

50/600

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05**

5

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 114/95
R.A/C.P No.
E.P/M.A No.

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SECTION OFFICER (Judl.)

Sahib
5.2.98

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
GUWAHATI

ORIGINAL APPLN. NO. 114 OF 1995
 TRANSFER APPLN. NO. OF 1995
 CONTEMPT APPLN. NO. OF 1995 (IN OA NO.)
 REVIEW APPLN. NO. OF 1995 (IN OA NO.)
 MISC. PETN. NO. OF 1995 (IN OA NO.)

..... *Smt. K. N. Menon* APPLICANT(S)

-vs-

..... *U. C. I. J. O. M.* RESPONDENT(S)

FOR THE APPLICANT(S)

... MR. *J. L. Sarkar*
 MR. *M. Chandra*
 MR.
 MR.

FOR THE RESPONDENTS

... MR. *A. K. Choudhury*
Addl. C.G.S.C.

OFFICE NOTE

DATE

ORDER

This application is in
 form and within time,
 E. F. of Rs. 50/-
 deposited vide
 IPO/BD No. *88/304/95*
 dated *12.6.95*

Sd/-

M. K. Das
Secy

29-6-95

Leave note of Mr. J.L.Sarkar.
 Mr. A.K.Choudhury Addl.C.G.S.C. for the
 respondents. Adjourned to 4-7-95.

Vice-Chairman

lm

Member

4.7-95

FIA on 6.7-95

6.7-95

FIA on 13.7-95

Section Officer,
 Central Administrative Tribunal
 Guwahati Bench,
 Guwahati.

18-7-95

~~Discarded by order of Misc. Petition
 50/95 separately passed to-day.O.A. to be
 listed for hearing on 7-9-95.~~

13.7.95

By Admission 18.7.95

Vice-Chairman

Member

lm

18-7-95

Heard Mr. J.L. Sarkar. Prima facie case disclosed. Application is admitted. Issue notice to the respondents. Written statement within 8 weeks. Liberty to applicant to apply for early date of hearing after the respondents are served. Mr. A.K. Choudhury Addl. C.G.S.C seeks to appear for respondents 1 & 2. However notice shall be separately sent directly to the said respondents and respondent No. 3.

Adjourned to 19-9-95. for orders.

Requisites ~~sent~~
cases no 3164-66 & 21-7-95

[Signature]

Vice-Chairman

[Signature]

Member

19/7

lm

19-9-95

Notice duly served
on R. no 1, 2 & 3.

Mr. J.L. Sarkar for the applicant.
Mr. A.K. Choudhury Addl. C.G.S.C
for the respondents.

At the request of Mr. Choudhury adjourned to 9-11-95 with liberty to file written statement.

12/8

~~Statement has not been~~

[Signature]

Vice-Chairman

[Signature]

Member

19/9

lm

9.11.95
If order on 8.1.96

~~19/9~~

8.1.96

To be listed for hearing on 20.2.96

By order

14.11.95

W/S in and on behalf of order
of respondents No. 1, 2 and 3. 20.2.96
has been submitted.

for hearing
on 16.6.96

[Signature]

By order

OFFICE NOTE

DATE

ORDER

3

11.6.96

Mr M.Chanda for applicant present and prays for adjournment. Prayer allowed Hearing adjourned to 5.7.96.

Member (A)

Member (J)

pg

5-7-96

Learned Addl.C.G.S.C. Mr.A.K. Choudhury for the respondents. List for hearing on 2-8-96.

Member

pg

2.8.96

Mr M.Chanda for the applicant. Mr A.K.Choudhury, Addl.C.G.S.C for the respondents.

List for hearing on 29.8.96.

Member

pg

29.8.96

Mr M.Chanda for the applicant. List for hearing on 26.9.96.

Member

pg

26.9.96

Learned counsel Mr J.L. Sarkar for the applicant.

List for hearing on 20.11.96.

Member

trd

27/9

1) Notice duly served on Respondts 1 & 3

2) w/statement - has been filed

28/7

1) Notice duly served on Respondts no. 1 & 3

2) w/statement - has been filed

28/8

1) Notice duly served on Respondts no. 1 & 3

2) w/statement - has been filed

25/9

30.11.97

W/Statement by Sub W.
29/4

27-3-97

Learned counsel Mr. J.L. Sarker for the applicant and Mr. A.K. Choudhury Addl. C.G.S.C. for the respondents are present.

List on 30-4-97 for hearing.

[Signature]
Member

[Signature]
Vice-Chairman

pg.

[Signature]
31/3

30.4.97

Mr. M.Chanda has informed that Mr. J.L.Sarker, who is in-charge of this case has suddenly become indisposed and unable to argue the case today. Accordingly the is adjourned till 21.5.1997.

List on 3.6.97 for hearing.

[Signature]
Member

[Signature]
Vice-Chairman

trd

[Signature]
215

3.6.97

Heard the learned counsel for the parties. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application is disposed of. No order as to costs.

[Signature]
Member

[Signature]
Vice-Chairman

nkm

[Signature]
10/7/97

28.7.97

Copy of the Judgment has been issued to the parties vide D.No. 2415 to 2418 on 16.7.97.

[Signature]

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::: GUWAHATI-5.

O.A. NO: 114 of 1995
T.A. NO.

DATE OF DECISION 3.6.1997

Km N. Mencha Devi

(PETITIONER(S))

Mr J.L. Sarkar and Mr M. Chanda

ADVOCATE FOR THE
PETITIONER (S)

VERSUS

Union of India and others

RESPONDENT (S)

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

ADVOCATE FOR THE
RESPONDENT (S)

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

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

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

Judgment delivered by Hon'ble Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.114 of 1995

Date of decision: This the 3rd day of June 1997

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Km N. Mencha Devi,

Resident of Chingamakha Liwa Ningthoujam,
Leikai, Imphal.

.....Applicant

By Advocate Mr J.L. Sarkar and Mr M. Chanda.

-versus-

1. Union of India, represented by the
Secretary to the Government of India,
Ministry of Press Information Bureau,
New Delhi.
2. The Principal Information Officer,
Press Information Bureau,
Government of India,
New Delhi.
3. The Assistant Information Officer,
Press Information Centre,
Imphal, Manipur.

.....Respondents

By Advocate Mr A.K. Choudhury, Addl. C.G.S.C.

.....

O R D E R

BARUAH.J. (V.C.)

The applicant has approached this Tribunal by this Original Application praying, interalia, for induction of the applicant in the Indian Information Service Group 'B' or to a post with higher pay scale. At present, the applicant is working as Receptionist in the Department of Press Information Bureau, Imphal, under the Ministry of Information and Broadcasting. The contention of the applicant is that from her present post of Receptionist

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there is no promotional avenue and in the absence of the promotional avenue the applicant cannot work properly. According to the applicant no employee can serve in a department where there is no promotional avenue. In this connection the applicant had already submitted representations by Annexure 17, 18 and 19, but to no avail. Hence the present application.

2. In due course the respondents had entered appearance and filed written statement. In their written statement the respondents have stated that the department has already written to the Fifth Central Pay Commission for creation of two posts of promotional scale. However, upto now no instructions have been received.

