular basis under the G.E. Silchar, MES. It is relevant to mention here that at the relevant time the post of Electrician was the next promotional post of the incumbents holding the post of Wireman, Lineman and Switch Board Attendant.
- 4.3 That, the applicant while working as wireman in the year 1972, he was allowed to appear in the Trade Test after being found eligible for consideration of his promotion to the post of Electrician. Be it stated that the applicant was declared passed in the aforesaid Trade Test for consideration of his promotion for the

post of Electrician in the year 1972. However, due to alleged non-availability of sanctioned post of Electrician at the relevant point of time the promotion of the applicant to the post of Electrician could not be implemented in 1972. Be it stated that the applicant is declared quasi permanent w.e.f. 3.6.1971 vide letter dated 17.2.1978 issued by the G.E., Silchar.

A copy of the letter dated 17.2.1978 is annexed herewith as Annexure-1.

4.4 That your applicant being highly disappointed for non-consideration of his promotion to the post of Electrician after a lapse of few years i.e. in the year 1982 again appeared in the Trade Test for consideration of his upgradation to the post of Instrument Repairer, which subsequently redesignated as Machine Precision Instrument (in short MPI). The applicant also declared passed in the aforesaid Trade Test. Thereafter, vide P.T.O. No. 49/86 dated 8.12.1986 the applicant was posted as Instrument Repairer in the interest of state under GE, 872 EWS but without granting any financial benefit. The applicant thereafter accordingly started discharging his duties as Instrument Repairer.

A copy of the P.T.O. No. 49/86 dated 8.12.1986 is annexed herewith as Annexure-2.

4.5 That it is stated that the Deputy Secretary, Govt. of India, Ministry of Defence vide Office Order bearing letter No. 3310/DS/(Q&M)/Civ-I/84 dated 15.10.1984 introduced a three grade structure for facilitating promotional avenues of the MES Industrial Workers by way of fitment of Industrial Workers of MES in pay scales recommended by the 3rd Pay Commission. In the said letter 3 grade structures were introduced viz.

(a) Highly skilled Grade I (Rs.380-560) 15%, (b) Highly skill Grade II (Rs. 330-480) 20% and (c) Highly skilled Grade (Rs. 260-400) 65% and it is specifically stated that the order dated 15.10.1984 would be given effect on the date of issue of the order. In the said order item 3 Electrician in Annexure-I also included with the intention to provide promotional benefit to the incumbents holding the post of Electrician under the 3 grade structures introduced by the Government of India. However, the post of Instrument Repairer/MPI was not included in the said order dated 15.10.1984 as a result the applicant was excluded from the benefit of the promotional scheme introduced vide order dated 15.10.1984 at the relevant time and as a result the applicant was forced to continue in the said post of IR/MPI.

A copy of the letter dated 15.10.1984 issued by the Government of India, Ministry of Defence is annexed as Annexure-3.

Narendra Chandra Das Choudhury

4.6 That the Govt. of India, Ministry of Defence vide order bearing letter No. 91026/E-I-C/88/116/D(W-II), dated 24.06.1987, rationalized certain trades of the Industrial cadres by way of redesignation in order to confirm to the structure of the National Classification of Occupations. By the said order dted 24.6.87, the post of Lineman, Switchboard Attendant and Wireman were redesignated as Electrician(SK) and those posts were merged with the higher cadre of Electrician (SK) and those incumbents who joined much later than the appointment of the applicant and were working in the grade of Lineman, SBA, Wireman, in fact got a lift over the present applicant by virtue of the order dated 24.6.1987.

A copy of the order dated 24.6.1987 is annexed as
Annexure-4.

4.7 That your applicant further begs to state that Government of India, Ministry of Defence vide letter No. 91026/E-I-C(3)/672/E(W.II) dated 21.02.1994 issued an addendum with reference to Ministry's earlier letter No. 91026/E-I-C/88-89/D(W-II), dated 24.6.1987 made a further amendment by redesignating the post of 'Instrument Repairer' to the cadre of 'Electrician (SK)' with the concurrence of Ministry of Finance, government of India's letter No. I.D. No. 254-Works-1/94 of 1994. The aforesaid amendment is communicated vide GE's letter No. 1000/P/1534/E-I dated 2.5.1994.

In view of the aforesaid amendment the post of Instrument Repairer was redesignated as Electrician (SK) long after the induction of other trades namely, Lineman, Wireman, SBA which were merged with the post of Electrician (SK) vide order dated 24.6.1987. As a result of such belated decision of the Government of India for inclusion of the post of Instrument Repairer with the post of Electrician by way of redesignation caused much loss and irreparable sufferings to the present applicant in the matter of promotion, fixation of pay and loss of promotion prospect in comparison to those juniors who joined in service ranging from the year 1980-82 in the post of Wireman, SBA and Lineman.

A copy of the letter dated 21.02.1994 communicated by letter dated 2.5.1994 is annexed as Annexure-5.

4.8 That it is stated that the office of the E-in-C's Branch, Army Headquarter, New Delhi vide letter bearing No. 90270/89/EC/EIC(3) dated 10.2.1995 addressed to CEEC instructed all the Commands to convene Review DPCs for the incumbent holding the post of Instrument Repairer/MPI who were otherwise eligible for promotion and further directed to consider their promotion to the cadre of Electrician HS-II with notional seniority at par with their immediate junior i.e. Electrician (SK)/Wireman who have already been promoted to Electrician HS-II and HS I.

But most unfortunately the case of the applicant was not considered for notional seniority, financial

benefit in the manner and direction contained in the Army Headquarter letter dated 10.2.1995 which was communicated to Headquarter 137, Works Engineer, Commander Works Engineer, Shillong vide letter NO. 70203/2/3490/E-I-C(2) dated 19.4.1995. As a result of such non-consideration of promotion of the applicant to HS-II as well as HS-I the applicant is suffering huge financial loss in emolument and also loss in promotion prospect.

A copy of the letter dated 10.2.1995 communicated vide letter dated 19.4.1995 is annexed as Annexure-6.

4.9 That it is stated that in the light of the instruction contained in the Army Headquarter's letter dated 10.2.1995 some of the Instrument Repairer, namely; Sri S.G.Bhattacharjee, Sri R.N. Bishambhachari who were also working as Instrument Repairer under the CWE, Shillong and in fact they were also similarly circumstanced like that of the present applicant but their cases were considered for antedated promotion by holding Review DPC on 5th November 1996 in terms of the Army Headquarter's letter dated 10.2.1995 and granted promotion to the cadre of Electrician HS-II with effect from 15.10.1984 with the benefit of notional seniority vide order bearing letter no. 1455/DPC/96-97/49/EIA dated 13th January, 1997. However, financial benefits were also granted to them following the order passed

Marendra Chandra Das Choudhury

in O.A. 371/99 by this Hon'ble Tribunal although initially the same was denied.

The present applicant being similarly circumstanced like that of Sri S.G.Bhattacharjee and Sri R.N. Brahmachari in fact entitled to similar relief from the respondents Union of India but the same is denied to the present applicant for the reasons best known to the respondents. In this connection it may be stated that although there was a specific direction to hold Review DPC in terms of the Army Headquarter's letter dated 10.2.1995 but the respondents did not take any action for holding any such Review DPC in the case of the present applicant. As a result, the present applicant is discriminated in the matter of promotion to the cadre of Electrician HS II which causing irreparable financial loss each and every month. It is categorically submitted that both Sri S.G.Bhattacharjee and R.N. Brahmachari are junior to the present applicant as because Sri S.G. Bhattacharjee was appointed as Lineman on 19.7.1971 and thereafter posted as Instrumental Repairer on 8.9.1980 and Sri R.N. Brahmachari was initially appointed as Lineman in the year 1972 and thereafter posted as Instrument Repairer.

A Copy of the order of promotion dated 13.1.1997 is annexed as Annexure-7.

4.10 That it is stated that after re-designation of the post of Instrument Repairer/MPI as Electrician (SK) the applicant was allowed to appear in the Trade Test in

1995 for consideration of his promotion to the post of Electrician HS-II. The applicant declared passed in the said Trade test and then he was promoted to the cadre of Electrician HS-II vide Part II order PTO No. 14 dated 7.4.1997 issued by the GE, Silchar Division. By the order dated 7.4.1997 the applicant was given promotional benefit to the cadre of Electrician HS II only w.e.f. 12.8.1996 whereas his much juniors namely, Sri S.G.Bhattacharjee and Sri R.N. Brahmachari were granted promotion with notional seniority and financial benefit to the cadre of HS II with effect from 15.10.1984. As such, the applicant is meted out with hostile discrimination and the action of the respondents infringed the fundamental rights of the applicant guaranteed by Article 14 of the Constitution.

A copy of the Part II order dated 7.4.1997 promoting the applicant to the cadre of Electrician HS-II is annexed as Annexure-8.

4.11 That it is stated that due to inaction of the respondents even after the issuance of the Army Headquarter's letter dated 10.2.1995 the applicant is denied of the benefits of promotion, seniority as well as fixation of pay and monetary benefit in the cadre of Electrician HS II with retrospective effect, which also further causing loss to the applicant in the matter of promotion to the cadre of Electrician HS-I. In such compelling circumstances the applicant approached the authorities submitting series of representations

Marendra Chandra Das Choudhury

since 1991 for redressal of his grievances more particularly for consideration of his promotion with retrospective effect both in the cadre of HS II and HS I at least from the date of promotion of his immediate juniors, namely Sri S.G. Bhattacharjee, Sri R.N. Brahmachari, Sri M.R.Laskar, Sri S.C. Nath. It is relevant to mention here that the applicant was allowed to appear in the Trade Test of Electrician H.S. I held in December, 2002 and the applicant was declared passed vide Part II order, P.T.O. No. 25 dated 23.6.2003. However, his juniors, namely, Mr. M.R.Laskar, and Sri S.C. Nath and Mr. Ramakanta Das were promoted to the cadre of Electrician HS-I. In this connection it is relevant to mention here that the applicant succeeded all the trade tests on first attempt and gained sufficient experience in the respective trades. Moreover, the applicant is one of the senior most employee in the Electrical Trade but he is denied promotion in a most arbitrary manner in spite of his repeated request made to the Army Headquarter. It is pertinent to mention here that the applicant submitted representations on many occasions such as 30.09.1991, 29.03.1994, 07.04.1994, 20.7.1995, 8.7.1996, 30.8.1996, 27.12.1996, 7.1.1998, 19.11.1999, 3.9.2001, 9.5.2003. In the representation dated 30.9.1991 the applicant prayed for redressal of his grievances so far his promotion is concerned in the grade of HS-II as well as HS-I. He had also indicated that some of his juniors superseded him in the grade of

Narendra Chandra Das Choudhury

HS-II. The said representation was in fact forwarded to the E-in-C's branch by the Headquarter CEEC, Calcutta, vide letter bearing No. 110/417/EI dated 17th June, 1992. On 29.3.1994, 20.7.1995, 8.7.1996, 30.8.1996, 15.7.1996 27.12.1996 also made similar prayer for consideration of his promotion to the grade of HS II and HS I. However, on 13.7.1997 G.E. Silchar informed the applicant that his case for promotion and pay fixation is under consideration and the result if any, would be informed to the applicant as and when necessary or decision if any taken. However, in the meantime the applicant was promoted to the grade of HS II with effect from 12.8.1996 vide Part II order dated 7.4.1997. In this connection it may be stated that the representations of the applicant dated 27.12.1996 for promotion to Electrician H.S. II and H.S.I at par with his juniors were forwarded to the higher authorities by the GE, silchar as well as by the CWE wherein, the case of the applicant was strongly recommended for consideration on verification of records and declared that the case of the applicant for promotion is a genuine one but to no result. The applicant urged to produce all the representations indicated above at the time of hearing.

Copies of the representations dated 27.12.1996 as well as forwarding letter dated 26.5.1997 are annexed as Annexure-9 & 10 respectively.

4.12 That your applicant again submitted representation on 7.1.1998, 19.11.1999, 03.09.2001 inter alia praying for

consequential promotional benefit both in the grade of HS II and H.S. I at least with effect from the date of promotion of his immediate juniors. However, the representation dated 3.9.2001 was forwarded to the Headquarter, 137 Works Engineer for further necessary action in order to remove anomalies in fixation of pay on promotion in Electrical HS-II. However, no progress is made thereafter by the respondents in the case of the present applicant.

Copies of the representation dated 19.11.1999, 3.9.2001 and letter dated 28.2.2001 are annexed as Annexure-11,12, and 13 respectively.

4.12 That it is stated that the applicant was awarded commendation certificate issued by the Garrison Engineer being a diligent worker on 21.2.1995. It is relevant to mention here that his fixation of pay after his promotion to the cadre of Electrician HS-II is made vide Part II order bearing PTO No. 27 dated 6.7.1998 in the scale of Rs. 4000-6000 which was communicated vide letter dated 13.7.1998. It is further relevant to mention here that the present applicant who appeared in the Trade Test held on 4th and 5th December, 2002 for Electrician HS I and declared passed vide GE Silchar Part II order No.25 dated 23.6.2003. As such, he has declared qualified for appointment to HS I but till date no positive action is taken for consideration of his promotion in the grade of HS-I.

Copy of the commendation certificate dated 21.2.1995, and Part II order dated 23.6.2003 are annexed as Annexure-14 and 15 respectively.

4.13 That your applicant again submitted representation dated 15.5.2003 and also on 16.8.2003 for consideration of his promotion as well as notional seniority both in the grade of HS II and H.S. I to the higher authorities. However, the Commander Works Engineer, vide his letter bearing No. 1228/DPC/204/EIC(2) dated 21.5.2003 returned the documents submitted by the applicant and further informed him that he may be promoted to Electrician HS I with notional seniority at par with his juniors who have been promoted to Electrician (SK) to Electrician HS II earlier, with pay benefit with Electrician HS I as conveyed earlier vide letter dated 5.4.1997. This decision of the respondent is highly arbitrary as because there is no specific time limit indicated in the letter for consideration of his promotion with retrospective effect both in the cadre of HS II and HS I. Moreover, a reference is made of the letter dated 5.4.1997 where it was indicated that as and when the department will take a final decision regarding his retrospective promotion would be communicated to the applicant. As such, the reply of the respondents is seemingly arbitrary and in such compelling circumstances the applicant approaching this Hon'ble Tribunal for redressal of his grievances.

Marendra Chandra Biswas

Copy of the representation dated 19.5.2003, 16.8.2003 letter dated 21.5.2003 are enclosed as Annexure-16, 17 and 18 respectively.

4.14 That it is stated that the Headquarter 137 Works Engineer, vide letter dated 14.7.1995 also informed the Headquarter, Chief Engineer, Shillong Zone, Shillong that since the orders of MPI/Instrument Repairer (Promoted from Wireman, Lineman, Switch Board Attendant) were withheld, they were not absorbed as Electrician HS II though qualified having passed the Trade Test of Electrician, they were deemed to have qualified the Trade Test, HS II, they have now been allowed seniority with effect from the date of introduction of three grade structure as per Army Headquarter letter No. 22.12.1988 as also directed to all other benefits, scale etc as one time relaxation but unfortunately these instructions were not followed in the instant case of the applicant.

A copy of the letter dated 14.7.1995 is annexed as Annexure-19.

4.15 That it is stated that the Army Headquarter, Engineer-in-Chief Branch, New Delhi vide it's letter bearing No. 90270/73/86/EIC (3) dated 9th April, 2002 it is informed that an expert committee was constituted on the order of the Hon'ble CAT, Kolkata, passed in D.A. No. 118/97 for redressal of grievances of employees and with the view of intention to remove anomalies which

are created while implementing the recommendations of the expert committee report and asked for comments of the various commands with the instruction to submit the said comments by 15th May, 2002. In the said expert committee report more particularly in paragraph 13 and 14 it is observed that some of the Wireman, SBA who are junior to the incumbent holding the post of Electrician, Armature, Winder and Instrument Repairer started drawing higher pay scale of Rs. 330-480 because of the up-gradation against a quota of 10% of the total vacancies. Be it stated that the applicant is also a victim of the aforesaid circumstances as such GE Siichar as well as CWE 137 Works Engineer, recommended the case of the applicant for the grant of higher financial benefit in the upgraded scale with retrospective effect at least from the date when other incumbents who are juniors to the applicant in other trades was approved but till date no action has been taken by the respondents, without any reason. Therefore, finding no other alternative the applicant approaching this Hon'ble Tribunal for a specific direction upon the respondents for grant of financial benefits with retrospective effect both in the cadre of HS II and HS I with immediate effect. Be its stated that the applicant is facing huge financial loss for non fixation of his pay with retrospective effect as such the cause of action arises in this case each and every month for non fixation of his pay from the due date. As such, the Hon'ble Tribunal be pleased

to direct the respondents to grant the financial benefit with retrospective effect both in the cadre of HS II and HS I.