3. It is well accepted principle that an employee cannot serve properly without having any promotional avenue. However, this Tribunal cannot give any direction for creation of higher post. It is for the department or the authority concerned to consider about this. cons

4. We have heard Mr M. Chanda, learned counsel for the applicant and Mr A.K. Choudhury, learned Addl. C.G.S.C. appearing on behalf of the respondents. On hearing the counsel for the parties we dispose of this application with the following direction:

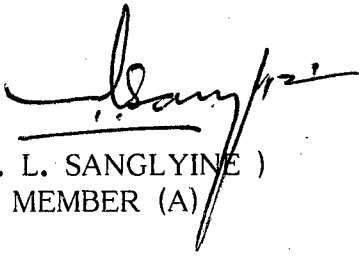
The applicant may file representation before respondent No.1 through respondent NO.2 within a period of four weeks from the date of receipt of this order and if such representation is filed within the period mentioned, the respondent No.1 shall

consider.....


B

consider the same and pass necessary reasoned order. This must be done as early as possible, at any rate within a period of three months from the date of receipt of the representation.

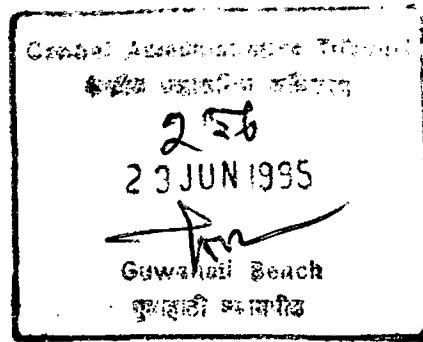
5. The application is disposed of accordingly. However, in the facts and circumstances of the case we make no order as to costs.



(G. L. SANGLYINE)
MEMBER (A)



(D. N. BARUAH)
VICE-CHAIRMAN



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Filed by the applicant through M. Choudhury. Dated 16.6.95.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GAUHATI BENCH,
GUWAHATI.

An Application under section 19 of the
CAT Act, 1985.

O.A. No. 114/95.

Smti. Km. N. Memcha Devi. Applicant.

-Versus-

Union of India & ors. Respondents.

I N D E X.

<u>Sl. No.</u>	<u>Annexure .</u>	<u>Particulars.</u>	<u>Page.</u>
1.	1	Appointment order dated 13.6.1970.	20-23.
2.	2	Appointment order dated 3.8.1970.	24.
3.	3	Appointment order dated 14.8.1972.	25-26.
4.	4	Order dated 6.11.1985 (grant of stagnation increment).	27.
5.	5	Appointment order dated 3.10.85 as Information Assistant (deputation).	28.
6.	6	Order dated 8.4.1986 (declaration of quasi-permanent.)	29-30.

7.....

Received copy
of the Channel
Habitat C of SC
16/6/95

<u>Sl.No.</u>	<u>Annexure.</u>	<u>Particulars.</u>	<u>Page.</u>
7.	7	Order dated 17.9.1986.	31.
8.	8	Order dated 20.3.91.	32.
9.	9	Order dated 13.12.91.	33.
10.	10	Order dated 27.12.91	34.
11.	11	Order dated 23.11.92	35.
12.	12	Order dated 21.4.92	36.
13.	13	Order dated 12.2.93.	37.
14.	14	Office Order dt.10.12.93.	38.
15.	15	Office Order dt. 15.2.94.	39.
16.	16	Order dt. 26.4.95 communicating selection of applicant for 1994-95 reward for special performance.	40.
17.	17	Representation dt. 21.4.92.	41-42.
18.	18	Representation dt. 8.3.93.	43-45.
19.	19	Representation dt. 1.8.94.	46.
20.	20	News Paper cutting dated 4.2.91 (Telegraph).	47.

1. Particulars of the applicant.

Km. N. Mencia Devi,
D/O. Late N. Kesho Singha,
Resident of Chingamakha Liwa Ningthoujam,
Leikai, Imphal,
P.O. - Singjame Bazar,
Pin - 795003.

2. Particulars of the Respondents.

1. Union of India,

Represented by the Secretary to the
Govt. of India,
Ministry of Press Information Bureau,
New Delhi.

2. The Principal Information Officer,

Press Information Bureau,
Government of India,
Shastri Bhavan 'A' Wing,
Dr. Rajendra Prasad Road,
New Delhi.

3. Assistant Information Officer,

Press Information Centre,
Imphal.

3. Particulars for which this application is made :

This application is made for against non
existence of promotional prospect from the cadre of

receptionist

receptionist in the Department of Press Information Bureau, where the applicant is working as receptionist in the Imphal Centre of Press Information Bureau and also for a direction to consider the applicant for promotion in the cadre of Junior Grade of Indian Information Service Group 'B' in the Pay Scale of 1400/- - 2600/- and also for consideration for higher promotion in any other cadre commensurate to experience and educational qualification of the applicant and length of service in the department of Press Information Bureau and for consideration of further promotional avenue in higher grade of Indian Information service.

4. Jurisdiction :

The applicant states that the cause of action of the case has been arisen within the Hon'ble Tribunal.

5. Limitation:

The applicant states that the case is filed within the prescribed time period under the CAT Act.

6. Facts of the case.

1. That the applicant is a citizen of India as such she is entitled to all the rights and privileges

guaranteed.....

guaranteed under the Constitution of India. The applicant was initially appointed as Calligraphist (Junior) under Assistant Information Officer, Imphal, Govt. of India, Ministry of Information and X Broadcasting purely on temporary and ad hoc basis vide office memo. No. A.5/II/70-Cal dated June 13, 1970. The said ad hoc appointment was further extended w.e.f. 1st July, 1970 until further order vide office order dated 3 August 1970 issued by Deputy Principal Information Officer, Calcutta.

Copies of the appointment orders dated 13.6.70 and 3.8.1970 are enclosed as Annexures- 1 and 2.

2. That the applicant vide office order No. A.5/18/71 - Cal(Part) dated 14.8.72 appointed as receptionist temporarily where sanction was accorded upto 28.2.73 but with the indication that the post is likely to continue thereafter. The post of receptionist was originally placed in the scale of Rs. 210-380/- and she was posted in the Imphal Centre of the Press Information Bureau. Then after receipt of the office order dated 14.8.1972 submitted her resignation from the post of Calligraphist and the said resignation letter was accepted w.e.f. 30.8.92 and the applicant started to serve as receptionist w.e.f. 31.8.72 in the Imphal Centre of Press Information

Bureau

Bureau (PIB). The pay scale of the applicant was revised following the acceptance of 3rd Pay Commission report of the Govt. of India and the applicant was placed in the scale of Rs. 425 - 600/-.

A copy of the 14.8.72 is annexed as Annexure - 3.

3. That the applicant begs to state that there is no promotional avenue from the cadre of receptionist in the department of Press Information Bureau, the applicant after rendering about 13 years satisfactory service to the department of PIB starting facing stagnation after reaching in the maximum of the scale of Rs. 425 - 600/- the department did not take any steps for consideration for promotion to any higher cadre in the department of PIB and therefore the applicant frustrated finding no progress in service career. However, the department was pleased to sanction stagnation increment vide office order No. A-5/29/83-Cal dated 6.11.85 issued by the administrative officer, PIB, Calcutta.

A copy of the order dated 6.11.85 is annexed as Annexure - 4.

4. That during the year 1985, there were requirement of information assistant in the Department of PIB,

Pana.....

Pauna Bazar, Imphal, accordingly applications were invited and she had volunteered for the deputation post to the grade -IV of Central Information Service (CIS) Group 'B' on ad hoc basis and the Ministry of Information and Broadcasting found the applicant suitable and accordingly selected her for appointment on deputation basis to grade -IV of CIS on ad hoc basis vide office order No. A-12034/13/85-Estt. dated 3.10.85 issued by the Under Secretary to the Govt. of India. The applicant accordingly joined in the aforesaid Deputation post of Information Assistant (Maniluri) in PIB, Imphal, w.e.f. 12.3.86 and she was placed in the scale of 470 - 750/-. But the applicant opted for deputation duty allowance at the rate of 10 percent as the same is beneficial to her, it would be evident from letter No. A-5/16/84-Cal dated 17.9.86.

Be it stated that the applicant was declared quasi permanent by the Department of PIB being satisfied having regard to the quality of work, conduct and character of the applicant vide office order No. A-5/3/86-Cal dated 8.4.84.

Copies of letter dated 3.10.85, 8.4.86 and 17.9.86 are annexed as Annexure - 5, 6 & 7 respectively.

5.....

5. That the applicant retained in the deputation of Information Assistant for a period of five years i.e. upto 12th March, 1991. The applicant was relieved finally vide office order No. Estt. 2/2/91-IMP dated 12.3.91 whereby she is directed to report to her parent cadre and accordingly the applicant reported to her parent office as a receptionist. It would be evident from letter dated 15.4.91 issued by Assistant Principal Information Officer.

6. That the applicant immediately after resumption of her duty in the post of receptionist in the month of March/91 she is entrusted with same name of work which she had performed in the deputation post of Information Assistant. It would be evident from the office order No. Adm. 1/1/90-IMP dated 20.3.91 whereby she is asked to assist in publicity work and look after all monthly statements with immediate effect until further order. The applicant being loyal and disciplined employee immediately carrying out the additional duties entrusted to her. The applicant was again entrusted with preparation of daily editorials for onward transmission to Head Quarter/Regional Office before 12 noon with immediate effect until further order. It is also stated that the above duties would be in addition to

her.....

her normal duties. This was entrusted vide office order dated 13.12.91. The applicant also entrusted with the publicity work during the Assistant Information officer's Tour vide order dated 27.12.91. The applicant also entrusted with administrative work in respect of all Group - D staff vide order dated 23.12.92. It would be further evident from the order dated 21.4.92, 12.2.93, 10.12.93 and also from the Telegraph dated 15.2.94 whereby it is directed to utilise the services of the applicant for translation work and other publicity work till the fund position improves and the applicant has carried out all the duties entrusted upon the applicant by the department time to time in addition to her normal duties and it is therefore clear that the applicant is fit, efficient, experienced and suitable for shouldering higher responsibilities and there is no difficulty for the Respondents to absorb her in the recently created Indian Information Service Group 'B' or in the post of Information Assistant where she has rendered nearly 5 years service on deputation basis to facilitate her to progress in service career with promotional prospects.

Copies of the orders dated 20.3.91, 13.12.91, 27.12.91, 23.11.92, 21.4.92, 12.2.93, 10.12.93, telegram dated 15.4.94 are annexed as Annexure - 8, 9, 10, 11, 12, 13, 14 and 15 respectively.

7. That the department of PIB, Guwahati selected the applicant for 1994-95 regard for her special work & performance vide office order No. Estt.1/52/91-Gau dated 31.3.95 which was communicated to the applicant vide office note dated 26.4.95. Therefore it would be evident that the applicant always found most suitable worker in the department of Press Information Bureau. Therefore there should not be any difficulty on the part of the respondents considering the fact that there is no promotional avenue from the post of receptionist. Therefore she should be accommodated in the Indian Information Service 'Group B' in any existing vacancy with immediate effect placing her in higher Pay Scale and thereafter she should be considered for further promotion in the higher Indian Information Service i.e. in Senior Grade of I.I.S. i.e. in the scale of 2000 - 3500/-.

A copy of the order dated 26.4.95 is annexed as Annexure - 16.

8. That the scale of applicant presently receiving after revision of pay scale by the 4th Pay Commission, she is placed in the scale of Rs. 1350-30-1440-1800-EB-50-2200/-. The applicant unfortunately again started to face stagnation in the month of June/93 and she

represented.....

represented before the Respondents pointing out that she faced stagnation on two occasion one in the year 1983 and another in the month of June, 1993 also requested that she may be inducted in the Junior Grade of I.I.S. Group B, as Information Assistant which was vacant at the relevant time when she submitted her representation to the deptt.

Be it stated that the applicant has rendered 25 years service in the Department of PIB and serving as receptionist about 23 years in the same capacity. Therefore it is her legitimate expectation she should be given further promotion in the higher pay scale.

9. That it is a settled position of law that every management must provide realistic opportunities for promoting employees to move upward. She was however left without any opportunity for last 25 years. This is indeed a sad commentary in the respondents management. It is often said and indeed, admittly an organisation public or private does not hire a hand but engages or employs a whole man and therefore be given an opportunity to advance. The opportunity for advancement is a requirement for progress of any organisation. It is an incentive for personnel development as well.

The.....

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the organisation that fails to develop a satisfactory procedure for promotion is bound to pay a severe cost, misallocation of personnel, law, moral and uneffectual performance among both non-managerial employees and their supervisors. The Respondents have overlooked this basic requirement of management so far as post of receptionist is concerned. It may be stated that the petitioner is also rendering her valuable service for a long time to the Government of India like other regular government employees and there should be a differential treatment. Respondent should give her all facilities including promotion, seniority and other service benefit along with similarly placed regular government employees.

10. That the applicant begs to refer to judicial thinking of the apex court on the subject, in Raghunath Prasad Singh -vs- Secretary, Home, Police Department, Govt. of Bihar, 1988(8) ATC 220(SC), the Hon'ble Supreme Court has observed as follows :-

"Reasonable promotional opportunities should be available in every wing of public service that generates efficiency in service and fosters the appropriate aptitude to grow for achieving

excellence

excellence in service. In the absence of promotional prospects, the service is bound to degenerate and stagnation kills the desire to serve properly".

Accordingly the Hon'ble Supreme Court directed the State of Bihar to provide at least two promotional opportunities to the officers of the State Police in the wireless organisation within six months of the date of judgement by appropriate amendments to the rules.

In C. S. Iyer -vs- K. G. S. Bhat (1989) 11 ATC.880, the Supreme Court again reiterated the same view.

Reference may also be made to the decision of Zia-ud-Din- -vs- Delhi Administration (1990) 13 ATC 812 (ND).

In that case, an officer of the Delhi Administration had worked in the same post for several years and the Tribunal directed the respondents to encadre the post held by him in the main stream cadre and consider him for appointment against the same in accordance with the rules with consequential benefits. If the respondents felt that any officer in the service was thereby adversely affected, the Tribunal directed that a supernumerary post might be operated in the relevant cadre for the applicant which might be allowed to lapse with his retirement on superannuation.

In the.....

In the present case also the applicant is holding an isolated post for which there is no prospects of promotion. Therefore the Hon'ble Tribunal be pleased to direct the respondents that the post of the receptionist be encadred in the main stream of Indian Information Service and/or make at least two promotions with immediate effect or alternatively the applicant be inducted in Junior Information Service x in higher pay scale and further provision be made for promotion to the senior grade of Information Service or any other suitable alternative arrangement, with higher pay scale and with promotional prospect.