4.16 That it is stated that the promotion of the applicant in HS II as well as HS I are due long back but the respondent Union of India on different pretext did not take any decision in the light of the direction contained in the GE's recommendation letter and also in the light of the opinion of the expert committee reflected in the Army Headquarter letter dated 09.04.2002, with all consequential benefit.

4.17 That it is stated that the applicant submitted several representations before the respondents for grant of monetary benefit and antedated promotion but to no result. Hence the present application.

4.18 That this application is made bonafide and for the cause of justice.

5. Grounds for relief(s) with legal provisions.

5.1 For that, the applicant has acquired a valuable and legal right for grant of promotion to the cadre of Electrician HS II as well as HS I at least with effect from the date of promotion of his immediate juniors who were working in other trades such as Wireman, SBA, in the light of the recommendation made by the Garrison Engineer, Silchar as well as 137 CWE.

5.2 For that, the applicant is entitled to be promoted to the cadre of HS I by virtue of his trade and seniority and also in the light of the report of the Expert Classification Committee constituted by the Army Headquarter, New Delhi for redressal of grievances/anomalies the anomalies, which occurred as a result of implementation of the recommendation of the earlier expert classification committee for fitment of pay scale in the respective trade, in short, in the matter of fitment of Industrial category as indicated in para 13 and 14 of the Army Headquarters letter dated 09.04.2002.

5.3 For that, the applicant is entitled to be placed in the Grade of HS II at least w.e.f. 15.10.1984 and the applicant is further entitled to higher pay scale of Rs. 480-560 (Pre-revised) with effect from 15.10.84 to 31.12.95 in the rank of highly skilled Grade I and thereafter in the revised corresponding scales, in view of the discrepancies/anomalies shown above.

5.4 For that, the applicant is also entitled to be considered for promotion to the cadre of H.S. II in the higher pay scale as reflected in terms of order contained in Army Headquarter letter dated 10.2.1995 and also in terms of CWE's letter dated 14.7.1995.

5.5 For that, the applicant has been promoted to the cadre of HS II only with effect from 12.8.1996 due to discrepancies in seniority and also in view of

anomalies resulted while implementing the Govt. order dated 10.2.1995.

5.6 For that, after a long lapse the trade of Instrument Repairer merged with Electrician Cadre vide Ministry of Defence letter dated 21st February, 1994. As a result, the applicant suffered seniority and promotional benefit in the grade of Electrician at the relevant time when juniors of the applicant of other Trades who were merged with Electrician Trade got promotion in the cadre of HS II and HS I by virtue of their seniority in the cadre of Electrician as because they were merged earlier with the trade of Electrician.

5.7 For that, the applicant was not given the benefit of antedated promotion both in the cadre of HS II and HS I even after discrepancies reflected in GE's, CWE's statement recommending the case of the applicant for antedating promotion.

5.8 For that, the applicant submitted several representations for consideration of his promotion with retrospective effect at least at par with his immediate junior both in the grade of HS II and HS I but to no result.

5.9 For that, the applicant incurring huge financial loss for non-consideration of his antedated promotion both in the cadre of HS II and HS I and due to non-fixation of pay, the applicant further incurring financial loss each and every month which gives rise to further cause

of action both in the matter of promotion and fixation of pay.

5.10 For that, the applicant suffering loss of promotional prospect due to wrong adoption of promotion policy by the Army Headquarter Engineer-in-Chief, New Delhi and more particularly in view of the fact that the post of Instrument Repairer was included/merged with the trade of Electrician after a long lapse of time whereas junior trades like Lineman, Wireman, SBA were merged with the cadre of Electrician long back. As a result, incumbent who were junior to the applicant but initially holding the post of Wireman and SBA got promotion both in the cadre of HS II and HS I long back. As such the applicant is meted out with hostile discrimination.

5.11 For that the applicant is entitled to promotion to the cadre of HS II at least w.e.f. 15.10.84 as well as he is also entitled to promotion in the H.S. I in the higher pay scale of Rs. 480-560/- with effect from the date of promotion of his immediate junior and onwards under 15% quota reflected in the Ministry of Defence letter dated 15.10.84.

6. Details of remedies exhausted.

That the applicants states that they had exhausted all the remedies available to them and there is no other alternative and efficacious remedy than to file this application.

7. Matters not previously filed or pending with any other Court.

The applicant further declares that they had not previously filed any application, Writ Petition or Suit before any Court or any other authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of them.

8. Relief(s) sought for:

Under the facts and circumstances stated above, the applicant humbly prays that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to why the relief(s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

8.1. That the respondents be directed to promote the applicant to the cadre of Electrician (HS II) with immediate effect at least with effect from 15.10.1984 in the light of the instructions contained in the Army Head-quarter's letters dated 10.2.1995, 9.4.2002 and 24.5.2003 with all consequential service benefit including monetary by necessary modification of the

39

promotion order of the applicant dated 7.4.97 in the cadre of Electrician H.S-II.

8.2 To direct the respondents to consider the promotion of the applicants in the cadre of Electrician H.S. I at least with effect from the date of promotion of his immediate juniors in the light of the instruction contained in the letter issued by the Govt. of India, dated 15.10.1984, 10.2.1995, 9.4.2002 and 24.5.2003 with all consequential service benefits including seniority and monetary.

8.3 Costs of the application.

8.4 Any other relief(s) to which the applicants are entitled as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for.

During pendency of this application, the applicant prays for the following relief: -

9.1 That the Hon'ble Tribunal be pleased to make an observation that the pendency of this application shall not be a bar for the respondents to consider the case of the applicants.

10.

This application is filed through Advocates.

11. Particulars of the I.P.O.

i) I. P. O. No. 96 J 58547.
ii) Date of Issue 7.8.03.
iii) Issued from G.P.O. Gurahati.
iv) Payable at

12. List of enclosures.

As given in the index.

VERIFICATION

I, Shri Narendra Chandra Das Choudhury, Son of late Nagendra Chandra Das Choudhury, working as Electrician HS II, office of the Garrison Engineer, Silchar, do hereby declare that the statements made in paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in paragraph 5 are true to My legal advice which I believe to be true. I have not suppressed any material fact.

And I sign this verification on this the 16th day of August, 2003.

Narendra Chandra Das Choudhury

DECLARATION AND OATH OF APPOINTMENT UNDER
RULES 3 AND 4 OF THE CENTRAL CIVIL SERVICES
PERMANENT SERVICE, 1960

In pursuance of Rules 3 and 4 of the Central Civil Services (Temporary Service) Rules, I C-25307 Major ON 11/11/1971.

GARRISON ENGINEER SILENT DIVISION being satisfied, herewith, regard-
ing the quality of work conduct and character of MES/722730

Mr. HARENDRA CHANDRA DAS, B.A. (ORDINARY CLASS) has informed that he is suitable to be appointed in a quasi-permanent capacity under the Govt of India, in the post/grade Minister, with effect from 3.6.71.

by appointed the said MEG - 12870 OBEY HANERUBA CH DAS
CHANDHARY, U/MAN in a Quasi-Permanent capacity to the said post/grade,
with effect from the said date.

(Authority : Army HQ, EinC's Dr letter No.27304/KD
dated 14 Jun 72).

18 son Engineer K. Jayalaya Gilohus
19 cr of the GE Silchar Division
20 Kunachal Distt: Cachar
21 (Pin - 738025)
22 Feb 73

(Mr. Singh)
Major
Garrison Engineer Sillibug

Reactivation

1. 4000 CUTT
2. G M Shillong
3. 1000000 HQ 107 Works Engr
4. Office Book
5. Pader No 3
6. Individual concerned

198 /

Att's Office
Law
Advocates 1913

PART II. ORDER

UNIT : 65 SUGAR DIVN

SL NO : 20

STN : SILCHAR CANTT

DATED : 12-7-20

(Last PTO No 27 Dated 6.7.98)

Sl No	MES No	Name	Category 3. Trade	Ref. 4	Casualty particulars	
					5	6

Part I (a)

STRENGTH INCREASE/PCGTED IN

1. 243572 Shri Supvr 11-7-98-Reported arrival on permanent transfer from GE 87 P J Deb B/S I (P/N) EUS, C/O 99 APO in the interest of the State of wef same date.

01-7-98 } Treated as journey &
to } joining time.
10-7-98 }

Allowed to draw H/H/50-
admissible from time to

Authy : HQ CE EC Calcutta letter No 13-322/2/97/SA/02/
Engrs/ EIC(I) dt 10 May 97 & GE 872 EWS, C/O 99
M.O. No 1004/274/ E1 dt 01 Jun 98.

(Part I (a) ends with SI No 1)

Part I (b) - NIL

Part II - NIL

$$B = B T - \Gamma V \quad (\geq 2)$$

PROMOTIONAL PAY FIXATION

2. 228330 Shri. Elect 12-08-96-Pay fixed at Rs.4200/-
NC Das Choudhury HS II in the grade of Elect in
in the scale of Rs.4000

$$DNT = 01 \cdot 03 = 97$$

01-08-97-Earned A/I of Rs.100/- pm
raising pay from Rs.100/-
to 1200/-pm wef same date

12-08-97-Pay fixed at Rs.4000/- p.m.
from 12-8-96 to 30-9-97
& re-fixed at Rs.4200/-
wef 1-10-96 in the govt.
FGI HS II in the scale
Rs.4000-100-6000/-p.m. on
same date.

DN 10-10-97

Sl. No. 2 to 4 Ol-10-97-Earned A/I of Rs.100/-
Authy : LAO(A) Silchar raising pay from Rs.120
letter No LA/Sil/ to 400/-pm wef same
17/Vol-XXI dt 13-7-98.

Contd. P-2/-

2017.11
AEE

RE 872 EWS PTO No. 49/86 dt 03 Dec 86, sheet No. 3/6

1 2 3 4 5 6

QPT APPOINTMENT

PART III Cont'd.

12. 228489 Shri Chow 01 Oct Gtd EOL for 8 days upto 08 Oct 86
HK Das (Qpt) 86(FN) on MC, but qualified for pen/incre-
ment/gratuity etc.

09 Oct Gtd EOL for 6 days upto 14 Oct 86
86(FN) w/o MC, but not qualified for pen/
increment/gratuity etc.

15 Oct Rejoined duty.
86(FN)

03 Nov Gtd EOL for 9 days upto 11 Nov 86
86(FN) on MC, but qualified for pen/incre-
ment/gratuity etc.

12 Nov Rejoined duty.
86(FN)

13. 228662 Shri Chow 03 Nov Gtd EL for one day on 08 Nov 86.
DC Das (Qpt) 86(FN)

10 Nov Rejoined duty (09 Nov 86 being
86(FN) sunday).

Part III ends with Sl No. 13.

Ths
B S O

PART IV(a)

STR INCREASE(POSTING IN)

14. 228330 Shri W/man 28 Nov Reported arrival on pt transfer from
NC Das Choudhury (Qpt) 86(FN) GE Silchar, being selected for pro-
(Inst repair motion to Instrument repairer in
designate) the interest of state.

Intervening period from 23 Nov 86 to
27 Nov 86 treated as journey/joining
time.

Authy :- HQ 137 WE letter No.1223/2014/EIC(2)
at 26 May 86 and 1223/3018/EIC(2) at
06 Nov 86 and GE Silchar N.O No.1006/
939/ET at 13 Nov 86.

PROMOTION

15. 228330 Shri W/man 28 Nov Promoted from W/man to Instt
NC Das Choudhury (Qpt) 86(FN) repairer in probation for two years
(Instt repairer) in the scale of 950-20-1150-EB-4-
designate 1500 and placed in position w.e.f. the
same date.

*Alleged
Jew
Puro kali*

Ths
Cont'd.
B S O

GE 872 EWS PTO No. 42/86 at 08 Dec 86, sheet No. 4/6

1 2 3 4 5 6
QPT APPOINTMENT

PART IV(3) 1st

16. 243467 Shri Maz 07 Jul Appointed in quasipermanent capacity
Khukon Ch Shil (ty) 86(FN) in the post of Maz wef the same date.

Authy :- **
and GE 872 EWS letter No. 1011/421/EI dt
27 Nov 86.

17. MES/NYA Shri Maz 15 Jun Appointed in quasipermanent capacity
Bhabendra (ty) 86(FN) in the post of Maz wef the same date.
Kulita

Authy :- **
and GE 872 EWS letter No. 1011/422/EI
dt 27 Nov 86.

18. 243541 Shri Ram Maz 06 Jul Appointed in quasipermanent capacity
Subat Rajbhar (ty) 86(FN) in the post of Maz wef the same date.

Authy :- **
and GE 872 EWS letter No. 1011/423/EI dt
27 Nov 86.

Army HQ, E-in-C's Br letter No. 48747/6/EIC
dt 20.2.70 and 27304/EID dt 07 Jun 74.

LEAVE

19. 243423 Shri Maz
Faizul Haque (QPT)
Laskar

13 Oct Gtd FPL for one day on 13 Oct 86.
86(FN)

14 Oct Rejoined duty.
86(FN)

28 Oct Gtd FPL for 2 days upto 29 Oct 86.
86(FN)

30 Oct Rejoined duty.
86(FN)

20. 455600 Shri Maz
MR Paul (QPT)

03 Oct Gtd SL for 10 days upto 12 Oct 86.
86(FN) *on M.C.*

13 Oct Gtd commuted leave for 5 days upto
86(FN) 17 Oct 86 on MC, debitable to 10
days HPL.

18 Oct Rejoined duty.
86(FN)

21. 243400 Shri Maz
KU Laskar (QPT)

13 Oct Gtd FPL for one day on 13 Oct 86.
86(FN)

14 Oct Rejoined duty.
86(FN)

Cont'd.....

B S O

No. 3310/DS/(O&M)/Civ-I/84
Govt of India
Ministry of Defence

New Delhi, the 15th Oct 1984

To

The Chief of Army Staff
New Delhi

Sub :- FITMENT OF INDUSTRIAL WORKERS OF MES IN PAY SCALES RECOMMENDED BY THE THIRD PAY COMMISSION

Sir,

Based on the decisions taken by the Government on the unanimous recommendations of the Anomalies Committee. I am directed to convey the sanction of the President to the Following :-

(i) Upgradation of the following jobs from semi-skilled grade (Rs. 210-290) to the skilled grade (260-400) :-

<u>Sl No</u>	<u>Jobs Binder Title</u>	<u>Existing Scale</u>	<u>Revised Scale</u>
1.	Book Binder	Rs. 210-290	Rs. 260-400
2.	Saddler	-do-	-do-
3.	Boot Maker	-do-	-do-
4.	Carpenter	-do-	-do-
5.	Pipe Fitter	-do-	-do-
6.	Plumber	-do-	-do-
7.	Mason	-do-	-do-
8.	Moulder	-do-	-do-
9.	Painter/Polisher	-do-	-do-
10.	Sign Writer	-do-	-do-
11.	Sawyer	-do-	-do-
12.	Upholsterer	-do-	-do-

These orders supercede the earlier orders in regard to fitment of the above categories workers in the relevant scales of pay from the date of issue of this letter.

Fresh induction to the trades listed in (i) shall be from

*Illustrated
by
Advocate*

Contd.,,,2/-

(a) Semi-skilled categories to be identified by you or feeded categories in the pay scale of Rs. 210-290 already existing under the present recruitment rules, subject to the worker having rendered a minimum of three years service in the grade and after passing the prescribed trade test, and

(b) Direct recruits with ITI certificate/Ex-trade apprentices/ ✓ NOTVT etc. inducted in the semi-skilled grade, who have rendered 2 years service in that grade.

(i) Provision/introduction of Highly skilled grade II (Rs. 330-480) and Highly skilled Grade I (Rs. 380-560) for common category jobs listed in Annexure I classified as 'Skilled' depending on the functional requirement of higher skilled jobs, in the following manner as a bench mark percentage :-

- (a) Highly skilled Grade I (Rs. 380-560) 15%
- (b) Highly skilled Grade II (Rs. 330-480) 20%
- (c) Highly skilled Grade (Rs. 260-400) 65%

This should be given to the trades enumerated in Annexure I with viable number of jobs and if there non-viable trades these should be grouped together for the purpose of giving the above benefit. In the trades where the above bench-mark percentages are introduced the selection grade for the skilled grade, if provided, will stand simultaneously abolished as a on time measure.

2. These orders will take effect from the date of issue.

3. The expenditure involved shall be debitible to the respective head of the Defence Service Estimates.

4. This issues with the concurrence of the Ministry of Defence (Finance Division) vide their interdepartmental No 1755/Dir/(AI/Eqpt) of 15th October 1984.