11. That the applicant submitted number of representation since 1992 for redressal of her grievances, ~~ix~~ she submitten representation dated 21.4.92, addressed to the Principal Information Officer, New Delhi, Pointing out that she is facing stagnation for two occasions in the year 1983 and another likely to be faced in June, 1993. She also brought instances to the notice of the authorities that some of the staff working as Copyist in AIR/Doordarshan etc. have been given the opportunity of joining in the upgraded status in course of their service as production Assistant and programme Executive etc. and she also mentioned

regarding.....

regarding the performance of additional work entrusted to her and also informed that she had performed the duties as Information Assistant on deputation basis, and finally that she should be considered for promotion in the higher post. Thereafter she submitted another representation on 8.3.93 wherein the applicant further prayed for absorption of the applicant in the Indian Information Service, Junior Grade, Group B, as Information Assistant at PIB, Imphal, which was lying vacant at the relevant time and lastly she has submitted another representation dated 1.8.94 wherein she again prayed for promotion in the Higher pay scale in consideration of her 23 years service in the post of receptionist but the respondent did not even replied to any of her representation and finding no other alternative way the applicant approached this Hon'ble Tribunal for redressal of her grievances.

Copies of representation dated 21.4.92, 8.3.93 and 1.8.94 are annexed as Annexures 17, 18 and 19.

12. That the Central Government on 4.2.91 which was reported by the U.N.I. in the Telegraph dated 4.2.91 wherein it is declared that the Group C & D employees working for the Central Govt. will be given at least one

promotion.....

promotion each if they have stagnated at the maximum of their pay scale for one year.

Relevant portion is quoted below :

"Promotions

New Delhi (UNI) Group 'C' and Group 'D' employees working for the Central Government will be given at least one promotion each if they have stagnated at the maximum of their pay scales for one year. The Government has also decided to revise the overtime allowance based on the revised emoluments of the employees with retrospective effect from December, 1990".

In the light of the above declaration of the Central Govt. the applicant is entitled for consideration of promotion in higher pay scale with immediate effect.

In the light of the above declaration of the Central Govt. the applicant is entitled for consideration of promotion in higher pay scale with immediate effect.

A copy of the declaration dated 4.1.91 is annexed as Annexure - 20.

13. That the 4th Central Pay Commission also discussed and taken into consideration the requirement

of

of promotional prospect in service career of Govt. Employees, accordingly recommended in para 23.1 Chapter 23 Heading Promotion policy where it is stated as follows :

"23.1.

Every employee who joins service, looks forward to a satisfactory career of progression. It is therefore necessary that the State, as the biggest employer, should lay down a fair and well defined policy for the promotion of its employees. That in fact is one of the two basic conditions of a good public service, the other being the security of service, for which care has been taken in article 311 of the constitution and the case law which has developed on it".

The above recommendation also accepted by the Govt. Therefore case of the applicant deserves to be allowed with cost. The applicant urged to produce the report of the 4th pay commission at the time of hearing.

14. That this application is made bona fide and for the cause of justice.

16. Reliefs sought for :

Under the facts and circumstances the applicant prays for the following reliefs :

1. That the Respondents be directed to encadre the isolated post of receptionist held by the applicant in the main stream cadre and consider her for promotion in the higher pay scale in accordance with rules with consequential service benefits with immediate effect

or

Alternatively the applicant be absorbed in the junior grade of Indian Information Service, Group - 'B' in the scale of Rs. 1400-2600/- and further be considered for promotion in the senior grade of Indian Information Service Group 'B' with immediate effect with all consequential benefits.

or

Alternatively the applicant be appointed in any suitable higher post with higher pay scale and with promotional prospect in the Ministry of Information and Broadcasting, Govt. of India.

or

That the promotional avenue in service of the applicant be created

2. That any other order or orders as deemed fit and proper may be passed.

3. Cost of the case.

The above reliefs are prayed on the following amongst other -

- G R O U N D S -

- 1) For that the applicant is serving in the post of receptionist for 23 years without any promotion.
- 2) For that the applicant stagnated on two occasions in the year 1983 and June, 1993 during the pwriond of her 23 years of service and still facing stagnation.
- 3) For that Govt. ~~ox~~ also declared at least one promotion if the Govt. Employee stagnated at the maximum of pay scale for one year, the applicant also faced stagnation on two occasions and lastly in the month of June, 1993 and it is more than two years the applicant is facing stagnation presently.
- 4) For that recommendation of the 4th Central Pay Commission recommended for well defined promotion policy for every Govt. employee.
- 5) For that the applicant is entrusted with number of additional works with higher responsibilities in addition to her normal work, therefore, deserves promotion in higher pay scale.

6)

6) For that it is settled law that every Govt. must have promotional prospect.

8. Interim reliefs prayed for :

During the pendency of the case the applicant prays for the following reliefs :-

- 1) That the respondents be directed to consider the case promotion of the applicant with higher pay scale during the pendency of this application.

The above relief is prayed on the ground mentioned in paragraph 7 explained above.

9. There is no any other remedy/scope except filing this application.

10. That the matter is not pending in any court of law/Tribunal.

11. Particulars of postal orders :

Postal order No.	- 884912
Date of issue	- 2-6-95.
Issued from	- G.P.O. Amrohat.
Payable at	- Amrohat.

12. List of Enclosure.

As per Index.

Verification xx.....

VERIFICATION

I, Miss N. Mamcha Devi, D/o late N. Kesho Singha, resident of Chingamakha, Leikai, Imphal applicant in the above case do hereby declare that the statements made in this application in paragraph 1 to 13 are true to my knowledge and also based on records and I have not suppressed any material facts.

I sign this verification today i.e. on 2nd June, 1995 at Imphal.

N. Mamcha Devi
SIGNATURE

Annexure - I.

REGISTERED / A. D.

No. A.5/11/70-Cal.
PRESS INFORMATION BUREAU.
GOVERNMENT OF INDIA.

CALCUTTA - 1, June 13, 1970.

M E M O R A N D U M.

The undersigned hereby offers Kumari N. Memcha Devi a purely temporary appointment to a post of Calligraphist (Junior) in the Office of Press Information Bureau at Imphal, on a pay of Rs.130/- in the scale of Rs. 130-5-160-8-200-EB-8-256-EB-8-280-10-300. The appointee will also be entitled to draw dearness and other allowances at the rates admissible under, and subject to the conditions laid down in rules and orders governing the grant of such allowances in force from time to time.

2. The terms of appointment are as follows :-

- (i) The post is purely temporary and at present sanctioned upto February 28, 1971, but is likely to continue thereafter.
- (ii) The appointment is purely on ad hoc basis, and will not confer any title to regular employment.
- (iii) The appointment may be terminated at any time without assigning any reasons.

(iv).....

Attested
②
Adv

Annx. I.

- (iv) The appointment carries with it the liability to service in any part of India or outside.
- (v) Other conditions of service will be governed by the relevant rules and orders in force from time to time.

3. The appointment will be further subject to :-

- (a) Production of a certificate of fitness from the competent medical authority (Civil Surgeon).
- (b) Submission of a declaration in the prescribed form and in the event of the candidate having more than one wife living, or being married to a person having more than one wife living the appointment will be subject to his/her being exempted from the enforcement of the requirement in this behalf.
- (c) Taking of an oath of allegiance/faithfulness to the Constitution of India (or making of a solemn affirmation to that effect) in the prescribed form.
- (d) Production of the following original certificates :-
 - (i) Certificates of educational and other technical qualifications.

(ii).....

Attested
@/hula
A/LV.

- (ii) Certificate of age -
- (iii) Two character certificates in the prescribed form :
- * (1) attested by a District Magistrate or Sub Divisional Magistrate.
 - (2) from a different Gazetted officer or a Magistrate.
- (iv) Certificates in the prescribed form in support of candidate's claim to belong to a Scheduled Caste/Scheduled Tribe community.
- (v) Discharge certificates in the prescribed form of previous employment if any.
- (e) She should pass a calligraphy test at a speed of not less than 20 w.p.m. within three months of her appointment.

4. It may please be stated whether the candidate is serving or is under obligation to serve, another Central Government Department, a State Government or a public authority.

5. If any declaration given or information furnished by the candidate proves to be false or if the candidate is found to have wilfully suppressed any material information he will be liable to removal from service and such other action as Government may deem necessary.

6.....

Attested
@ while
A.S.V.

Annx. I.

6. If Kumari N. Mencha Devi accepts the offer on the above terms, he/she should communicate his/her acceptance to the undersigned by the 25th June, 1970 and report to the Officer-in-Charge, Press Information Bureau, Government of India, Imphal at the following address on July, 1970. If no reply is received or the candidate fails to

A. H. Singh
 @m
 Adv

Annexure - 2.

No. A.5/11/70-Cal.
PRESS INFORMATION BUREAU.
GOVERNMENT OF INDIA.

CALCUTTA -1, AUGUST 3, 1970.

O R D E R.

Kumari Ningthoujam Memcha Devi is hereby appointed as a Calligraphist (Junior) in the Press Information Bureau's Office at Imphal in a purely temporary capacity and on ad hoc basis with effect from July 1, 1970 (forenoon) until further

Sd/-

(B.N. Rath)

Deputy Principal Information Officer.

Copy forwarded to :-

1. The Accountant General, Calcutta.
Old Currency Building, Calcutta-1.

Sd/-

(B.N. Rath)

Deputy Principal Information Officer.

Copy also forwarded to :-

1. Kumari N. Memcha Devi, Calligraphist (Junior), Press Information Bureau, Imphal.
2. Imphal Office with reference to their u.o. No. 4/1/70-Imp. dated July 30, 1970.
3. Accounts Branch (2 copies). Necessary medical certificate in respect of Km. N. Memcha Devi has been obtained from the competent medical authority and retained in the Personal File.
4. Personal File.
5. Guard File/Log Sheet.
6. Shri N.N. Sinha.

Sd/- Illegib le.

(P. Halder),

Administrative Officer.

Attended
@ Imphal
del.

Annexure - 3.

No. A.5/18/71-Cal(Part).
PRESS INFORMATION BUREAU
GOVERNMENT OF INDIA.

CALCUTTA -1, August 14, 1972.

O R D E R.

Kumari N. Memcha Devi, a temporary Calligraphist (Junior) in the Press Information Bureau, Imphal, is appointed in a temporary capacity to the post of Receptionist (at present sanctioned upto February 28, 1973 but is likely to continue thereafter) in the scale of Rs. 210-10-290-15-320-EB-15-380 in the Bureau's Information Centre at Imphal, with effect from the date her resignation from the post of Calligraphist (Junior) is accepted by the competent authority, until further orders.

2. She will be on probation for two years from the date of her joining the new post, and if during this period her work & conduct are found to be such as to show that she is unlikely to become an efficient Receptionist, she will be liable to be discharged from service forthwith

3. Her resignation from the post of Calligraphist (Junior) notwithstanding, the benefits under CSR-418(b) will be admissible to Kumari N. Memcha Devi, as she applied for the post of Receptionist through proper channel.

Sd/-
(B.N. Rath),
Deputy Principal Information Officer.

Copy.....

*As stated
while
below*

Annx. 3.

Copy to -

1. Imphal Office together with a spare copy for Km. N. Memcha Devi, Calligraphist (Jr.). Her acceptance of the post of Receptionist (in writing) and resignation from the post of Calligraphist (Jr) in Imphal Office in terms of her undertaking dated 28.4.72, may please be obtained and sent to Calcutta office for further action. She may also be allowed to join as Receptionist in IC, Imphal, after tendering her resignation, provided her immediate release does not inconvenience Imphal Office substantially. Appointment of a substitute in her place will take time.
2. Information Centre, Imphal, Km. N. Memcha Devi may be allowed to report for duty as Receptionist from the date the required resignation from the post of Calligraphist (Jr.) in PIB, Imphal, is tendered by her, provided she is formally relieved by Imphal office to take up the new appointment. On her joining the post, she may also be required to take an oath of allegiance to the Constitution in the prescribed form.
3. Accounts Branch (4 copies).
4. Personal File/Guard File/F.No. A.5/10/72-Cal.
5. Shri N.N. Sinha/Log Sheet.

sd/- Illegible.
 (R. P. Chatterjee)
 Administrative Officer.

*Assted
 @ Imphal
 B.W.*

Annexure - 4.

No. A-5/29/83-Cal.
Press Information Bureau,
Government of India.

Calcutta, November 6, 1985.

O R D E R.

In pursuance of Ministry of Finance, Department of Expenditure OM. No. 7(22)-G.III/76 dated 27.7.83, 2.9.83 & 22.10.83 Kum. N. Memcha Devi, Receptionist of PIB, Imphal is granted stagnation increment as personal pay equivalent at the rate of increment last drawn by her ~~on~~ on stagnation in the scale of pay of Rs. 425-15-530-EB-15-560-20-600/- with effect from 1.8.85 raising her pay from Rs. 600/- to Rs. 620/- i.e. pay Rs. 600/- plus personal pay Rs. 20/-. Kum. N. Memcha Devi has been drawing pay @ Rs. 600/- with effect from 1.8.83.

(N.N. Sinha),
Administrative Officer.

Copy to -

1. Pay & Accounts Office, Doordarshan, Calcutta
2. Kum. N. Memcha Devi, Receptionist, Imphal.
3. Accountant.
4. Dealing Assistant - 2 Copies.
5. Dealing Assistant - Increment.
6. Service Book/Personal file/Guard file.

Sd/- Illegible.
(N.N. Sinha),
Administrative Officer.

✓
A. H. S. S. S.
@
B. H. V.

Annexure - 5.

MINISTRY OF INFORMATION AND BROADCASTING.

SUBJECT : Appointment to Grade-IV of CIS on deputation on ad-hoc basis.

....

Reference P.I.B. ID/UC Note No. 12034/13/85 Estt. dated 3.10.85 regarding selection of suitable candidates for appointment on deputation to Grade-IV of CIS Group 'B' on ad-hoc basis.

2. The following officer(s) working in PIB. has/have been selected for appointment on deputation to Grade-IV of CIS Group 'B' in the scale of pay of Rs. 470-750 on usual terms and conditions of deputation. On reporting for duty they will be posted as per details given against each.

S.No.	Name & Designation.	Posting.	Should report for duty to
1.	Km. N. Memcha Devi Receptionist, PIB Imphal.	IA (Manipuri) PIB, Imphal.	AIO, PIB Paona Bazar, Imphal.