Yours faithfully,

Sd/- x x x x x x x
(RAMA KRISHNA)

DEPUTY SECRETARY TO THE GOVT OF INDIA
Tele No. 375040

ANNEXURE - I

MES

LIST OF COMMON CATEGORY "SKILLED JOBS"

1. Blacksmith	2. Carpenter	3. Electrician
4. Fitter Auto	5. Fitter Auto Elect	6. Fitter Gen. Mech
7. Fitter Pipe	8. Fitter Refrigerator	9. Line Mistry
	tion Mech	Refrigeration Mech
10. Mason	11. Moulder	12. Millwright
13. Pattern Maker	14. Painter	15. Turner
16. Welder		

No. 91026/FIC/88/1D(W-II)
 No. Bldgs/ETC/OC/D(W-18)
 Government of India
 Ministry of Defence,
 New Delhi, the 24 June 1987

Sir,

To
 The Chief of the Army Staff
 NEW Delhi

Subject :- RATIONALISATION OF TRADES OF THE INDUSTRIAL
 CADRE OF THE MES

Sir,

The President is pleased to sanction the redesignation and
 condification of the following categories of personnel in the
 MES in order to conform to the structure of the National Classification
 of Occupations :-

Sl No	Existing Designation	Revised NCO	Code No	Pay scale
1	2	3	4	5
1.	Charge Electrician	Senior Electrician (HS-I)	851.10	380-12-500- EB-15-560
2.	Charge Mechanic	Senior Mechanic (HS-I)	-	-do-
3.	Charge Mechanic Refrigeration	Senior Mechanic Refrigeration & Air Conditioning (HS-I)	845.70	-do-
4.	Driver Mechanical Equipment	Operator Earth Moving Machinery (SK)	974.10 974.15 974.20 979.10 851.10	260-6-290-EB-6 326-8-366-EB-8 390-10-400 -do-
5.	Armature Winder Electrician	Electrician (SK)		
6.	Cabinet Maker	Carpenter (SK)	811.20	(811.20) -do-
7.	Carpenter	Carpenter (SK)	811.20	-do-
8.	Sawyer			
9.	Fitter Engine	Mechanic Petrol and Diesel Engine (SK)	845.10 845.13	-do-
10.	Engine Artificer			
11.	Instrument Repairer	Mechanic precision Instrument	841.15 841.20 851.20	-do-

Alfred
J.W.
Advocate

Contd... 2/-

	2	3	4	5
13.	Refrigerator Mechanic	Mechanic Refrigerator	845.70 ✓ 366-EB-8-3900-10-400	✓✓✓✓✓
14.	Turner ✓	Machinist (SK)	835.10 ✓ -do-	
	Driver Engine Static, Driller, Road Roller (IC) & Small plant Compre- ssors, Dumper, Dacauyile Engines, Concrete Mixers, Mixer (SS)	(a) Driver ✓ Engine Static (SK) 961.25 (b) Driver Mobile 974.45 Plant (SK) (c) 974.70 Driver Concrete	961.20 ✓ 974.45 ✓ 974.70 ✓ 210-4-226-EB-4-250- 10-5-290.	✓✓✓✓✓ -do-
16.	Driller well Boring	well Driller cum pile driver	717.10 ✓ 974.12 ✓ 383-366-EB-8-390- 10-400.	✓✓✓✓✓
17.	Line Man	Electrician (SK)	855.10 ✓ -do-	
18.	Switch Board Attendant	Electrician (SK)	857.10 ✓ -do-	
19.	Wireman	Electrician (SK)	- ✓ -do-	
20.	Mason	Mason (SK)	951.20 ✓ 951.40 ✓ 951.90 ✓ 952.10 ✓ 952.30 ✓ 952.60 ✓ 955.10 ✓ 976.00 ✓ -do-	✓✓✓✓✓ -do-
21.	Packer Grade I	Packer Gde I	976.00 ✓ -do-	
22.	Packer Grade II	Packer GDE II	260-6-290-EB-6-326- 8-366-EB-8-390-200- 210-4-EB-4-250-EB- 5-290.	✓✓✓✓✓
23.	Pipe Fitter	Fitter Pipe	871.10 ✓ 326-8-366-EB-8-390- 10-400.	✓✓✓✓✓
24.	Plumber	-do-	871.20 ✓ -do-	
25.	Cane Weaver	Cane man	942.30 ✓ 210-4-226-EB-4- 250-EB-5-290.	✓✓✓✓✓
26.	Lift Attendant	Lift Operator	979.30 ✓ -do-	
27.	Motor pump Attendant	Pump House Operator	961.70 ✓ 326-8-366-EB-8- 390-10-400.	✓✓✓✓✓
28.	Ballow Boy	Ballow Boy	- ✓ 210-4-226-EB-4- 250-EB-5-290.	✓✓✓✓✓
29.	Cable Jointer	Cable Jointer (HS-II)	857.30 ✓ 330-8-370-10- 100-EB-10-480	✓✓✓✓✓

29.	Lift Mechanic	Lift Mechanic (SK)		260-6-290-EB-326-8- 366-EB-8-390-10-400	
31.	Pattern Maker	Carpenter (SK)	891.20	✓	-do-
32.	Vehicle Mechanic	Vehicle Mechanic (SK)	843.20	✓	-do-
33.	Welder	Welder (SK)	872.10 872.20	✓	-do-
34.	Boiler Attendant	Boiler Attendant (SK)	962.20	✓	-do-
35.	Blacksmith	Blacksmith (SK)	831.10	✓	-do-
36.	Moulder	Moulder (SK)	725.10	✓	-do-
37.	Painter	Painter (SK)	932.10 932.30	✓	-do-
38.	Upholsterer	Upholsterer (SK)	796.10	✓	-do-
39.	Operator Pneumatic Tools	Operator Pneumatic Tools (SK)	713.10 974.42	✓	-do-
40.	Harnerman	Harnerman (SS)	831.40	✓	210-4-6-290-EB-4- 250-EB-5-290.
41.	Mate	Mate (SS)	-	✓	-do-
42.	Valveman	Valveman (SS)	-	✓	-do-
43.	Mazdoor	Mazdoor (USK)	999	✓	196-3-220-EB-3-232

44. Sanction is also accorded for the modification in the existing trades as shown below :-

(a) The trade of Tailor will be abolished: existing incumbants will be re-designated as Upholsterers.

(b) The trades of Veharpoy Stringer, Coal Trimmer and Fireman will be abolished: existing incumbants in the pay scale of Rs. 210-290 will be redesignated as Mates. The existing Charpoy Stringers in the pay scale of Rs 196-232 will be redesignated as Mazdoors.

Contd....4.....

(e) Signwriter and Driver Compressor will also be abolished and existing incumbents re-designated as Painter and Driver Engine Static respectively.

(f) There will be no future recruitment of Glazier, and the category will be abolished when existing holders are washed out.

2. The relevant recruitment rules will be amended as necessary. Pending such amendment, recruitment as well as the channels of promotion and demotion will be on the basis of above modification as an interim measure.

3. The duties of the posts will be laid down by the Engineer-in-Chief.

4. This letter issues with the concurrence of the Ministry of Finance (Defence) vide their U.O. No. 1309/M-III of 1986.

Yours faithfully,
Sd/
(G.P. BHUGUNA)
Under Secretary to the Govt
of India

Telephone : Mily - 66

Garrison Engineer Silchar
To : Arunachal, Dist : Lakhimpur
Assam - 788 025

1000/1/1534/EL

02 May '94

AGE E/M Silchar

ADDENDUM

1. Copy of G of I, R of D CM No 91026/EIC (3)/672/R (W-11) dated 21.2.94 as received vide HQ CECO Calcutta No 131500/2A/2561/Engrs/EIC (2) dtd 19.3.94 is forwarded herewith for your information and necessary information to the existing staff working in your sub-divn.

SD/x-x-x-x-x
(SK Sharma)

Copy to :-
Major
Garrison Engineer

E-1(R) - Please publish the casualties
based on the Govt letter in respect
of existing Instrument Repairer.

Copy of G of I, R of Letter No 91026/EIC (3)/672/R (W-11)
dated 21.2.94.

ADDENDUM

1. This Ministry's letter No 91026/EIC/88/88/R (W-11) dated 24th June 1987 regarding rationalisation of Trades of the Industrial Cadre of the MES is amended as follow :-

Add the following S.No as (a)

6 (a) Instrument Repairer Electrician (SK) 851.10

2. This issues with the concurrence of Ministry of Defence (Finance/Works-III) vide their L.I. No 254-Works-1/94 of 1994.

SD/x-x-x-x-x
(P.A. Bhattacharya)

Under Secretary to the Govt of India

*Revised
for
Paroak*

Ref. : 3476

70203/2/3490/EIC(2)
HQ/137WKS Engrs.
CWE Tezpur.
CWE Dinjan.
CWE Shillong.

Head-quarters Chief
Engineer Shillong Zone.
S.E. Falls, Shillong - 11.

19 Apr '95.

PROMOTION INSTRUMENTREPAIR/MPI (New Redesignated
Electrician(SK)).

1. Copy of E-in-C's BR Army HQ letter No. 90270/89/EC/EIC(3) Dated 10 Feb 95 received from HQ CEEC Calcutta vide their letter No. 131500/2A/2850/Engrs/EIC(2) dated 08 Mar 95 is forwarded herewith for your information and necessary action, please.

2. HQ 137Wks Engrs only :- This is the disposal of your quarries vide your letter No. 1228/SK/84/EIC(2) dated 31 Aug 94.

(S C GOYAL)
AEE
SO III (Pers)
For Chief Engineer.

Copy of E-in-C's BR Army HQ New Delhi letter No. 90270/89/EC/EIC(3) dated 10 Feb 95 addressed to CEEC and copies to other CEs command.

PROMOTION :- INSTRUMENT REPAIR/MPI/(New Redesignated Electrician (SK)).

1. Reference your letter No. 131500/2A/2752/Engrs/EIC(2) dated 11 Oct 94.

2. Consequent some representation regard to their promotion to Electrician (SK) have been received from exiting IR/MPI with promotion to Electrician H.S.II/H.S.I. The cases have been gone into and following decisions have been taken :-

a). Since prior to introduction Three Grade Structure, IR/MPI were the feeder category for promotion to Ch/Electrician, there is no anomaly in redesignation of IR/MPI to NElectrician.

b). Review PC's are to be convened and IR/MPI who are otherwise eligible for promotion, be considered for promotion to Elec.H.S.II with no seniority at par with their immediate junior Elec SK/Wireman who have already been promoted to Elec.H.S.II.

However, the over-all percentage of H.S. II/H.S. I. vacancies are to be maintained as per existing instructions.

Sd/
(R S Kanwar)
S.E.
SOI, Engrs Pers
For E-in-C.

GB

Pls. read
Rev.
Advocate

Tele : Mily 6040

Commander Works Engineers
Spread Eagle Falls
Shillong - 793 011

1455/DPC/96-97/49/ELA

B Jan 97

GE Shillong
GE (AF) Shillong

PROMOTION : INSTRUMENT REPAIRERS/MECHANICS
 PRECISION INSTRUMENT (RE-DESIGNATED AS
 ELECTRICIAN (SKILLED) TO THE GRADE OF
ELECTRICIAN (HIGHLY SKILLED GRADE II)

1. Consequent to the recommendations of the Review Departmental Promotion Committee meeting held on 05 Nov 96 constituted as per E-in-C's Branch, AHQ, New Delhi order No 90270/39/EIC(3) dated 10 Feb 95, the following ex-MPIs (Re-designated as Electrician (SK) vide Government of India, Ministry of Science addendum No 91026/EIC(3)/2395/u(W-II) dated 23 Jun 94) are approved for promotion to the grade of Electrician (HS-II) with notional seniority as shown against their names :-

MES No, Name & Designation	Promoted to	Date of notional seniority without financial effect	Formation where serving	
(a)	(b)	(c)	(d)	(e)
1. MES/223370 Shri Satya Gopal Bhattacharjee, Elect (SK)	Elect (HS-II)	15 Oct 84	GE Shillong	
2. MES/229141 Shri Rathindra Nath Brahmachari, Elect (SK)	Elect (HS-II)	11 Aug 85	GE (AF) Shillong	

2. Before the above promotions are implemented, ~~please ensure~~ that these individuals are not involved in any disciplinary cases or Court of Inquiry, SPE cases and there is nothing against the individuals to warrant withholding of the above promotion.

*Pls. note
Leave
Advocate*

Continued to page....2 -

- 2 :-

3. The date from which the above individuals are brought in position against the promoted grade should be intimated to this HQ. Names of the individuals who could not be placed in position in the higher post stating reasons will be intimated to this HQ by 31 Jan 97 latest.

4. Necessary casualty to this effect should be published in the next issue of your PTO.

5. Please take immediate necessary action and accord DPC priority.



(Ashok Kumar)
S/o
Commander Works Engineers

Copy to :-

- 1) HQ CE BC Calcutta
- 2) HQ CE Shillong Zone
- 3) HQ CE (AF) Shillong Zone
- 4) CWE (AF) Guwahati
- 5) LAO (Army) Shillong
- 6) AAO GE Shillong
- 7) AAO GE (AF) Shillong

AKM/

Unit : GE Silchar Division PTO No. 14 Dated 07 Apr 97 Page No. 6

PART IV (a)

PAY FIXATION

28. 354348 Shri FGM 12-08-96 pay fixed at Rs 1290/- w.e.f 12-08-96 to 30-09-96 and re-fixed for Rs. 1350/- w.e.f 01-10-96 in the Gde. of FGM (HS-II) in the Scale of Rs. 1200-30-1440-EB 30-1800/- Pm w.e.f the same date with D.N.I - 01-10-97.

29. 243443 Shri Elect 12-08-96 Pay fixed at Rs 1290/- Pm w.e.f 12-08-96 to 30-09-96 and re-fixed Rs 1350/- Pm w.e.f 01-10-96 in the Gde. of Elect (HS-II) in the Scale of Rs 1200-30-1440-EB-30-1800/- Pm w.e.f the same date with D.N.I 01-10-97.

30. 228633 Shri FGM 12-08-96 pay fixed at Rs 1350/- Pm in the Gde. of FGM (HS-II) in the Scale of Rs. 1200-30-1440-EB-30-1800/- w.e.f the same date with D.N.I 12-08-97 (antidated on 01-08-97).

31. 228357 Shri FGM 12-08-96 pay fixed at 1380/- in the Gde. of FGM (HS-II) in the Scale of Rs. 1200-30-1440-EB-30-1800/- w.e.f the same date with D.N.I 12-08-97 (antidated on 01-08-97).

32. 228747 Shri Elect 12-08-96 pay fixed at 1130/- in the Gde. of Elect (SK) in the scale of Rs. 950-20-1150-EB-25-1500/- Pm w.e.f the same date with D.N.I 12-08-97 (antidated 01-08-97).

33. 228638 Shri FGM 12-08-96 pay fixed at Rs. 1380/- in the Gde. of FGM (HS-II) in the scale of Rs. 1200-30-1440-EB-30-1800/- w.e.f the same date with D.N.I 12-08-97 (antidated on 01-08-97).

34. 228302 Shri FGM 12-08-96 pay fixed at 1350/- in the Gde. of FGM (HS-II) in the scale of Rs. 1200-30-1440-EB-30-1800/- w.e.f the same date with D.N.I 12-08-97 (antidated on 01-08-97).

35. 228330 Shri Elect 12-08-96 pay fixed at Rs 1350/- in the Gde. of Elect HS-II in the Scale of Rs. 1200-30-1440-EB-30-1800/- w.e.f the same date with D.N.I 12-08-97 (antidated 01-08-97).

Revised
Draft
Adhoc

(S. B. S. S. A. S.)

AECB/R

for Garrison Engineer

Contd. P-74

From :-
Sri Narendra Ch. Das Choudhury,
Electrician H.S. II,
M E S No. 228330
Office of the Garrison Engineer,
Silchar Division.

To
The Engineer In-Chief,
Army Head Quarter,
" KASHMIR HOUSE "
New Delhi - 110011.

(Through Proper Channel).

Dated, Masimpur, the 27/12/96.

Sub :- Representation for promotion.

Ref :- My Representation submitted through proper
Channel (Copy of representation dt. 7.7.94)
enclosed.

Sir,

With due respect and humble submission I beg
to lay the following facts for favour of your perusal,
sympathetic consideration and favourable orders.

That Sir, I joined as Wireman in MES on
3.6.1968, and thereafter I passed departmental examination held time to time and required to appear.

That Sir, at the time of my joining in M E S in 1968 the posts like Wiremen, Linemen, SBA were interchangeable and these posts were converted and redesignated as " S.K. Electrician " in 1987.

As regards myself, I was promoted to the post of MPI in 1986 but that too without any financial benefit it was rather a feeder promotion to the post of H.S. I.