3. It is requested that the services of the aforesaid officers may please be placed at the disposal of this Ministry for the said purpose till further orders. The officer(s) concerned may please be relieved with direction to report for duty as mentioned above.

Sd/-

(H. C. JAYAL)

UNDER SECRETARY TO THE GOVT. OF IN DIA
TELE: 381592.

P.I.B., New Delhi. Min. of I&B Note No. A-35018/5/85-CIS dated 29.1.86.

Copy to :-

1. Officer concerned (by name).
2. DPIO, PIB., Calcutta.

Sd/- Illegible.
(P.P. Haldar),
Section Officer.

Accepted
While
back

Annexure - 6.

No. A-5/3/85-Cal.

Press Information Bureau,
Government of India.

ORDER.

In pursuance of Rules 3, and 4 of the Central Civil Services (Temporary Service) Rules, 1965, I, Kumari Pratim Ghosh, Deputy Principal Information Officer, being satisfied having regard to the quality of work, conduct and character of the following employees that they are suitable to be appointed in quasi-permanent capacity under the Government of India in the post and from the date shown against each are appointed in a quasi-permanent capacity to the said post with effect from the said date :-

<u>Sl.No.</u>	<u>Name with present post.</u>	<u>Post in which made quasi-permanent with date.</u>	
1.	Shri D.N. Sangma, AIO (Deputation) PIB-cum- IC-Kohima.	Asstt. Journalist	13.8.76
2.	Kum. Memcha Devi, Receptionist, PIB-cum-IC-Imphal.	Receptionist.	31.8.75
3.	Shri S. I. Singh, Projectionist, PIB-cum-IC-Imphal.	Projectionist.	11.8.75
4.	Shri S. Balakrishnan, Stenographer (Junior), PIB-cum-IC-Gangtok.	Stenographer (Jr).	3.5.81.
5.	Shri T.N. Mukherjee, Stenographer (Jr.), PIB, Calcutta.	Stenographer (Jr)	23.6.84
6.	Kum. G. Sumakumari, Stenographer (Junior) PIB-cum-IC-Port Blair.	Stenographer (Jr.)	18.3.85
7.	Kum. Bina Das, Stenographer (Junior) PIB, Agartala.	Stenographer (Jr)	1.6.85.
8.	Shri S. Majumdar, Stenographer (Junior), PIB, Calcutta.	Stenographer (Jr.)	28.7.85

9.....

AH-std
Chule
BN

Annx. 6.

- | | | |
|---|--------------------------|-----------|
| 9. Kum. A. Ibecha Devi,
Calligraphist,
PIB-cum-IC-Imphal. | Calligraphist | 3.2.74. |
| 10. Shri R.N. Basak,
Clerk Grade II,
PIB, Calcutta. | Clerk Grade II. | 12.12.85. |
| 11. Shri N.K. Kuwar,
Clerk Grade II (L),
PIB, Paths. | Clerk Grade II(L) | 24.1.79. |
| 12. Shri K.M. Mishra,
Clerk Grade II(L),
PIB, Calcutta, | Clerk Grade II(L) | 1.12.84. |
| 13. Shri D. Msschatak,
Librarian-cum-Clerk
IC-cum-PIB-Port Blair. | Librarian-cum-
Clerk. | 17.1.81. |
| 14. Shri A.K. Nag,
Librarian-cum-Clerk,
IC-cum-Pib-Gangtok. | Librarian-cum-
Clerk. | 25.11.85. |

Sd/- Pratima Ghosh

(Kum. Pratima Ghosh).

Deputy Principal Information Officer.

Copy to :

1. All Branch Officers.
2. Persons concerned (Kum. Memcha Devi, Imphal).
3. Personal file.
4. Service Book.
5. Bill Clerk.
6. Guard file.

Sd/- Illegible
(N.N. Sinha),
Administrative Officer,

*Checked
@ 1/1/85
Rd V*

Annexure - 7.

No. A-5/16/84-Cal.

Press Information Bureau,

Government of India.

Calcutta, September 17, 1986.

O R D E R.

On her appointment as Information Assistant on ad-hoc deputation basis in PIB-cum-IC-Imphal in the scale of Rs. 470-15-530-EB-20-650-EB-25-750/-, Kum. N. Memcha Devi formerly Receptionist, PIB-cum-IC-Imphal, is entitled to draw deputation (duty) allowance at 10% (per cent) of her Grade pay in the post plus personal pay of Rs. 20/- with effect from the forenoon of March 12, 1986, subject to the condition that her pay plus deputation pay will not exceed maximum of Rs. 750/- p.m. in accordance with the Ministry of Finance (Deptt. of Expenditure) O.M.No. F.1(II)-E.III(B)/75 dated 7.11.1975 as amended from time to time.

2. The stagnation increment of Rs. 20/- p.m. drawn as personal pay in her grade pay as Receptionist will continue to be admissible until it is absorbed in other increase in pay i.e. increments or increase of pay by promotion or for any other reason.

3. The above fixation of deputation (Duty) allowance is subject to post audit and in the light of audit observation or otherwise over payment if any, shall be recoverable from her in lumpsum.

Sd/- Illegible.

(S.C. Basu)

Deputy Principal Information
Officer.

Copy to :-

1. Pay & Accounts Office, Doordarshan, Calcutta.
2. AO, I.C.O., Min. of I & B., Calcutta.
3. AIO., PIB-cum-IC-Imphal.
4. Kum. N. Memcha Devi, IA.
5. Accountant.
6. Dealing Assistant - Bills - 2 copies.
7. Dealing Assistant - Increment.
8. Shri P.K.D. Sarkar, APIO., PIB., New Delhi.
9. Guard file/Personal file/Estt. Register.

Sd/- Illegible.

(N.N. Sinha).

Administrative Officer.

AA asked
@hule
Ravi

Annexure - 8.

PRESS INFORMATION BUREAU.

GOVT. OF INDIA

IMPHAL.

OFFICE ORDER.

No. Adm.1/1/90-Imp dt. 20.3.91.

Km. N. Memcha Devi, Receptionist will assist in publicity work and look after all monthly statements with immediate effect until further orders.

L. Shyamjai Singh.

Asstt. Information Officer.

Copy to :

1. N. Memcha Devi (Receptionist).
2. D.P.I., Gauhati office for kind information.
3. Guard file.

Sd/- Illegible.
20.3.91.

L. Shyamjai Singh.

Asstt. Information Officer.

Asstt. Information Officer
@ Imp
Adm

Annexure - 9.

No. Adm. 3/1/91-Imp.

Press Information Bureau
Government of India.
Imphal.

O R D E R.

Imphal, the 13th December '91.

Km. N. Memcha Devi (Receptionist) will prepare daily editorials only for onward transmission to Hqr/Regional office before 12.00 noon with immediate effect until further order.

This will be in addition to her normal duties.

L. Shyamjai Singh.
Asstt. Information Officer.

Copy to Hqr/Regional Office
(Feedback Section) for kind
information.

Sd/- Illegible.
13.4.91.

L. Shyamjai Singh
Asstt. Information Officer.

For N. Memcha. Dr.

Attested
@ file
RDN

Annexure - 10.

PIB-cum-IC
Government of India,
Imphal.

OFFICE ORDER.

No. A.1(1)/91-Imp. dt. 27.12.91.

Km. N. Memcha Devi, Receptionist will look after the publicity work during the period of A.I.C's tour to Regional Office Guwahati. AIO. will proceed to Guwahati from 29th December, 1991.

Sd/- Illegible.

27.12.91.

(L. Shyamjai Singh)

Assistant Information Officer.

Copy to Km. N. Memcha Devi, Receptionist.

2. Shri N. Mangol Singh, C.G.I. for kind information.
3. Guard file.

Attended
@hls
Asst V

Annexure - 11.

PRESS INFORMATION BUREAU.
GOVT. OF INDIA,
IMPHAL.

O R D E R.

Imphal, 23rd Nov. 1992, No. Adm. 1/3/92.

Km. N. Memcha Devi, receptionist will look after the punctuality and administrative aspect of all the Grade-IV staff except Sweeper and Chowkidar in addition to her normal duties. She will be responsible for the allocation of duties of the said staff and the staff cannot leave office without the permission of the receptionist. This will come into force with immediate effect from today.

L. Shyamjai Singh.
Asstt. Information Officer.

Copy to :

APIO (Hwr) for kind information.

and Regional Office for kind information.

Sd/- Illegible.
23.11.92.
L. Shyamjai Singh
Asstt. Information Officer.

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@hulu
7-1-92

Annexure - 12.

PIB-Cum-IC.
Government of India,
Imphal.

O R D E R.

No. Adm. 27/1/92-Imp. dt. 21.4.92.

Km. N. Memcha Devi, Receptionist of this office will look after the publicity work during the tour of AIO to Guwahati for regional workshop from 22nd to 25th April 1992.

sd/- Illegible.
21.4.92.

(L. Shyamjai Singh)
Assistant Information Officer.

Copy to :

1. Km. N. Memcha Devi, Receptionist.
2. DPIO, for kind information.
3. Guard file.

(L. Shyamjai Singh)

Assistant Information Officer.

Attended
Chhela
21/4

Annexure - 13.

No. Elect. 1/1/93-IMP.
PRESS INFORMATION BUREAU.
GOVERNMENT OF INDIA.
IMPHAL.

Imphal, Dated February 12, 1993.

OFFICE ORDER.

During the tour of AIO, Imphal to Kohima Office with effect from 15th February 1993 in connection with election duty, Km. N. Memcha Devi, Receptionist will look after all relevant publicity work and feedback service of this office.

Sd/- Illegible.

12.2.93.

(L. Shyamjai Singh).

Assistant Information Officer.

Memo. No. Elec.1/1/93-Imp.

Copy to -

- 1) Km. N. Memcha Devi, Receptionist.

A. H. K. S.
Q. L. S.
Adv.

annexure - 14.

PIB-Cum-IC.
Government of India,
Imphal.

OFFICE ORDER.

NO. Adm.1/193-Imp. dt. 10.12.93.

Km. N. Memvha Devi, Receptionist will look after the publicity and other office work during the leave period of Shri L. Shyamjai Singh, AIO, Imphal for 13th to 24th December 1993. This issues with the instruction of Regional office.

Sd/- Illegible.

11/

(L. Shyamjai Singh).
Assistant Information Officer.

Copy to :-

1. DPIO-in-Charge Regional Office for kind information.
2. Guard file.
3. Km. N. Memvha Devi, Receptionist.

(L. Shyamjai Singj)
Assistant Information Officer.

Attended
Chhala
Adv

Annexure - 15.

(ELEPRINTER PHOTO COPY).

MESSAGE NO TWO (2) PIB GUWAHATI FEBRUARY 15, 1994.
FROM :- DPIO, PIB, GUWAHATI.
FOR :- AIO, PIB, IMPHAL.

REFERENCE IMPHAL OFFICE MESSAGE NO ONE DATED
15/2/94. NO REPEAT NO CASUAL TRANSLATOR CAN BE PROVIDED
AT PRESENT DUE TO BUDGETARY CONSTRAINTS. AIO IS ADVISED
TO UTILISE THE SERVICES OF KUMARI MEMCHA DEVI, RECEPTIONIST
FOR TT + TRANSLATION AND OTHER PUBLICITY WORK TILL THE
FUND POSITION IMPROVES.

EOM DAS GHII TIME 1510 ON PL ACN.

Copy for N. Memcha Devi.
sd/- Illegible.
12/2.

MSG NO TWO OF GHII YLS IMPHAL.

*Arrested
Alm
20/2*

Annexure - 16.

PRESS INFORMATION BUREAU.
GOVERNMENT OF INDIA.
IMPHAL.

NOTE.

No. Ac.4/1/93-IMP. Dt. 26.4.95.

As per order No. Estt. 1/52/91-Gai, dated 31.3.95
Km. N. Memcha Devi, Receptionist and Shri Th. Ibomcha
Singh, Pion have been selected for 1994-95 reward for their
special work performance.

Wishing the best in future too.

Sd/- Illegible.

(L. Shyamjai Singh).
Assistant Information Officer.

Copy to :-

1. Km. N. Memcha Devi, Receptionist.
2. Shri Th. Ibomcha Singh, Peon.
3. Guard file.

Attested
@ [Signature]
[Signature]

Annexure - 17.

To

The Principal Information Officer,
Press Information Bureau,
Government of India,
Shastri Bhawan Wing - 'A',
Dr. Rajendra Prasad Road,
New Delhi-1.

(Through proper channel).

Subject :- A prayer for consideration of promotion.

Sir,

With due respect, I beg, to lay down the following few lines for your kind perusal and sympathetic consideration.

That, I have been working in the Information Centre PIW, Imphal as Receptionist since August, 1972. During this long 20 year service period, about 5 years I have been serving as an Information Assistant on Deputation basis.

Being a receptionist, other publicity works and allied activities are also carried out as and when A.P.I.O. asks to do so. During the period as Information Assistant from 1986 to 1991, I am trying to perform my duty at my best capable level whatever my additional assignment entrusted to me by the Senior Officer has been discharged with sincere efforts and co-operation.

Moreover, I have now to complete two stagnation stages during the period of my service. In the year 1983 one stagnation lapsed and second stagnation will

take.....

AH asked
@hula
red J

Annx. 17.

take place on June, 1992. In the present scale of Rs. 1350 to 2200/-. My present basic pay is Rs.. 2150/- one instance may be mentioned in this connection that some of the staff working as Copyist in AIR/Doordarsan etc. have been given the opportunity of gaining the upgradation status in course of their service as production Assistant and programme Executive etc. But for my present post what will be the next prospect.

Under such circumstances, my case, I simply present before your goodness Sir, may kindly be considered with sympathy and humanitarian consideration to get an upper berth in any of the I & B. Ministry.

Considering all the facts into account, your goodself will duly consider to my simplest appeal for which I am ever ready to yield to A press clipping, published in Telegraph dated 4.2.91 is also enclosed for your kind reference.

Looking forward to your most sympathetic prudent judgement.

Yours faithfully,

Sd/- N.Memcha Devi,

(N.Memcha Devi)
Receptionist.

Enclo:- AS stated above.

Dated, Imphal,

the 21st April, '92.

Attended
@ Imphal
ADV

Annexure - 18.

To

The Principal Information Officer,
Press Information Bureau,
Government of India,
Shastri Bhavan - 'A'-Wing,
Dr. Rajendra Prasad Road,
New Delhi-1.

(Through Proper Channel).

Subject :-Prayer for consideration for promotion
or a supper time scale.