The line of promotion for the Wiremen in 1985 was as below :-

from the post of Wiremen to the post of Electrician and then to the Post of charge Electrician

OR

*Dear Sir
Please see
Parvaat*
from the post of Wireman to the post of Instrument Repairer and then to the post of charge electrician the details thereof were discussed in my representation dt. 7.7.94 - Copy enclosed for favour of your ready reference.

(Contd....p/2)

- 2 -

91026/E1C (3) 6727 (W-1) Th 1987 I was made S.K. Electrician vide No 1994 and thereby I was again fallen to the group initially composed with Wireman, Linemen, SBA what existed at the time of my initial joining in MES in 1968, So I very much belong to the grade structure of skilled electrician renamed as Electrician H.S. II.

My length of service will show that those who have joined much later than me in 1981 as Wireman have been fortunate enough to get promotion as H.S. Gr. II in 1993 and will naturally as such get the benefit of Gr. I before me, due to the fact that my position was not taken into consideration, while your goodself know it for certain from the records that for availing the scope of due promotion as charge Electrician as per the Policy existed at the relevant time I passed the Trade Test for MPI in 1982 but got promotion as MPI in 1986 but my juniors already got the promotion.

In 1984 also 3 (three) other wiremen who were my contemporary were fortunate to get the promotion to the post of H.S. Grade - II wherens I was promoted as S.K. Electrician in 1986 without any financial benefit.

Thus it would be evident from the facts stated above that I was all through deprived from due promotion for no fault of mine although I have duly obtained the requisite qualification for the post of H.S. Grd. I equivalent to charge Electrician.

And Sir, if you kindly go through the entire affairs, your goodself will kindly find that if I were given due consideration of my length of service, attainments, experiences etc. I could be rightly given H.S. Grd. II in 1987 which was over due to me but this benefit of H.S. Grd. II was withheld to me until 1996 by causing deprivation for more than 10 years and for all these deprivations, denial & withholding of my due promotional benefit in consideration of Junior Wiremen can in no way be attributed to me, rather it was sheer my ill luck that my case was not duly considered by the Authority, in formulating rules for filling the higher posts.

Sir, in fine, I pray your goodself once again to kindly consider my case sympathetically taking into account the fact that I joined as Wiremen on 3.6.1968 under you but having all required qualification I was given a lift only on 1986 as MPI and at present holding the post of H.S. II since 12-8-96 wheress the records available with you will

(Contd....P/3)

- 3 -

simply prove that my colleagues who joined as Wireman much after me say in 1981 got the promotion as H.S. Gr. II or even charge Electrician long ago, setting an example of injustice.

This is to request your goodself to kindly remove the anomaly and restore me in my proper position in view of my date of joining (3.6.1968) as Wireman and subsequent passing the Trade tests and for this act of your kindness I shall remain ever grateful to you as duty bound and shall ever pray.

Yours faithfully,

Narindra Ch. Das Choudhury
 (NARINDRA CH. DAS CHOUDHURY)
 Electrician H.S. II
 M.E.S. No. 22330,
 O/O Garrison Engineer, Silchar Dvn.,
 M.E.S.
Silchar

Copy to :-

- 1) J. N. Dasgupta,
 J C M Member,
 Army HQ. Council.
- 2) The General Secretary,
 All Assam M.E.S Employees Union,.

for info
 27/12/96
 27/12/96
 AGM 2000 SACRAA

Toko : Mily-2603

Office of the Garrison Engineer
Silchar Cen. P.O. Assam

1021/N/26/97

May ' 97

AGE E/M Silchar

REPRESENTATION FOR PROMOTION

1. A copy of HQ 137 Wms Engrs letter No. 1228/NCDC/28/
SIC(2) dtd 05 Apr ' 97 addressed to HQ CESZ Shillong with copy
to this Division is appended below for info to the indls.

2. Please see.

(G.M. Petil)
(R.P. Mukherjee)

B90

for Garrison Engineer

Copy to HQ 137 Wms letter No. 1228/NCDC/28/SIC(2) dtd 5.4.97
addressed to HQ CESZ Shillong and copy to this Office

Reb : AS ABOVE

1. Reference your HQ letter No. 70203/2/19/SIC(2) dtd 25 Feb
97 and this Office Signal No. A-1662 dtd 08.03.97.

2. WES 232330 Shri NC Dasgupta now Elect HS-II has
submitted an application dated 27 Dec 96 for his promotion to
Elect HS-I, as his juniors are getting higher Scale of Pay.

3. On critical study of this case and other similar cases it
is seen that :-

(a) the indls are submitting their appeal/representation
after a lapse of 8 ½ years and in one case after a lapse
9 years (in case of Shri DC Das, FOI of AGM (I) K'Gra).

(b) It becomes very difficult for placement of even
genuine cases of promotion due to non availability of
vacancy for the particular Gde.

✓ 4. The facts stated by the indls are correct. In this
connection please refer our letter No. 1228/SK/S4/SIC (2) dtd
14 Jul 95 under which comments on the case was forwarded.

✓ 5. However, considering the genuineness, of the case it is
recommended that the indls may be allowed to appear Trade Test for
Elect HS-I, irrespective of present seniority and on passing the
Trade Test, the indls can be promoted to Elect HS-I, with notional
seniority at par with his juniors, with pay benefits in the Grade
of HS-I only, as per your letter HQ letter No. 70203/2/3490/SIC(2)
dtd 19 Apr 95, provided the individual promises on undertaking that
he will not further claim his seniority/pay benefit for HS-II.

6. It is also requested to kindly issue administrative
instruction fixing a period, after which, appeal/representation
becomes time barred on Trade Test/DFC/left out cases.

7. The appeal is filed herewith in triplicate.

SD/xxxxx
(PK. Oberoi)
Col
Cdr Wms Engrs

*Alfred
Jew
Advocate*

To
 The Commandant Works Engineers,
 M E S
 H.Q. 137 Works Engineer,
 DODOMA P.D.R.,
 C/o 99 H.P.D.

Dated, Arunachal, the 19th Nov 1999.

Sub : PRAYER FOR LONG-PENDING FINANCIAL BENEFITS
VIS-A-VIS PROMOTIONS.

Sir,

With due respect and humble submission, I... beg to lay the following facts for favour of your kind information and favourable order with a view to mitigate my extreme all-round sufferings for the undue deprivation of my legitimate claims pendings for years together for no fault of mine.

That Sir, your goodself is aware that I have been submitting several appeals & petitions to the appropriate authorities from time to time for meeting the ends of justice to remove my genuine claims that have most unfortunately been deprived to me causing both financial & mental suffering to me for no fault of mine despite my all through sincere services and also having the requisite educational & technical qualifications.

That Sir, I have pressed these points to the authorities in my several representations and appeals but these admittedly genuine grievances and claim are still lying unsettled and thereby my sufferings are still continuing. For instance, I may beg to refer you to my recent representation dt. 27.12.96 addressed to the Engineer-In-charge, Army Head Quarter, New Delhi through proper channel which is yet to obtain the final orders on the prayer from the concerned authority to end my sufferings.

Sir, incidentally, it may be mentioned that long 31 years ago on 3-6-1968 I joined the M E S as a WIREMAN and passed Several examinations to fully qualify me for promotion to the higher posts as per prevailing procedure and line of promotion. I held the post of MPI (MACHINE PRECISION OF INSTRUMENT) in 1986 but I am sorry to mention that the promotion was without any financial benefit - the responsibility of the higher grade/post was entrusted on me but till date I am deprived of the due financial benefit, so to say I have been denied the fair justice.

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- 2 -

Sir, your goodself knows it that at the time of my joining the MES under you in 1968 the posts like Wireman, Lineman, S.E.A were interchangeable posts as because all these posts belong to the same cadre and the requisite qualifications were also same, and these posts were grouped together and redesignated as " S.K. Electrician" in 1987. And in 1987, I was made S.K. Electrician (Ref. order No. 91026/EIC(3)672/D(W-17), dt. 21.2.94) and thereby Sir, what happened I have again been taken to the group of wiremen - Linemen - S.E.A which posts existed at the time of my joining in MES in 1968 and it therefore goes without saying that I very much belong to grade structure of " SKILLED ELECTRICIAN " renamed later as ELECTRICIAN HS - II in which post I was taken in 1993. Here it is necessary to mention that the Junior incumbents who joined service SIXTEEN/SEVENTEEN YEARS Later than were so fortunate to get promotion as HS Grade - II in 1993 but for no fault or lapse of mine but only for denial of natural justice which a govt. employee of whatever rank and status he be, is protected & guaranteed by the Constitution of India and by the Fundamental rules. This humble self being senior in length of service by 16/17 years as already stated was promoted as HS Gr-II only in 1996 i.e. after long 3 years of his Juniors who were promoted but to repeat NOT FOR HIS LAPSE OR FAULT and that lift to the post of HS Gr-II given to me in 1996 was also not with due financial benefits.

Sir, if your goodself kindly look back to 1984, you will find that 3 (three) other wiremen who were contemporary to me got the promotion of HS Grade - II in 1984 while I was promoted as " SK ELECTRICIAN" in 1986 only and that too without the due financial benefit.

Sir, it is necessary to mention that the facts indicated above will evidently prove that I have duly obtained the requisite qualification etc. for holding the post of HS GRADE-1 (ONE) equivalent to CHARGE ELECTRICIAN - but I have been most unfortunately deprived the due, legitimate and long pending promotion of higher grades, for the reasons not known to me. If you Sir, kindly go through the record that your goodself will be able to satisfy yourself that I was rightly due for promotion at least as HS GRADE - II in 1987 when my Juniors were

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- 3 -

promoted, and this promotion was given to me after long 10 (ten) years in 1996 to cause deprivation of the benefit to me in utter violation of the principles of natural justice and the provisions of the orders & rules in force and this " Promotion " to HS-II in 1996 was also without any financial benefit - as a result the fact remains that no benefit is given to me.

Sir, I understand that my representation dt. 27.12.96 addressed to the Engineer-In-Chief Army Headquarters, New Delhi submitted through proper channel in the matter of my grievances and deprivation of legitimate claim of due promotion deprived at the latest in 1987 when my juniors were promoted was forwarded to HQ. 137 Works Engineer - (Ref. G. E. No. 1021/A/1254/E/E dt. 13.3.97 and it was found later that my claims were genuine and hence it was also recommended by your goodself in Memo No. 1228/MCDC/28/ERC(2) dt. 5.4.97 that I should be given promotional benefits etc. at par with my junior to remove my genuine grievances.

But Sir, to my utter misfortune till date I have not been given the long pending promotion with financial benefits to honour the principle of natural justice and the provisions of rules & orders in force.

Therefore Sir, I pray your goodself to be kind and gracious enough to consider my case and issue proper direction to the authorities for redressal of my grievances taking into account the fact of my date of joining in MES as WIREMAN on 3.6.1968 and the examinations passed, qualification and experiences earned and thus Sir award me the due financial benefits that was wrongfully withdrawn from me by depriving me from the legitimate claim as guaranteed to me by Law in force and for this act of your kindness I shall remain ever grateful to you as duty bound.

Yours faithfully,

Date - 19th Nov 99

Narendra Das Chawdhury

Electrician 4457

M.E.S No:- 228330

Cfo - G.E. Silchar Division

To
The Commandant,
H.Q. 137 Works Engineers,
C/O 99 APO.

(Through Proper Channel)

Dated, Masimpur the 03 SEPT 2001

Sub: PRAYER FOR JUSTICE IN THE MATTER OF GRADING OF FINANCIAL DESERTERS AND BROTHERS PAYMENT

Sir,

Most humbly I beg to refer your kind visit at Masimpur when your goodself was gracious enough to grant me an interview to representing all the long drawn genuine grievances on 17.07.2001 at Power House Campus, Masimpur. During the interview in the presence of the Dy. Commanding Works Engineer (E/M) and the Garrison Engineer, Silchar.

Your goodself gave me a patient hearing and in fine, your goodself very kindly assured me that you would investigate into the entire affairs and remove my genuine grievances and also assured me of the justice.

As directed, I again state here under the facts for favour of your perusal and consideration for favourable order.

That Sir, I entered in service in 1968 as an ELECTRICIAN (SEMI SKILLED) which was equivalent to wireman (Semi-Skilled).

There has been a re-structure of the Pay Scale by the authority. In which a provision was made that after necessary test the Electrician/wireman (Semi Skilled) would be taken to grade - II as Electrician HS II.

My colleagues who were much junior to me were given the benefit of high scale i.e. as Electrician HS-II in 1994 while they joined in service under you in 1981 and I joined as Electrician (i.e. in 1968). In this respect I beg to cite the case of Shri M.R. Laskar and Sri Rama Kanta Das those who entered service as Electrician (i.e. in 1981) got your blessing and the benefit of the better scale i.e. Electrician HS.

*P. Bhattacharya
Advocate*

II in 1994 under the new structure, but for your kind information I beg to state that although I joined long 11/12 years, earlier then the above mentioned MR Laskar and Rama Kanta Das but they got the high scale i.e. Electrician HS II in 1994 while I got the benefit of the scale in 1996 i.e. 2 (two) years later than my junior Colleagues Sri MR. Laskar and Sri Rama Kanta Das. Although as per Government of India, Ministry of Defence letter No. 91026/EIC(3)672/D(W-17) dt. 21/2/1994 I am entitled to the benefits since 1987 but the financial benefits were extended to me in 1996 only as a result I was deprived of the benefits for year together.

In this connection my last representation dt. 19.11.1999 may also kindly be referred to.

If a detail examination is made and I am given a patient hearing, I am confident that it will be evident that the incumbents junior to me by 16/17 years in service were fortunate to get promotion as HS Grade-II in 1993 also. In this way it will be seen that I have been deprived of my legitimate right and claim for no fault of mine. I was simply denied the scope in time and thus the juniors are given benefits by discriminating and ignoring my genuine claim.

For more information, I beg to cite the facts as follows: After three officers Sri Ajay Dutta, Sri S.A. Laskar and Sri K.P. Bher were appointed in same cadre on 30.6.1968 along with me but they were given the benefit of HS II in 1993 on the ground of Simply length of Service and not via any Test, but the aforesaid joined in service on the same date 30.6.1968 along with Sri Ajay Dutta, Sri S.A. Laskar and Sri K.P. Bher but in their case in giving the benefits of HS II they were not required to go through any Test and without going through any Test these fortunate colleagues of mine get your blessings and the HS II in ---- but in case of your this humble unfortunate memorialist who although joined in service in same cadre along with the above mentioned gentlemen did not give the financial benefits of HS II (Electrician) until 1996 on the ground of "Passing the Test" which provision was overruled in the case of the above named colleagues Sri Ajay Dutta & others but strictly applied in my case and thus I was deprived of the benefit of the Scale until

1996. In this connection PTO No. GE872 EWS PTO No. 11/86 dt. 17.3.80 Sheet No. 2/2 for Sri Ajoy Dutta may kindly be referred to.

I beg to mention that I joined in service in 1968 and during this year except the annual incremental benefits I got the only once a benefit of the HS II Scale fixation i.e. during these long 32/33 years only one benefit of the Higher Scale and that too in 1996 only.

From all these points it would appear that I have been denied justice and hence this prayer to your goodself with hope and assurance that I shall get justice this time from your goodself and I shall be given the financial benefits of promotion in Electrician HS II grade w.e.f. 1987 as envisaged in Ministry's letter No. 617/26/EC(3)672/D(W-17) dt. 21.2.94 to meet the ends of justice and subsequent promotion in respective higher scale and grade taking into account the effect of my promotional benefit in 1987.

I again pray your goodself to be kind and gracious enough to kindly sanction the benefit of HS 3 Scale and increment which I am legitimately entitled and for this act of your kindness I shall be ever grateful to you, as duty bound and shall ever pray.

Yours faithfully,

U3

SEPT 2001

AIWS/228330

Sy NC (G. DAS CHOUDHURY)

Elect HS-II

G. S. SILCHAR

Annexure-13^b

Office of the AGE E/M Silchar
PO : Arunachal
Dist : Cachar (Assam)

106/11^b/E1

22 Feb 2001

MES-228330 Shri NC Das Dhoudhury, Elect HS II

(Through I/C Elect Supply Sec)

ALOMALIES IN FIXATION OF PAY ON PROMOTION IN
RESPECT OF MES-228330 SHRI NC DAS CHAUDHURY,
ELECT HS II

A copy of GE Silchar letter No 1612/608/E1R dated 27 Feb 2002 is forwarded herewith for your information and resubmission of application as directed by HQ 137 Works Engineers for further action.

(A K Das)
AE
AGE E/M Silchar

Copy to :- GE Silchar

COPY

Telephone Mily 2500

Office of the GE Silchar Division
PO : Arunachal Dist : Cachar (Assam)
PIN : 788025
27 Feb 2002

1612/608/E1R

AGE E/M
Silchar

ALOMALIES IN FIRKATION OF PAY ON PROMOTION IN R/O
MES-228330 SHRI NC DAS CHONDHURY, ELECT HS II

1. Reference your letter No 106/423/E1 dated 29 Sep 2001.

2. Application dated 03 Sep 2001 submitted by Shri NC Das Choudhury, Elect HS II forwarded to HQ 137 Works Engrs for favour of further action. HQ 137 wks Engrs intimated that since the service book of the indvl is centralised his case should be progressed with HQ C EC Kolkata.

2. You are hereby advised to obtain the following documents from the individual and forward to this office for our further necessary action:-

- (a) Application addressed to HQ CE EC Kolkata (in quadruplicate).
- (b) Comparative statement of pay fixation to juniors who were drawing higher pay (in quadruplicate)

*Pls. file
Adv. cab*

Sd/-
(S K Rai)
AEE
Garrison Engineer

NO. GE/SIL/1021 68

GARRISON ENGINEER'S SILCHAR

COMMENDATION CERTIFICATE

DILIGENT WORKER

This Commendation Certificate of Diligent Worker is Awarded to M/SI 223530 Shri Narendra Chandra Das Ch. Designation Electrician working in AGE E/M Sub Divn., for the year 1994 in a Garrison held on 21 FEB '95, to Commend the Hard Work, Dedicated Duties and Meritorious Performance.

He is commended for sustained Hard Work, maintaining Integrity, Devotion to duty with highest Traditions of service and bringing the good name to this Division of Military Engineer Services.

It is wished that this Commendation Certificate of Diligent Worker shall inspire him further and motivate his Fellow Workers to compete and achieve this Award.

M. K. Shaw
WELFARE OFFICER

M. K. Shaw
GARRISON ENGINEER
CHAIRMAN

*Abhishek
Jain
Advocate*

9

UNIT : GE-SILCHAR : PART II ORDER NO : 25 DATED : 23 JUN 2003 : PAGE NO : 031

PART II ENDS WITH SL. NO 09

PART III

根据《国务院关于进一步加强安全生产工作的决定》，

CANCELLATION

10 237939 Shri Chinmoy Paul (O/TP)
(S3/Cat)

This office PTOs 14/8/2000 beginning 14/5/2001 and 14/6/2002 are hereby made cancelled.

PAR
VICARAGE AND CHURCH SERVICES

PART IV (a)

Digitized by srujanika@gmail.com

RESULT OF TRADE TEST

12 228330 Shri Elect
NC Das Choudhury JJS-II
(SB Cent)

Appeared Trade Test for Elect HS 1
held on 04th & 5th Dec 2002 and
declared PASSED

14 228302 Shri PGM
Ranjit Singh HIS II

Appeared Trade Test for VGM HS I
held on 04th & 5th Dec 2002, and
declared PASSED

15 228357 Shui FGM

Appeared Trade Test for FGM111S I
held on 04th & 5th Dec 2002 and

(SB-Cent) 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 229 230 231 232 233 234 235 236 237 238 239 239 240 241 242 243 244 245 246 247 248 249 249 250 251 252 253 254 255 256 257 258 259 259 260 261 262 263 264 265 266 267 268 269 269 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1870 1871 1872 1873 1874 1875 1876 1877 1878 1879 1879 1880 1881 1882 1883 1884 1885 1886 1887 1888 1889 1889 1890 1891 1892 1893 1894 1895 1896 1897 1898 1899 1899 1900 1901 1902 1903 1904 1905 1906 1907 1908 1909 1909 1910 1911 1912 1913 1914 1915 1916 1917 1918 1919 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938 1939 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2049 2050 2051 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2232 2233 2234 2235 2236 2237 2238 2239 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2299 2300 2299 2301 2302 2303 2304 2305 2306 2307 2308 2309 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2399 2400 2399 2401 2402 2403 2404 2405 2406 2407 2408 2409 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2

declared PASSED one Contd 144--

Attended
New
Advertiser

To
The Chief Engineer
Eastern Command Kolkata
(Through Proper Channel)

AN APPEAL IN THE MATTER OF PROMOTION

Sir,

1. Most humbly and respectfully I beg to lay before you the following few lines for your kind personnel and sympathetic consideration please.
2. That Sir, I submitted my prayer for consider my case for promotion to your end through proper channel vide my application dated 21 Mar 2003.
3. That Sir, several time submitted my application through proper channel but every time the application turned down with this or that reasons.
4. That Sir, after the length of 36 year service in the Deptt. I am depriving from my promotion which has demoralized me and I have been depressed.
5. I therefore, pray your honour to be kind enough to look into the fact sympathetically so that I may get the justice for promotion as acknowledgement of my hard work to serve the Deptt and for this act of your kindness. I remain grateful to you Sir.

Thanking you Sir.

Yours faithfully,

Narendran Das Choudhury

Narendran Das Choudhury

MES No 228330

Electrician HS-II

Copy to :-

The Secretary
AA MES EU, Silchar Br

- for information with details for take up the case with appropriate authority please.

*Fwd by
Allied
law
Advocate*

To

The Headquarters Chief Engineer,
Indian Army,
Eastern Command,
Fort William,
Kolkata-21

(Through proper channel)

Subject : AN APPEAL IN THE MATTER OF PROMOTION

Sir,

Most humbly and respectfully I beg to submit the following for favour of your kind perusal, sympathetic consideration and necessary orders.

1. That, I joined my duties as "Wireman" in the establishment of Garrison Engineer, Masimpur Cantonment (Silchar within the State of Assam) on 03.6.1968. I am a matriculate and a certificate holder in "Wireman trade" from the Industrial Training Institute.
2. That, I passed the Trade Test for Electrician in 1971. However, I was not promoted to the higher post after qualifying myself in the said Trade Test.
3. That, I passed the Trade Test for MPI in 1982 and got promotion to the post of MPI in 1986 without any pay benefit whatsoever.
4. That, I passed the Trade Test for Electrician HS-II in 1996 and got promotion to the said post with an advance periodic increment only in the higher scale.
5. That, sent a petition through proper channel to in Engineer-In-Chief, Army Headquarters, New Delhi on 30-09-1991 explaining inter-alia, as to how I was deprived of promotion to the post of Electrician HS-II in 1984 when my three colleagues having the same status of being wireman and inter-se-seniority, were promoted to the post of Electrician HS-II followed by the fact as to how some of my junior colleagues having the status of wireman, were promoted to the post of Electrician HS-II. Under in said petition, I prayed for allowing myself to appear in the Trade Test for Electrician HS-II.

ANNEXURE - (A) is the photo copy of the said petition dated 30.9.1991

*Subj. Enq.
Maj.
Adv. o/calc'*

The reply to my said petition was communicated vide letter dated 17.6.1992.

ANNEXURE - (B) is the photo copy of the said reply dated 17.6.1992.

6. That, I sent a similar petition through proper channel to the Engineer-In-Chief, Army Headquarters, New Delhi on 29.3.1994 stating inter-alia, as to how I was deprived of higher pay and allowances after being promoted to the post of MPI in 1986 and prayed for adequate redressal thereof.

ANNEXURE - (C) is the photo copy of my said petition dated 29.3.1994.

However, I did not receive any reply to the said petition.

7. That, I sent a petition in detailed through proper channel to in Engineer-In-Chief, Amry Headquarters, New Delhi on 07.7.1994 praying for promotion to the higher cadre.

ANNEXURE - (D) is the photo copy of my said application in detailed dated 07.7.1994.

However, I did not receive any reply to the said petition.

8. That, I drew the attention of the commanding works Engineer, HQ. 137 works Engineer, C/o 99 APO by sending a petition through proper channel on 20.12.1995 praying for promotion to the higher cadre.

ANNEXURE - (E) is the photo copy of my said petition dated 20.12.1995.

However, I did not receive any reply to the said petition.

9. That, I sent a petition through proper channel to the Engineer-In-Chief, Army Headquarters, New Delhi on 08.07.1996 with a copy in advance to the said authority praying for promotion to the higher cadre.

ANNEXURE - (F) is the photo copy of my said petition date 08.07.1996.

Pursuant to said petition, I was asked to submit my explanation allegedly for committing misconduct under certain averments in the said petition.

ANNEXURE - (G) is the photo copy of the letter dated 15.7.1996 from the appropriate authority asking for explanation from my end.

ANNEXURE - (H) is the photo copy of another letter dated 13.8.1996 asking for explanation from my end.

That, I submitted my explanation through proper channel on 30.8.1996.

ANNEXURE - (I) is the photo copy of my said explanation against which I did not receive any reply whatsoever from my disciplinary authorities.

10. That, I sent a petition through proper channel to the Engineer-In-Chief, Army Headquarters, New Delhi on 27.12.1996 praying for promotion to the higher cadre.

ANNEXURE - (J) is the photo copy of my said application in detailed dated 27.12.1996.

ANNEXURE - (K) is the photo copy of the letter dated 13.3.1997 from the appropriate authority intimating myself of the fact that my application dated 27.12.1996 was being considered by the higher authorities and that I would be intimated about the progress of the matter in due course.

ANNEXURE - (L) is the photo copy of the letter dated 26.5.1997 from the appropriate authority forwarding the findings and decision of the Headquarters 137 works Engineer. In his letter dated 05.4.1997 vide ANNEXURE - (L), Headquarters 137 works Engineer had been pleased to admit that the facts having stated in my application dated 27.12.1996 vide ANNEXURE - (J) were correct. And considering the genuinceness of my case, Headquarters 137 works Engineer had been kind enough to recommend my candidature for appearing in the Trade Test for Electrician HS-I. And since then, I was eagerly waiting for receiving formal instruction towards appearing in the Trade Test for Electrician HS-I.

11. However, for want of any such formal instruction towards appearing in the Trade Test for Electrician HS-I, I had been constrained to send two more applications on 07.01.1998 and 19.11.1999 vide ANNEXURES - (M) and (N) respectively praying for promotion etc.

I did not receive any reply against my petitions dated 07.01.1998 and 19.11.1999 vide ANNEXURES (M) and (N) respectively.

12. That, the Trade Test for Electrician HS-I was held in January, 2000 and the result was intimated in November, 2001 to the successful candidates only. It appeared that three of my junior colleagues viz., Mr. M. R. Easkar, Mr. S. C. Nath and Mr. Ramakanta Das, who amongst others, had earlier superseeded me to the post of Electrician HS-II, had been, in fact, selected for the post of Electrician HS-I and they are awaiting promotion. But surprisingly, I have not yet been intimated anything whatsoever in person as to whether I qualified myself in the said Trade Test or not. It needs to be mentioned here that I passed the previous three Trade

Tests in one chance in 1971, 1982 and 1996 respectively. Thus with all respect, I would like to say that although I should not boast of myself being much in expertise in my own trade, yet for all practical purpose and by all reasonable material time, I had the conviction in my mind to come out with flying colour especially when I had to face the Test in question after having served the department for more than three decades to the satisfaction of all concerned !

13. It further needs to be mentioned here that I sent atleast a petition through proper channel on 03.9.2001 addressing the Headquarters 137 works Engineer praying for enforcing my long standing claim for promotion etc.

ANNEXURE - (O) is the photo copy of my said application dated 03.9.2001.

The appropriate authority vide their reply dated 28.02.2002 (ANNEXURE-P), had been pleased to inform that my case should be progressed with the Headquarters Chief Engineer, Eastern Command at Kolkata following my Service Book being centralised. I was advised to submit my application in quadruplicate and a comparative statement of pay fixation addressing the Headquarters Chief Engineer, Eastern command at Kolkata.

14. Thus, on the strength of the instruction having communicated vide ANNEXURE - (P), I am preferring this humble appeal before your goodself with the photo copy all ANNEXURES in quadruplicate. The ANNEXURES would speak for themselves and, as such, for the sake of brevity, their repetition is avoided herein. It is practically not possible on my part to prepare the comparative statement of pay fixation in relation to my juniors for want of material informations following the Service Books being centralised.
15. That, on the strength of Defence Ministry's relevant letters, coupled with departmental letters/circulars from time to time basides the fact of my lougets longest of service unlike other promotees, I ought to have been promoted to the post of Electrician HS-II in 1987 and that of to the post of Electrician HS-I sometime in 1991. Moreover, pursuant to the findings and / or observations having made by the Headquarters 137 works Engineer vide ANNEXURE - (L), if Trade Test for Electrician HS-I is considered to be the mendatory yard-stick in determining the efficiency at the fag end of my prolonged unblemished service career, then the spirit of NATURAL JUSTICE would remain a myth than an actual reality on my part. However, I am still ready to face such Trade Test, if asked for.

16. Under the circumstances, my promotion to the posts of Electrician HS-II and HS-I along with fixation of pay in the higher time scales are required to be implemented retrospectively in 1987 and 1991 respectively and I am to be allowed to draw my legitimate arrear pay and allowances otherwise, I shall be highly prejudiced suffering great and irreparable loss.

I, therefore, pray before your goodself kindly to consider my humble appeal sympathetically and being satisfied, be pleased to allow the appeal causing my promotion to the posts of Electrician HS-II and HS-I retrospectively in 1987 and 1991 respectively and further be pleased to cause fixation of my pay to the higher time scales retrospectively in those years respectively and allow me to draw the arrear pay and allowances accordingly and for this act of kindness, I, as in duty bound, shall exerpray.

Yours faithfully,

N. C. Das Choudhury
(N. C. Das Choudhury)
MES No. 228330
Electrician HS-II
C/o G. E., Silchar Division.

VERIFICATION

The statements having made by me in this appeal are true to my knowledge. I have concealed nothing and not part of my foregoing statements is false.

I proof whereof, I sign this verification at silchar this, the 16th day of August, 2002.

N. C. Das Choudhury
Signature of the Appellant/Petitioner

HQ 137 Wks Engrs
C/O 99 APO

1228/DPC/28/E1C(2)

GE Silchar

21 May 2003

LAI 1339

80

30A

1993

AN APPEAL IN THE MATTER OF PROMOTION

1. Reference your letter No. 1021/A/1339/E1C(2) dt. 31.3.2003.

2. Application dated 16 Aug 2002 and 21 Mar 2003 alongwith its connected documents submitted by MES-228330 Shri NC Das Choudhury, Elect HS-II received vide your letter under reference are returned herewith. In this connection, after passing of trade test for HS-II to HS-I which was conducted by HQ CE SZ Shillong during 04 & 05 Dec 2002, the individual can be promoted to Elect HS-I with notional seniority at par with his juniors who have been promoted from Elect (Sk) to Elect HS-II earlier with pay benefit of Elect HS-I only. Please inform the individual accordingly as conveyed with our earlier letter No. 1228/NCDC/28/E1C(2) dt. 05 Apr 97.

from the date of TOS on promotion as HS-I.

Sreekumar MS
(Sreekumar MS)
Major
Adjt
for CWE

Encls : As above

*Attested
for
advocacy*

Annexure: 19

Headquarters
137 Works Engineers
C/O 99 100

Jul 95

10

122377-04 /SIC(2)

Headquarters
Chief Engineer.
Shillong Zone
Spread Eagle Falls
Shillong-11

(38) 301

25
14

REQUEST FOR INSPECTION ELECTRICAL WORKS

1. Reference your letter or No 702(B)/2/5425/EIC(2) dated 23 Oct 84.

2. It is to indicate that with incumbents have not passed the Trade Test of Elect HS-II as the Grade of MPI was kept aside of the Main stream of Grade structure of Elect. However it is to add that the juniors to these incumbents have been granted Scale of Elect of Elect HS-II as One Time Rotation. Now that they have brought in the grade Elect (SK) and provided relative seniority as per E-in-C's Branch letter No 91026/EIC(5) dated 22 Dec 88 inserted in M/CE EC Calcutta No 181500/24/8600/Engrs/EIC(2) dated 06 Jun 84 thus they are aggrieved and have sought justice, because incumbents/Elect holding same grade/scale and qualified of the same Trade Test as of theirs and juniors to them have been provided with grade of Elect HS-II.

5. It is further submitted in the subject matter that the Trade Test for Elect HS-II had been introduced w.e.f year 1988 after the issue of orders for three grade structure viz

Electrician (SK) crest while Wireman/Lineman, SBA
Electrician HS-II crest while Electrician etc
Electrician HS-I crest while Charge Electrician

4. All the Electrician were absorbed as Eelect HS-II but since the orders for MPI/Instrument repairer (Promoted from Wireman/Lineman/SDA) were withheld they were not absorbed as Eelect HS-II through qualified having passed the Trade test of Electrician. All as per the Electricians who had been considered as equivalent and qualified to Eelect HS-II, On the same analogy they are deemed to have qualified the Trade Test of Eelect HS-II.

5. The relative seniority wof date of introduction of three grade structure (at par with other equivalent categories of Elect brought under the three grade structure) have now been allowed as per AAI R&C's circular letter No 91026/REC(5) dated 08 Jun 84/91026/REC (5) dated 22 Dec 88.

6. In view of the above decision of the N.W. F.I.D.'s Br for implementation of all other benefits /Scale etc as one Time Relaxation may kindly be obtained.

~~16/11 | 1090, 1085~~
8/11 | 1141

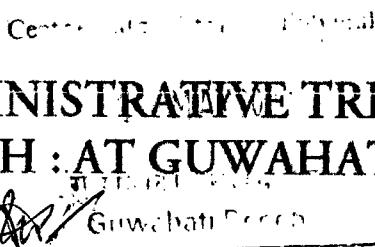
Wain

(Vipin Bakshi)
Major
Mgt/M
for Cdr Wks Engrs

Copy to :-
GB 311 char

for info wrt their letter No 1021/A/1030/E1
dated 25 Mar 85.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : AT GUWAHATI



O.A No. 188 /03

Shri N.C.Das Choudhury

...Applicant

-versus-

Union of India & others

...Respondents

(Written statements filed by the Respondent No.1 to 5)

The written statements of the above noted respondents are as follows:

1. That the copy of the OA No.188/03 (hereinafter referred to as the "Application") has been served on the respondents. The Respondents have gone through the same and understood the contents thereof. The interest of all the respondents being common and similar, these written statements filed by the respondents may be treated as common for all of them.
2. That the statements made in the application, which are not specifically admitted by the respondents, are hereby denied.

3. That with regard to the statements made in **para 1**, the respondents state that there is no cause of action for filing of this application as the claim of the applicant is hopelessly barred by limitation.
4. That the answering respondents have no comment to offer to the statements made in **para 2** of the application.
5. That with regard to the statements made in **para 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9 and 4.10**, the respondents state that these are matter of records, hence nothing is admitted which are either not supported by such records or contrary to the records. Moreover, the claim of the applicant is barred by law of limitation. The respondents also respectfully submit that law is well settled that a settled position by influx of time cannot be unsettled. In case any direction is issued as prayed by the applicant, in that case a large number of employees, who are not implicated as party in the case, would be adversely affected by such order so far their seniority and placement are concerned. This cannot be done without such employees being implicated as a party.
6. That with regard to the statements made in **para 4.11**, the respondents state the statements are not correct. In this connection the respondents state that the applicant first appeared in the Trade Test of Electrician HS-I on 20 & 21st January, 2000 at HQ 137 Wks Engrs but could not succeed. In support of this contention, the following references of communication are made for clarification of the position:

(a) Copy of HQ 137 Wks Engrs letter No. 1219/02/EIC(2) dated 31st December, 1999, where the name of the applicant was included in the list for appearing in the Trade Test of Elect. HS II to HS I to be held on 20 & 21st January, 2000.

(b) Copy of Garrison Engineer, Silchar movement order No. 1008/210/EIP dt. 17th Jan, 2000.

(c) Copy of HQ 137 Wks Engrs letter No. 1218/43/EIC(2) dt. 3.3.2001 where in list of successful candidates who passed Trade Test during 20 & 21st Jan, 2000 was published, but the name of the applicant was not included in the said list as he could not pass the trade test.

With regard to the other allegations that some of his juniors, namely, Shri MR Laskar, SC Nath and Ramapada Das were promoted to Elect HS I, the respondents state that those allegations are not correct. The respondents state that till date those persons are working as Elect HS II only. The other fact is that these persons have already passed the trade test of Elect HS I held on 20 & 21st Jan, 2000. The respondents also state that the claim of the applicant that he succeeded in all the trade tests on first attempt is not correct.

The copies of the letter dated 31.12.1999, Movement Order dated 17.1.2000 and the letter dated 3.3.2001 are annexed as ANNEXURES R1, R2 and R3 respectively.

7. That with regard to the statements made in **para 4.12, 4.13 and 4.17**, the answering respondent states that by submission of successive representations, no new cause of action may arise or limitation will not

run afresh. The law in this regard is well settled by the Hon'ble Supreme Court.

8. That with regard to the statements made in **para 4.12 and 4.14** (there are two paragraphs shown as para 4.12) the respondents state that the applicant of his own admission as stated that he appeared in the trade test held on 4 & 5th Dec.2002 and passed the trade test for Elect. HS-I on 23.6.2003 only. Hence, the allegations so made in the applicant are proved as falsified. After the passing of the trade test, the case of the applicant would be considered as per provisions of law and on availability of vacancies.
9. That with regard to the statements made in **para 4.15**, the respondents state that the applicants do not admit anything which are not supported by such records as referred to and relied upon by the applicant. In this connection, the respondents, however, reiterate and reassert the forgoing statements made in this written statements.
10. That with regard to the statements made in **para 4.16 and 4.18**, the respondents state that as admitted by the applicant himself that he has passed the trade test for promotion to the Elect HS-I only on 23.6.2003, the applicant is not entitled to the relief as claimed and stated in the application.
11. That the statements made in **para 5.1 to 5.11** showing various grounds to justify the claims of the applicant, the respondents state that in view of the facts and circumstances of the case and the provisions of law, the grounds are not tenable in law and the

application is liable to be dismissed with cost. The respondents crave the leave of this Hon'ble Tribunal to allow them to rely upon and produce any such records at the time of hearing of the matter.

12. That with regard to the statements made in **para 6** and 7 of the application, the respondents state that the applicant sat over his claim for over the years and when the position is settled by influx of time, he is trying to raise his old and time barred claims now through this application, which is not maintainable in law.

13. That with regard to the statements made in **para 8.1 to 8.4 and 9.1**, the respondents state in any view of the matter and the provisions of law, the applicant is not entitled to any relief whatsoever as prayed for and the application is liable to be dismissed with cost.

In the premises aforesaid, it is therefore, prayed that Your Lordships would be pleased to hear the parties, perused the records and after hearing the parties and perusing the records may also be pleased to dismiss the application with cost.

Verification

I, Shri **VINOD KUMAR** , at present working as **GE SILCHAR** in the office of the **GE SILCHAR, SILCHAR** , Guwahati, being competent and duly authorized to sign this verification do hereby solemnly affirm and state that the statements made in para **1, 2, 3, 4, 5, 7, 8 and 9** are true to my knowledge and belief, those made in para **-6-** being matter of records are true to my information derived therefrom and the rest are my humble submission before this Hon'ble Tribunal. I have not suppressed any material fact.

And I sign this verification on this **17** th day of December, 2003 at Guwahati.



DEPONENT

VINOD KUMAR DOSE,
Executive Engineer,
Garrison Engineer,
SILCHAR, "

Headquarters
137 Works Engineers
C/O 99 APO

62
ANNEXURE : R 1.

121 02

E1C(2)

31 Dec 99
82

GE 868 EWS
GE 869 EWS
GE 872 EWS
GE Silchar
AGE (D) K'ram

TRED TEST : HS GDE II TO HS - I

1. Seniority list of the following categories shown in the Appxes received from HQ CE SZ for conducting Trade Test for promotion from HS - II to HS - I are fwd herewith:

- (a) Elec HS - II to HS - I Appx A
- (b) Refg Mech Appx B
- (c) Cable Jointer Appx C
- (d) Mason Appx D
- (e) Carpenter Appx E
- (f) Black Smith Appx F
- (g) Painter Appx G
- (h) Ftr pipe Appx H

2. Trade test will be conducted at GE 868 EWS on 20 & 21 Jan 2000. You are therefore requested to direct the indls of your division to report to this HQ to attend the Trade Test well in advance.

3. Detailed instruction will follow.

SG Nair
Lt Col
Presiding Officer

Encls : (6 Sheets)

FR BR

3.66

Set No	MES No, Name and Designation	Date of birth	Present Grade	Date of qualification	Educational qualification	Whether SC/ST/ OBC/UR	Formation	Remark
15.	MES/228225 Shri AR Day	01.05.42	Elect HS - II	Elect HS - II	20.06.96	Gen	GE 872 EWS	
16.	MES/243379 Shri BK Chakraborty	25.03.43	Elect HS - II	Elect HS - II	20.06.96	Gen	AGE(I) Kiran	
17.	MES/228872 Shri MR Chowdhury	10.12.44	Elect HS - II	Elect HS - II	20.06.96	Gen	GE 872 EWS	
18.	MES/228419 Shri Sukumar Chandra Nath	08.04.45	Elect HS - II	Elect HS - II	20.06.96	Gen	GE Silchar	
19.	MES/243379 Shri KK Bhowmick	30.06.46	Elect HS - II	Elect HS - II	20.06.96	Gen	GE Silchar	
20.	MES/228330 Shri NC Das Chowdhury	01.03.47	Elect HS - II	Elect HS - II	20.06.96	Gen	AGE(I)(AF) Kiran	
21.	MES/228632 Shri N Paul	18.04.47	Elect HS - II	Elect HS - II	20.06.96	Gen	AGE(I)(AF) Kiran	
22.	MES/228523 Shri Parimal Mahanta	18.04.48	Elect HS - II	Elect HS - II	20.06.96	Gen	GE 369 EWS	
23.	MES/220229 Shri K Suman Pillai	01.05.52	Elect HS - II	Elect HS - II	20.06.96	SC	GE Silchar	
24.	MES/243443 Shri Ranajaya Das	01.01.56	Elect HS - II	Elect HS - II	20.06.96	SC	GE 872 EWS	
25.	MES/243449 Shri Dipak Rajan Das	20.03.63	Elect HS - II	Elect HS - II	20.06.96			

9
ANNEXURE : R2
gb

Name and
position

MLS 242715 RANJIT KUMAR DEY, ELECT-II
MLS 243829 JITEN BISWAS, ELECT-IF
MLS 243647 MR. LASKAR, ELECT-II
MLS 228419 SUKUMAR CH. NATH, ELECT-II
MLS 243379 K. K. GHOWMIK, ELECT-II
MLS 228330 NC DASCHODHURY, ELECT-HS I
MLS 228523 PARIMAE MAHANTA, ELECT-HS II
MLS 243443 RAMAPADA DAS, ELECT-HS II
MES 233585 JAMANI MOHAN NATH, R.F. MEC
MES 228487 KANUCHANDRA DEY, CARPT-HS II
MES 228495 NIRANJAN DAS, CARPT-HS II
MES 223685 KULASINGH, CARPT-HS II
MES 248826 JAREAHADUR SONAR B/SMITH-II
MES 238231 ABDUL KADAR F. PIPE HS II
MES 226860 ALIM UDDIN F. PIPE HS II
MLS 228323 CHANDRAMONI DAS, F PIPE HS
MLS 228313 Kripendra CHANDRA PAUL
MLS 228783 N. I. KHAN, P PIPE HS II

MOVE

FROM

GARRISON ENGINEER SILCHAR

TO

HQ 137 WORKS ENGINEERS & BACK

DATE OF MOVE

17 JAN 2000 (A/N)

PURPOSE OF MOVE

TO ATTEND TRADE TEST

PROBABLE STAY

03 DAYS (APPROX)

DATE OF COMPLETION

ON COMPLETION OF DUTY

ADVANCE OF TA/DA

MAY BE HAD ON APPLICATION

MODE OF CONVEYANCE

BY RAIL/ROAD

AUTHORITY

HQ 137 WKS ENGRS LETTER NO. 1219/2/EIC(2)
dtd 31 DEC 99

0106

(R. P. MURYA

AE

Off: (Garrison Enginee

No. 1008/ 210/EIP

Office of the Garrison Engineer
Silchar Cantt. P.O. Arunachal

10 Jan 2000

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For information please

10
Annexure III

70
ANNEXURE:

R 3
8X

RECORDED JR

Headquarters
497-Nerke Engineers
C/6199 (APQ)

1218/ u7 /E1C(2)

GE 868 EWS
GE 869 EWS
GE 872 EWS
GE Silchar
AGE (I) Kumbhigram

03 Mar. 2001

TRADE TEST RESULT OF INDUSTRIAL PERS FOR PROMOTION
FROM HS. II TO HS. I

1. "Result of candidates who have appeared in the trade test during Jan 2000 is fwd herewith as per Appx. A attached. Other indls were declared as 'not eligible/ absent/failed'. The result of the indls may please be published through next PTO.

2. The indls who have now declared passed are eligible for consideration for promotion in the next DPC. Their names must be included in the seniority list for DPC alongwith other candidates who have already passed trade test in direct line of promotion.

3. Please ack.

16
(Devendra Singh)
Na.
Adjt
for CME (AOO)

1086/E
Encls. 1 (2 sheets)

Not d. & vide
Pub. with vide
PTO 27-03-2001

BR	366.
FIR	389.

Ministry of Labour
Government of India

Appendix 'A'

RESULT OF TRADE TEST HELD ON 20 & 21 JAN 2000 : HS-II TO HS-I

Ser No	MES No & Name	Present Trade	Trade Tested	Result	Unit	Remarks
1	243647 Shri MR Laskar	Elect HS-II	Elect HS-I	Pass	GE Silchar	
2	238220 Shri AC Kakoli	Elect HS-II	Elect HS-I	Pass	GE 868	
3	243442 Shri Haren Das	Elect HS-II	Elect HS-I	Pass	GE 868	
4	243506 Shri Krishna Sinha	Elect HS-II	Elect HS-I	Pass	GE 868	
5	243580 Shri NK Chakraborty	Elect HS-II	Elect HS-I	Pass	GE 868	
6	238364 Shri RK Gogoi	Elect HS-II	Elect HS-I	Pass	GE 868	
7	243744 Shri AL Hashung	Elect HS-II	Elect HS-I	Pass	GE 869	
8	228419 Shri Sukumar Chandra Nath	Elect HS-II	Elect HS-I	Pass	GE Silchar	
9	228632 Shri N Paul	Elect HS-II	Elect HS-I	Pass	AGE(I) K'Gram	
10	220229 Shri K Suman Pillai	Elect HS-II	Elect HS-I	Pass	GE 869	
11	243443 Shri Ramapada Das	Elect HS-II	Elect HS-I	Pass	GE Silchar	
12	238372 Shri Mahadep Narayan Moon	Refg Mech HS-II	Refg Mech HS-I	Pass	GE 872	
13	228642 Shri DC Das	C/Jtr HS-II	C/Jtr HS-I	Pass	AGE(I) K'Gram	
14	237917 Shri K Gogoi	Mason HS-II	Mason HS-I	Pass	GE 868	
15	228495 Shri Niranjan Das	Carpenter HS-II	Carpenter HS-I	Pass	GE Silchar	
16	220265 Shri Ugam Sharma	Carpenter HS-II	Carpenter HS-I	Pass	GE 869	
17	243409 Shri Chandra Bahadur Thapa	Carpenter HS-II	Carpenter HS-I	Pass	GE 872	
18	243782 Shri Robin Son Muviah	Carpenter HS-II	Carpenter HS-I	Pass	GE 868	
19	238511 Shri Rabinder Das	Carpenter HS-II	Carpenter HS-I	Pass	GE 869	
20	243783 Shri Varaykham Ruivah	Carpenter HS-II	Carpenter HS-I	Pass	GE 869	
21	248826 Shri Jon Bahadur Sonar	B/Smith HS-II	B/Smith HS-I	Pass	GE Silchar	
22	238016 Shri KP Pillai	F/Pipe HS-II	F/Pipe HS-I	Pass	GE 868	
23	238221 Shri Abdul Kader	F/Pipe HS-II	F/Pipe HS-I	Pass	GE Silchar	

Ser No	MES No & Name	Present Trade	Trade Tested	Result	Unit	Remarks
24	228458 Shri H.Goswami	F/Pipe HS-II	F/Pipe HS-I	Pass	AGE(I) KGram	
25	228323 Shri Chandra Mani Das	F/Pipe HS-II	F/Pipe HS-I	Pass	GE Silchar	
26	228318 Shri Kripendra Chandra Pal	F/Pipe HS-II	F/Pipe HS-I	Pass	GE Silchar	
27	238015 Shri D Robi	F/Pipe HS-II	F/Pipe HS-I	Pass	GE 868 EWS	
28	220229 Shri Hardeo Bhagat	F/Pipe HS-II	F/Pipe HS-I	Pass	GE 869 EWS	

19 AUG 2004

O.A. No. 188 /2003
Guwahati Bench

FB

AO The applicant
filed by
Jitengji: Subanta
19.08.04

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

In the matter of:

O.A. No. 188 /2003

Shri Narendra Ch. Das Choudhury.

-Vs-

Union of India & Ors.

-AND-

In the matter of:

Rejoinder submitted by the applicant in reply to the written statement submitted by the respondents.

The humble applicant above named most humbly and respectfully state as under: -

1. That with regard to the statements made in para 3, 5 and 6 [(a), (b), (c)] are categorically denied and further beg to state that the respondents Union of India are not entitled to take plea of limitation when the respondents are very much responsible for non implementation of the Army Headquarters' order/instructions regarding promotion issued from time to time by the Govt. of India, in favour of the applicant. Govt. order dated 21.02.1994 communicated through letter dated 02.05.1994 (Annexure-5) as well as Govt. order dated 10.02.1995 for holding review DPC in

respect of the Instrument Repairer/MPI communicated vide letter dated 19.04.1995 (Annexure-6) never implemented in favour of the applicant when the same was very much implemented in respect of similarly situated employees of CWE, Shillong, namely; Sri S.G. Bhattacharjee and Sri R.N. Bhrammachari who are junior to the present applicant. Moreover, order dated 21.02.1994 and 10.02.1995 was never communicated to the applicant rather applicant was kept in dark about the aforesaid orders, which were passed in favour of the employees like the present applicant. The respondents Union of India implemented Govt. order on pick and choose basis, which attracts violation of Article 14 of the Constitution. Due to inaction, negligence, laches of the respondents the applicant cannot be made to suffer, it was the duty of the respondents Union of India to implement the Govt. instructions/Order relating to promotion on an uniform basis throughout the country. As such the plea of limitation does not look nice on the face of the respondents Union of India when the case of the applicant hit by Article 14 of the Constitution of India.

It is relevant to mention here that following the Govt. instruction contained in letter dated 10.02.1995, Sri S.G. Bhattacharjee and Sri R. N. Brammachari the then Instrument Repairer of CWE, Shillong were granted benefits by the respondents of their own which would be evident from the order dated 13.01.1997 (Annexure-7), where a specific reference of order dated 10.02.1995 is

made while granting retrospective promotion to Sri Bhattacharjee and Sri Brammachari w.e.f. 15.10.1984 and also granted financial benefits with arrears from the same date i.e. 15.10.1984 to the cadre of Electrician H.S II. Be it stated that Sri S.G. Bhattacharjee was initially appointed as Lineman on 19.07.1971 whereas the present applicant was initially appointed on 03.06.1968 as Wireman in the same rank and status, therefore the benefit of retrospective effect of promotion to the cadre of H.S I cannot be denied to the applicant, more so in view of the fact that other juniors of the applicant namely; Sri M.R. Laskar, Sri S.C. Nath and Sri Ramakanta Das have also been granted the benefit of H.S I w.e.f. December, 2002. Therefore fixation in the appropriate higher scale at par with his juniors are also involved in the instant case with retrospective effect. Be it stated that due to some typographical error initial appointment of the applicant has been wrongly shown as in the year 1971 instead of 03.06.1968 in the Original Application, the initial date of appointment of the applicant should have been written as 03.06.1968, which is highly regretted.

In the case of S. Ramanathan Vs. Union of India & Ors, the Hon'ble Supreme Court held that a duty castes upon the government to comply with the requirements of law and the plea of administrative chaos should not be accepted to deny relief to a party which was entitled thereto. Moreover, in the instant case the applicant is

in a better footing even then the case of S. Ramanathan, as because specific Govt. instruction was implemented on pick and choose basis and no review DPC held by the respondents so far promotion of the applicant to the cadre of H.S II is concerned. The applicant also cleared his trade test for H.S II immediately after issuance of Govt. order dated 10.02.1995. Moreover the point of limitation has been elaborately dealt by this Hon'ble Tribunal in case of a similarly circumstanced employee in O.A. No. 1180 of 2002 (Principal Bench, New Delhi) in case of Samyukta Arjuna Vs Union of India and Ors. Moreover, in the instant case, the grievance of the applicant arises for non-extension of benefit of promotion to the applicant in terms of Govt. letter dated 10.02.1995, therefore question of impleading other junior persons who earlier availed the benefit does not arise. It is a case against non-implementation of Govt. policy in respect of the applicant.

2. That with regard to the statement made in paragraphs 6 [(a), (b), (c)], 8, 9 and 10 it is stated that the applicant has fared well in the trade test held on 20/21 January, 2000 at HQ, 137 Works Engineer for promotion to the post of Electrician H.S I but for the reason best known to the authorities his name was not included in selection list published by the respondents. The applicant is very much confident that if the entire records of the trade test held on 20/21

January, 2000 are called for in that event it would be evident that the performance of the applicant is much better than any other candidates whose names figured in the select list of H.S I, however, at any rate the applicant came out successful in the trade test conducted by the respondents on 04.12.2002 and 05.12.2002 and declared passed on 23.06.2003. In this connection it may be stated that the applicant is entitled for the benefit of promotion to the cadre of H.S I as a consequential to his entitlement of promotion to the cadre of H.S II w.e.f. 15.10.1984 in view of the Govt. order dated 10.02.1995.

3. That with regard to the statements made in paragraphs 11, 12 and 13 of the written statement are categorically denied and in this connection it may be stated that the categorical statement of the applicant made in para 4.15 relating to Army HQ letter dated 09.04.2002 has not been specifically denied which has been issued pursuant to the direction of the Hon'ble CAT, Calcutta Bench to remove anomalies which have been cropped up due to non implementation or wrong implementation of various Govt. order relating to promotion/upgradation of the different categories of M.E.S employees. In the order dated 09.04.2002 there is a specific mention of the cadre of Instrument repairer for extending promotion benefit with retrospective effects as per instruction contained in the Govt. order dated 10.02.1995 and for removal of other anomalies at

par with their juniors. In this connection it may be stated that the applicant inspite of his best effort he could not obtained a copy of the order dated 09.02.2002, however he has obtained a copy of the order dated 09.04.2002 where some paragraphs are missing. Therefore the Hon'ble Tribunal be pleased to direct the respondents to produce a complete copy of the order dated 09.04.2002 for proper adjudication of the case of the applicant.

A copy of the order dated 09.04.2002 is enclosed hereto for the perusal of the Hon'ble Tribunal as Annexure-A.

4. That it would be evident from the promotion order dated August, 1996 that the applicant was given in situ promotion to H.S. II w.e.f. 12.08.96 only and it is further evident from PART II ORDER SERIAL No. 15 dated 12.08.96 that the applicant has passed trade test in 1995 for promotion to H.S. II.

Copies of promotion order dated August, 96 and P.T.O dated 08.04.96 are enclosed hereto for perusal of the Hon'ble Tribunal as Annexure-B & C respectively.

5. In the facts and circumstances stated above the Original Application deserves to be allowed with cost granting adequate relief to the applicant with all consequential benefit including monetary benefit.

26/79

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VERIFICATION

I, Shri Narendra Chandra Das Choudhury, Son of late Nagendra Chandra Das Choudhury, working as Electrician H.S II, office of the Garrison Engineer, Silchar, do hereby declare that the statements made in paragraph 1 to 5 are true to my knowledge which I believe to be true. I have not suppressed any material fact.

And I sign this verification on this the 14th day of August, 2004.

Narendra Chandra Das Choudhury

Annexure-A

9X

RECD/REC

Tele: 3019107

Army Headquarters
Engineer-in-Chief's Branch
DHQ PO, Kashinir House
New Delhi-110011

No 90270/73/86/EIC(3)

09 Apr 02

Chief Engineer(s)

Southern Command Pune
Eastern Command Kolkata
Central Command Lucknow
Western Command Chandigarh
Northern Command C/o 56 APO
AIK (O) R & D Hyderabad

COMMENTS ON THE REPORT OF THE EXPERT COMMITTEE
FOR IMPLEMENTATION OF CAT KOLKATA BENCH ORDER
IN OA NO 118/97 FILED BY SHRI P.K. MOBANTA & OTHERS

1. An expert Committee was constituted on the orders of the Hon'ble CAT Kolkata to examine the grievances of the applicants of subject OA, for the purpose of removal of anomalies as claimed by the applicants. The Committee has now submitted its report. Copy of extract of the report is forwarded herewith.
2. Action is required to be taken on the recommendations of the Expert Committee regarding the anomalies pertaining to all the effected employees of MES.
3. In view of above, you are requested to offer your comments on the Expert Committee Report so that no further anomalies are created while implementing the recommendations of the Expert Committee Report. Your views/comments should reach this office by 15 May 2002.

2/2/2002

(Raj Kumar)

Lt Col
SQB/EIC
For E-in-C

Encl. As above

Some copy
for
Advocate
19/5/02

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81

COLLECTION OF INFORMATION AND DATA

5. In order to conduct this study in the matter, the Committee collected 20 numbers of various government orders and instructions issued by Ministry of Defence and E-in-C's Branch AIO i.e. EIC. These letters are listed as Annexure I and the copies of the same are enclosed.

6. Besides the above mentioned orders/letters/circulars EIC section of E-in-C's Branch were also requested to furnish certain information and documents by the Committee vide letter No.36323/Court Case/CEI, dated 02 Aug 2001. In response EIC Section provided under mentioned documents for study by the Committee vide EIC Section letter No.90270/TOS/MISE/EIC (3) dated 03 Oct 2001 (Copy enclosed as Annexure II).

(a) Expert Classification Committee Report in five bound volumes.

(b) Representations submitted by six individuals from Northern Command. Copies of the representations are enclosed as Annexure III to this report.

(c) The copy of executive instructions which was issued by Govt./E-in-C's Branch in which it was ordered to grant higher pay scale of Rs 330-480 to 10 percent of SBA and Wireman with effect from 16 Oct 1981. However, this letter could not be traced out and produced to this Committee.

7. In order to ascertain the nature of problem, its causes and its effect on the employees, the committee visited certain selected places and met affected employees, their trade-union representatives and also two of the applicants (as subject OA 113, 113/1997).

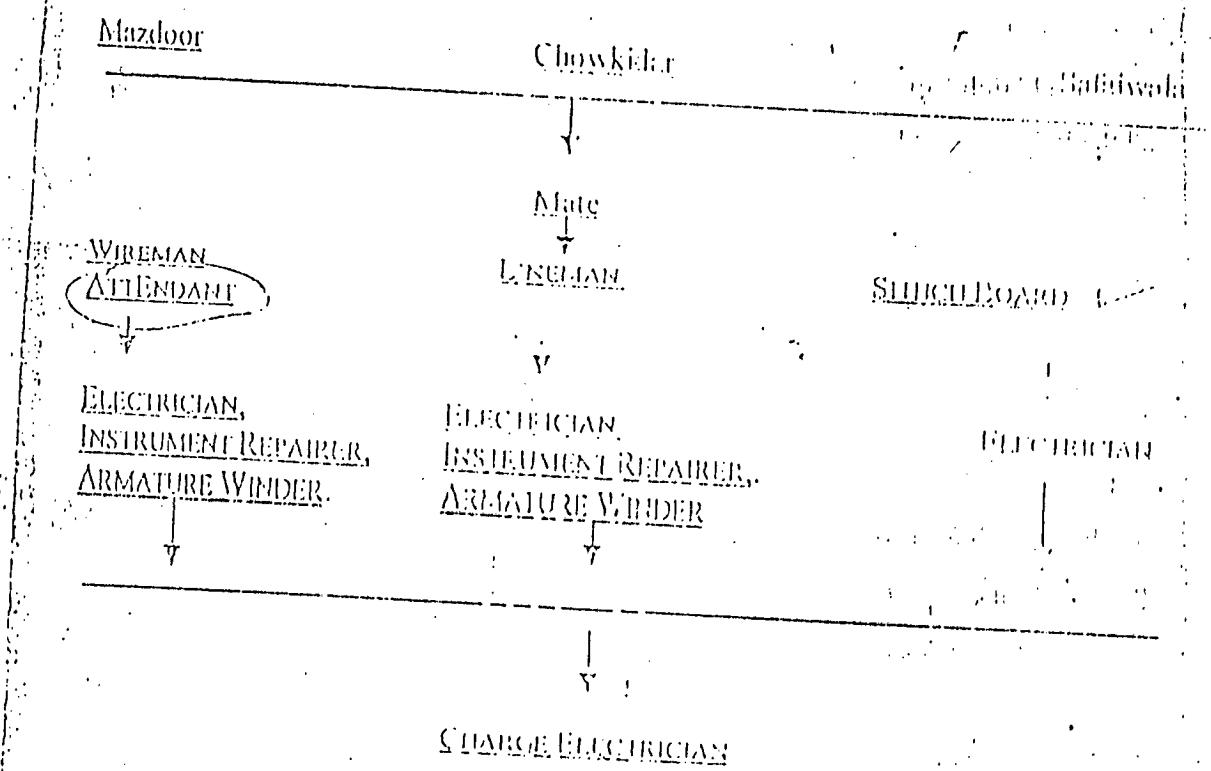
8. The Committee heard the grievances/views of employees on the one side and the administration side. The offices and areas visited by the Committee are listed under:-

(i) HQ Chief Engineer, Southern Command, Pune

- (ii) Chief Engineer, Pune Zone, Pune
- (iii) Chief Engineer (Air Force), Bangalore
- (iv) Chief Engineer (Navy), Kochi
- (v) CWE(Navy) Kochi
- (vi) HQ Chief Engineer Eastern Command, Kolkata
- (vii) Chief Engineer Kolkata Zone, Kolkata
- (viii) Chief Engineer Siliguri zone, Siliguri

CIRCUMSTANCES LEADING TO DISPARANCES IN THE PAY OF STATION
VIS-A-VIS THE JUNIOR

9. Prior to fitment of industrial graded posts in various pay real and for recommendations of Expert Classification Committee and re-structuring of the trades, the components of existing Electrician Category and their line of promotion was as shown below:-



10. The posts of Wireman, Lineman and SwitchBoard Attendant (SDA) were in Semi-Skilled grade with a pay scale of Rs 210-290 and their next higher grade posts for promotion i.e., Electrician, Armature Winder and Instrument Repairer were in the skilled grade with a pay scale of Rs 260-350.

UPGRADATION OF SKILLED POSTS

13. Further, pursuant to the Expert Classification Committee's recommendations the Ministry of Defence, after discussing the matter with the staff side, approved that a proportion of 10 percent of a few skilled trades posts were granted further, at higher pay scale where it was felt that promotional avenues were limited. Under this scheme, 10 percent of Wireman and SBA were granted a further higher pay scale of Rs 330-430 with effect from 16 Oct 1981. The upgradation was granted strictly on the basis of Seniority without requirement of passing any further trade test etc.

14. After implementation of fitments in the respective pay scales pursuant to ECC recommendations, as approved by the govt, the pay scale of feeder categories of Electrician, Armature Winder and Instrument Repairer not only was upgraded at par with their pay scale, but some of their erstwhile juniors in the post of Wireman and SBA started drawing even higher pay scale of Rs 330-430 because of the upgradation against a quota of 10 percent of the total vacancies.

ANOMALIES COMMITTEE

15. Due to implementation of the settlement as brought out above certain anomalies had arisen. Certain jobs needed re-evaluation and re-structuring of various grades for implementing the three-grade structure and thus grant of Highly Skilled Grade II & Highly Skilled Grade I, as also certain other problems were required to be resolved. In an effort to remove the anomalies, the govt. thus appointed an Anomalies Committee in 1982 which was headed by an Officer of the rank of a Joint Secretary and ten other members (Six from official side and four from staff side). The committee had submitted its report during May 1984.

INTRODUCTION OF THREE GRADE STRUCTURE

16. Based on the recommendations of Anomalies Committee, Ministry of Defence, introduced three-grade structure in certain common categories of Industrial Tradesmen with benchmark percentages as under:-

- (a) Highly Skilled Gde I - 15%
- (b) Highly Skilled Gde II - 20%
- (c) Skilled Gde - 65%

17. Government orders to implement the above-mentioned three-grade structure were issued vide Ministry of Defence letter No.3810/DS (One)/Civ.I/84 dated 15 Oct 1984. As per this Govt. order the three-grade structure was made applicable to 16 common categories which included Electrician and Line Mistry (Lineman in MES). This was to be given with effect from 15 Oct 1984. Consequent upon issue of the Govt. Order, the E-in-C's Branch also issued an executive order to club Electrician and Lineman together for the purpose of granting promotion to HS Gde II and HS Gde I respectively as both these posts were in the same line of promotion. However, for want of detailed instructions regarding implementation, it was not possible for the field units to implement this scheme of three-grade structure and it was not done in most of the places. These orders regarding implementation of three grade-structure were implemented only after detailed instructions were issued vide Ministry of Defence letter No. 1(I)/30/D (ECC/CC) vol. III dated 03 Apr 1986.

18. As per above mentioned Govt. order dated 03 Apr 1986 promotion against initial 20% vacancies in the HS Gde II grade was to be granted on the basis of seniority without any further requirement to pass any trade test etc. (as a one-time measure only) with effect from 15 Oct 1984. Over and above these 20% vacancies a further 15% (whichever applicable) were also to be promoted to HS Gde II against the vacancies pertaining to HS Gde I with effect from the same date i.e. 15 Oct 84 after passing the prescribed trade test in two chances. Those promoted to HS Gde II would thereafter be eligible to be promoted to HS Gde I against the 15% vacancies in HS Gde I.

CLUBBING OF OTHER TRADES/POSTS WITH ELECTRICIAN

19. In 1987, the Ministry of Defence vide their letter No.91026/E1C/38/D (W-II), dated 24 June 1987 codified and re-designated the under-mentioned categories as Electrician Category:-

- (i) Armature Winder
- (ii) Lineman
- (iii) Switch Boardatten Jant (SBA)
- (iv) Wire-man

Subsequently Instrument Repairer Category too was codified/re-designated as Electrician vide Ministry of Defence letter No.91026/E1C (3)/672(D (W-II), dated 21 Feb 1994 read with letter No. 91026/E1C (3)/2395/D (W-II), dated 28 June 1994.

20. Consequent to clubbing up of the above mentioned categories with Electrician Category there was this requirement to review the promotions which were granted earlier to 20 % of Electricians/Linemans. In view of this, instructions were issued by E-in-C's Branch vide letter No.91026/E1C (3), dated 22 Dec 88 instructing the field units to prepare a combined Seniority list of Electricians after the clubbing with these categories. As per the instructions all the Electricians (who were promoted from Lineman, Wireman and SBA) were to be placed en-block senior to others. As per

HIGHER PAY SCALE TO A JUNIOR

21. On the combined seniority of Electricians which was recast after inclusion of Wireman, SBA etc Electrician, Armature Winder, Instrument Repairer were placed enmasse senior to Wireman and SBA. However, since certain Wireman and SBA were already granted higher pay scale of Rs 330-480 with effect from 16 Oct 81 against 10% vacancy and they were all to be placed below Electrician, Armature Winder and Instrument Repairer. This, thus created a situation that a junior was drawing higher pay scale than his senior was drawing. Subsequently when they were further promoted to higher grades the anomaly was carried over to HS Gdc I and further higher level as well.

REPRESENTATIONS AND CASES WITH CENTRAL ADMINISTRATIVE TRIBUNALS AND COURTS OF LAW

22. The anomaly of a junior Electrician drawing higher pay than the senior was thus to become a cause for generating representations from many a number of employees. Due to various reasons, it appears that there was no positive remedial action, which was taken to redress these grievances of the employees. As complete old records/files are not presently available the reasons for not taking action to resolve the issue could not be ascertained by this committee. On account of the anomaly there have been several cases filed by the aggrieved individuals in the Central Administrative Tribunal and the affected employees in most of these cases were granted relief through the orders/judgements by the respective benches of the Central Administrative Tribunal. In 1997, on this very issue, one Shri P.K. Mabanta and six other Electricians working in Siliguri Area filed an OA No. 118/1997 in the Central Administrative Tribunal Calcutta Bench. In that OA Hon'ble Central Administrative Tribunal instead of directing the respondent department to grant relief to the petitioner has directed the respondent to appoint an Expert Committee to take the decision in the matter and to resolve the anomaly as claimed by the applicants. Accordingly the Ministry of Defence had constituted this committee

OBSERVATIONS OF THE COMMITTEE

23. After studying the complete case, the committee has come to the conclusion that the disparity in the pay of the senior vis-à-vis his junior in the Electrician category has occurred because of the grant of higher pay scale of Rs 330-480 to 10% of Wiremen and SBAs with effect from 16 Oct 81 as the cut-off date, without considering the fact that the line of promotion of these categories was that of an Electrician. As per the instructions issued, the higher Scale of Rs 330-480 was granted to 10% of the wireman and SBA who were holding their post as on 16 Oct 81. Those Wiremen and SBAs who were already promoted to next higher grade i.e. Electrician, Armature Winder or Instrument Repairer were deprived of the benefit of this up-gradation even though they were senior to these Wiremen and SBAs who did receive the benefit of higher pay scale simply because on the particular cut-off date they happened to be within the first 10% amongst the Wiremen and SBAs on the rolls of a particular CWE. Further, out of three categories of feeder grades to Electrician, Armature Winder and Instrument Repairer, only Wireman and SBA were granted the benefit and the third category i.e. Lineman was excluded.

24. Prior to issue of Ministry of Defence letter No.91026/EIC/88/D (Civ-II) dated 24 Jun 87, the cases of a junior drawing higher pay than the senior was not existing because of the fact that after fitment of trades as per ECC recommendations the post of Wireman and SBA were upgraded to skilled category and had ceased to be in the hierarchy of Electrician category. Their line of promotion to Electrician, Armature Winder and Instrument Repairer had been snipped after their pay scale came at par with their erstwhile promotional post. However, after issue of the govt. letter dated 24 Jun 87, wherein all the categories were again clubbed into one category the anomaly came to surface. Since all the categories were pooled into one combined seniority.

25. It has been observed by the Committee, that as per para 2 (c) (iii) of E-in-C's Branch letter No.91026/EIC (J) dated 22 Dec 88, those Wiremen and SBAs who had been granted higher pay scale of Rs 330-480 against 10% vacancies as on 16 Oct 81 were to be placed in the seniority list HS Grade II below other HS Grade II incumbents.

26. The Committee consider that these instructions are not in order because this would place the erstwhile linemen in category I in a position of disadvantage for want of theirs. For example, let us illustrate this with an example given in the sub-para set given below.

✓ 27. Let us assume that there are two individuals Sarvashri A and B. Shri A was promoted as a Lineman in 1977 and Shri B was promoted as a Wireman in 1979. Shri B has got the benefit of higher pay scale of Rs 330-430 w.e.f. 16 Oct 81 against a quota of 10% of the total vacancies of Wireman in a particular CWE area without any fault on his part because of this one-time up-gradation. Thus it would be observed that Shri A, who is senior to Shri B, remained in the pay scale of Rs 260-400 without any fault of failure on his part because of this one-time up-gradation suddenly coming up. Now if Shri B is placed in the seniority of HIS Grade II above as compared to Shri A, it will be injustice to Shri A who is placed in the Seniority list of a lower grade and thus will always remain at a disadvantage as compared with Shri B whereas he was senior to him and has done nothing adverse which causes him to deserve this fate.

28. In view of above the Committee suggest that E-in-C's Branch should review the instructions in this regard.

29. It has also been observed by the Committee that in E-in-C's Branch letter dated 22 Dec 1983 the instructions regarding fixing of seniority in combined Electrician category speaks only about placing Electrician category eminently senior to others. It does not mention anything regarding fixing of Seniority in a similar manner in respect of Armature Winder which was also clubbed with Electrician vide Govt. Order dated 24 June 1987. Further, consequent to inclusion of Instrument Repairer in Electrician Category in 1994, similar treatment is also necessary to be given to this category.

30. The anomalies in the matter of pay etc appear to have occurred because the instructions on fitment, re-signation and clubbing of various categories have been issued by different section in the Ministry of Defence viz D(EIC), D(Civ-I) and D(W-II) at different points of time.

RECOMMENDATIONS OF THE COMMITTEE

31. (a) As per the govt. policy a senior employee cannot be allowed to draw lesser pay than his Junior unless there is something adverse against him. This policy is reflected in the Government of India decisions/instructions under Fundamental rules. As per Govt. Order under FR 22, when a Junior employee starts drawing pay at higher stage in the pay scale due to application of pay fixation rules the pay of the senior has to be stepped up at par with the pay of the Junior. Although these provision of the rules cannot be applied in *toto* in the case of the senior electrician but the committee recommends that the spirit of the govt policy as enunciated in the Fundamental Rules should also be applied in these cases and the senior electrician should be granted higher pay scale of Rs 330-480 with effect from 16 Oct 1981 at par with their juniors. Since seniority/promotion etc. in respect of industrial personnel in MES are CWE area based for the purpose of identification of senior or junior it should be on CWE area basis. In other words in any CWE area if any junior Wireman or SBA had been granted higher pay scale of Rs 330-480 wef 16 Oct 1981, the pay of their senior counterpart who had already been promoted to Electrician, Armature Winder or Instrument Repairer prior to 16 Oct 1981 or those Linemen who were senior in the grade as compared to those 10% of Wireman and SBA their pay should also be upgraded to the scale of Rs 330-480 with effect from the date their juniors were granted with all consequential benefits.

(b) In view of the facts as brought out in the observations of the committee in paras 24 to 27, the instructions regarding fixation of seniority vide E-In-C's Branch letter dated 22 Dec 88 is also recommended to be reviewed.

(c) To obviate any further cases going to the Central Administrative Tribunal or becoming causes for grievances/litigation, it is recommended that the CWE concerned be empowered to deal with such cases in the light of FR 22 which can be applied *mutatis mutandis*, since this rule is not applicable in *toto* in this context.

(d) The committee during the course of interaction with all concerned in the field units, have also learnt that similar situation may arise in case of certain other categories such as Fitter General Mechanic, which has been created by clubbing several categories of industrial personnel. It is recommended that the same principle may be made applicable in this category.

(93)

clubbing several categories of industrial personnel. It is felt that if the same principle may be made applicable in this case too—

(e) Experts Classification Committee in their deliberations for job evaluation and analysis had observed that the process of job evaluation and analysis is a continuous one and ought to be made a regular feature and a periodical exercise.

(Paras 8.10 to 8.12 on page 15-16 of the report and recommendations ix, x, xi on pages 71-72 refer)

32. The technological changes have brought in a host of far-reaching consequences in the skills requirements, qualifications, experience, hazard, responsibility etc. of the workers and with more automation coming up, these changes will become greater. It is therefore, imperative that this exercise of job evaluation and analysis is made a regular feature at a periodicity of two/three years.

(SK Bhargavi)
Chairman

Chief Engineer
Chairman Expert Committee

Smt SK CHHETRI, SAG

MEMBER

Smt RS KAISI, AEA

MEMBER

For
For
Advocate
19.08.84

Annexure-B
Office of the Lt. Sillchar Divn
Post : Arunachal, Ds t-Cacher
Assam - 788 025

94

1086/ 1125/818

- 11 AUG 96

AGM B/R (P) Meitkpur
AGM B/R Sillchar
AGM B/R Vokongtee
DSO Sillchar
AGM E/M Sillchar
DET MBS Alorot, C/O

Annexure

EXCUTION/ROLLING & INDUSTRIAL STAFFS

1. The following individuals of different trades have been promoted and placed in 'SITU' w.e.f 12 AUG 96 (PN) :-

Box No.	MAS No and Name	Present Designation	Promoted No
✓(a)	MES/223313 Shri Elvash Ranjan Das	Electrician HS-II	Electrician HS-I
✓(b)	MES/228329 Shri Joy Kumar Singha	-do-	-do-
(c)	MES/243443 Shri Ramesh Das	Electrician (SK)	Electrician HS-II
✓(d)	MES/223330 Shri N C Das Choudhury	-do-	-do-
✓(e)	MES/220419 Shri Subhankar Chandra Nath	-do-	-do-
✓(f)	MES/238323 Shri Parimal Mahanta	-do-	-do-
✓(g)	MES/243379 Shri K K Bhownik	-do-	-do-
✓(h)	MES/223346 Shri Promode Chandra Roy	Mate (SSK)	Electrician (SK)
✓(i)	MES/242676 Shri Ved Prakash Sharma	-do-	-do-
✓(j)	MES/235037 Shri Dayanand Rai	-do-	-do-
(k)	MES/243384 Shri Somarendra Chandra Guin	-do-	-do-
✓(l)	MES/228747 Shri Indra Mohan Sarker	-do-	-do-
✓(m)	MES/435604 Shri B Rahman	-do-	-do-
✓(n)	MES/243492 Shri Upendra Kr Roy	-do-	-do-
✓(o)	MES/243424 Shri M A Laskar	-do-	-do-
✓(p)	MES/243383 Shri Moni Biswanath Nath	-do-	-do-

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19.08.96

Contd : ... 2/- ...

PART II ORDER SERIAL NO. 15 DATED 08 APR 96

PAGE NO. 4

6

PART IV(b)

Trade test result (Contd..)

37.	228330	Shri NC DAS	ELECT	JUL 95	
		CHUDHURY	(SK)	JUL 95	S1 No 37 to 46
38.	228419	SHRI SC NATH	-do-	JUL 95	Appeared in trade test for
39.	238523	SHRI P MCHANTA	-do-	JUL 95	Electrician HS-II held
40.	243379	SHRI KK BHONMIK	-do-	JUL 95	during Jul 95 and declared
41.	228338	SHRI KP NAIR	-do-	JUL 95	"PASSED".
42.	243454	SHRI MH KHAN	-do-	JUL 95	Auth: HQ 137 Wks Engrs
		CHUDHURY			letter No 1219/TT/450/EIC
43.	243445	SHRI RP DAS	-do-	JUL 95	(2) dated 23 Mar 96.
44.	243420	SHRI MU LASKAR	-do-	JUL 95	
45.	243581	SHRI PBHATTACHARJEE	-do-	JUL 95	
46.	243575	SHRI KK BHATTIA	CHARJEE	JUL 95	
47.	243883	SHRI M. NATH	MATE	JUL 95	S1 No 47 to 53
48.	235037	SHRI D. NATH	-do-	JUL 95	Appeared in trade test for
49.	243384	SHRI SC GUN	-do-	JUL 95	Electrician (SK) held during
50.	228747	SHRI IM SARKAR	-do-	JUL 95	Jul 95 & declared "PASSED".
51.	545609	SHRI M RAHMAN	-do-	JUL 95	
52.	243424	SHRI MA LASKAR	-do-	JUL 95	
53.	243452	SHRI UK ROY	-do-	JUL 95	
54.	237488	SHRI KR DEB	FGM (DEM)	JUL 95	For S1 No 54 to 67
55.	228302	SHRI RANJIT SINGH	-do-	JUL 95	Appeared in trade test
56.	228357	SHRI CH BHATTIA	CHARJEE	(MPDE)	for FGM HS-II held during
					Jul 95 and declared
57.	228638	SHRI AK SAHA	-do-	JUL 95	"PASSED".
58.	228774	SHRI AC PAUL	-do-	JUL 95	
59.	228633	SHRI FU CHOWDHRY	-do-	JUL 95	
60.	228929	SHRI SK DAS	FGM	JUL 95	
			(PHC)		
61.	228777	SHRI SK NATH	-do-	JUL 95	
62.	228343	SHRI KJ BARBHOYA	-do-	JUL 95	
63.	228647	SHRI M. NATH	-do-	JUL 95	
		MOHIN SINGH			
64.	228348	SHRI SD ROY	(DES)	JUL 95	
65.	354346	SHRI SC CHAKRABORTY	FGM	JUL 95	
			(PHO)		
66.	228960	SHRI RAMNATH GOSA	-do-	JUL 95	

Trade test result 19.08.96

PART II ORDER SERIAL No. 15 DATED 03 APR 96 PAGE No. 3

1 2 3 4 5 6

Trade test result (Contd)

PART IV(a)

21.	228352 SHRI KUTUB ALI LASKAR	F/Pipe HS-II	JUL 95	Appeared in trade test for F/Pipe HS-I held during Jul 95 and declared 'PASSED'
22.	228314 SHRI KAJIM	do	JUL 95	
23.	228346 SHRI PC ROY	MATE	JUL 95	Appeared in trade test for ELECTRICIAN(SK) held during Jul 95 and declared PASSED.
24.	242676 SHRI VP SHARMA	do	JUL 95	
25.	228356 SHRI DK DAS	FGM	JUL 95	Appeared in trade test
26.	228349 SHRI SR DEY	FGM (Ex PHO)	JUL 95	for FGM HS-II held during Jul 95 and declared PASSED.
27.	234085 SHRI KN ROY	do	JUL 95	
28.	228350 SHRI ANUPAM DÉB ROY	FGM (Ex DES)	JUL 95	
29.	220106 SHRI SANGMI	MATE LAL	JUL 95	Appeared in trade test for FGM(SK) held during Jul 95
30.	228181 SHRI NC MALAK	R-do	JUL 95	and declared 'PASSED'
31.	228324 SHRI GM DAS	F/Pipe	JUL 95	Appeared in trade test
32.	228318 SHRI KC PAUL	do	JUL 95	for F/Pipe HS-II held during Jul 95 and declared PASSED.
33.	220327 SHRI MR DAS	do	JUL 95	
34.	228325 SHRI RU MAZUMDAR	do	JUL 95	
35.	228792 SHRI NC DAS	MATE	JUL 95	Appeared in trade test for F/Pipe held during Jul 95
36.	228463 SHRI BB PAUL	MATE	JUL 95	and declared 'PASSED'

Auth for sl No. 21 to 36: HQ 137 Wks Engrs letter No 1219/TT/450/
EIC(2) dated 23 Mar 96

Part IV(a) ends with serial No. 36

(CM Patil)

BSO
for Garrison Engineer

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