Sir,

With due respect, I beg to approach you with the following few lines for your sympathetic consideration and favourable action.

That, I was appointed as Receptionist at the Information Centre, PIB, Imphal on 14.8.1972. Since then I have been working as Receptionist with no promotional avenue. As a result of which I suffered stagnation in the year 1983 in the scale of Rs. 210-485 (pre-revised) and revised scale of Rs. 425-600/- and as per rules one instalment of stagnation increment was granted. In the meantime the new scale of pay implemented and my scale of pay is Rs. 1350-2200/-. At present my basic pay is Rs. 2,150/- P.M. and on June this year I shall be reaching the maximum ceiling of the scale i.e. Rs. 2,200/-.

During the tenure of 22 years of my service at IC-PIB, Imphal, once in the year 1986 I undergone on Deputation to the post of Information Assistant (I.A.) at PIB, Imphal

vide.....

Attested
@
K.V.

Annx. 18.

vide, Ministry of Information & Broadcasting I.D.
Note-A-35018/5/85-CIS dated 29.1.86 to 12.3.91 (i.e.
continuous period of 5 years).

Then I had been reverted to my parent post. However
I am still continuing to assist the A.I.O. in publicity
work over and above my normal duty as there is no I.A.
at present in PIB, Imphal as per A.I.O's Office order
(Copy enclosed).

As you are aware that in every service, avenue for
promotion are created. There are avenue for promotion in
respect of even grade IV staff considering their experience
and academic quality and length of service. If I be
permitted I can mentioned here some of the incentive given
to the employees by Govt. The Fourth Central Pay Commission
Report - past 1 June 1986, Chapter 23 heading - promotion
policy - writes as "23-1. Ever employees
..... case law which has developed on it.

24.4. Govt. decided to promote efficiency of
administration, ". However in my case these long 23 years
I remained in the same post having no charm for promotional
prospect of service though I am possessing long working
experience, and higher academic qualification etc. Copies
of the office order issued from time to time by the
authority are also enclosed in support of my contribution

or help.....

Attested
@whls
pdv

Annx. 18.

or help towards the publicity work of the office over and above normal work for your kind perusal.

Sir, may I, therefore, request you to consider if I can be absorbed in the Junior Grade of the Indian Information Service Group-B as ¹.A. at PIB, Imphal which is now laying vacant considering my experience and length of service or may I request you that I may be granted supper time-scale if there is no promotional avenue in my present post.

With best regards.

Yours faithfully,

Sd/- N.Mencha Devi.

(Km. N.Mencha Devi)
Receptionist.

Dated , Imphal,
the 8th March, '93.

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Annexure - 19.

To

The Principal Information Officer,
Press Information Bureau,
Government of India,
New Delhi.

(Through proper channel).

Subject :- Request for arrangement for promotion al
avenue or Selection Grade Scale.

Sir,

I, the undersigned, employee of the Press Information Bureau, Government of India, Imphal, most respectfully beg to state a few lines for your kind favourable action.

That, I have been completed 23 years of service as Receptionist at PIB, Imphal having no charms of promotional avenue. This long 23 years of service I faced two stages of stagnation. At present, I am under my 2nd stagnation period.

That, it is learn that the Govt. introduced selection grade in most of the post which are likely to occasion stagnation throughout the career of the employee and framed well defined policy for the promotion of its employees and decided to undertake cadre reviews of group "C" and "D" staff where there was acute stagnation. But it seems that this principle have been ignored and neglected in my case.

That, I submit this representation for your kind prompt appropriate action considering the length of service as well as the mental strain that I have felt such a long period for not getting the charms of promotion in my service life.

If no reply is received within fifteen days from any quarter in this regard it will be presumed that the representation is ignored and rejected. In that eventuality, I may approach a competent forum to ventilate my grievances.

For your act of kindness I shall ever grateful to you.

Imphal, dated
August, 1, 1994.

Yours faithfully,
Sd/- N. Memcha Devi,
(N. Memcha Devi)
Receptionist.

Attest
@
A.S.

Annexure - 20.

P R O M O T I O N S.

New Delhi (UNI) : Group "C" and group "D" employees working for the Central government will be given at least one promotion each if they have stagnated at the maximum of their payscales for one year. The government has also decided to revise the overtime allowance based on the revised emoluments of the employees with retrospective effect from December, 1990.

B. H. S. T. S.
@ White
Adv.

Filed in Court
on 9.11.95
Bow
Court Master

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Filed by
A.K. Choudhury
9.11.95
Adv. Central Govt.
Standing Counsel.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

In the matter of :-

O.A. No.114/95

Miss Memcha Devi,

.....Applicant

- Vs -

Union of India & Others

....Respondents

Written statement for and on behalf of
Respondents Nos.1,2 & 3

I, Bhupen Chandra Das, Information Officer, Press Information Bureau, Guwahati, do hereby solemnly affirm and say as follows:-

1) That I am the Information Officer, Press Information Bureau, Guwahati and am acquainted with the facts and circumstances of the case. I have gone through a copy of the application and have understood the contents thereof. Save and except whatever is specifically admitted in this written statement, the other contentions and statements made in the application may be deemed to have been denied. I am competent and authorised to file this written statement on behalf of the respondents.

2) That the Respondents have no Comments to the statement made in paragraph 6(1) & 6(2) of the application.

3) That with reference to the statements made in paragraph 6(3) of the application I beg to state that the post of Receptionist is an isolated post in the North Eastern Region and there is no promotional avenues in the Recruitment Rules - which, knowing fully well the applicant had joined the services. However, the Ministry of Finance (Department of Expenditure) vide their O.M.No.10(1)/E-111/88, dated 13-9-91 initiated a scheme for Group- 'C' and 'D' employees to ensure atleast one

contd..p/2.

③
Adv.
9-11-95

Bhupen Chandra Das

promotion in service career.

A copy of the Ministry of Finance (Department of Expenditure)'s O.M. No.10(1)/E-111/88 dated 13.9.91 is annexed hereto and marked as Annexure "A".

Smt. Memcha Devi was considered for promotion as per Hdqrs' instructions vide their U.O. No.10/11/93-Estt. dated 30.8.93 (copy enclosed in Annexure "B") and was found eligible for in Situ promotion. *

The Department Promotional Committee meeting held at Press Information Bureau, Guwahati on 20.10.94 has also examined the case of the applicant for promotion in Situ butfound that the posts of Receptionist (and C.G.II(L)) are not identified for promotion in Situ in the Ministry of I&B's O.M.No.29/70/91-Admn-II(pt), dated 2.12.1993 (copy enclosed and marked as Annexure 'C') and therefore their cases could not be recommended for promotion in Situ in the absence of approved pay scale for promotion in Situ by the Ministry of I&B.

Further, in cases where no promotion grade is available, promotional scale is decided by the Finance Ministry. Incidentally, it is also added that a proposal has already been placed before V Pay Commission for creating two promotional scale of Rs.1640/- - 2900/- which includes the post of Receptionist also. (Annexure 'D').

4) That the Respondents have no comments to the statement made in paragraph 4 and 5 of the application.

5) That with reference to the statements made in paragraph 6 of the application I beg to state that while the office of the Press Information Bureau, Government of India - the employer of the applicant does not deny the efficiency and fitness of the employee to shoulder additional duties or adjustment of duty schedules from time to time in the interest of public service does not empower an employee to claim promotion to higher grades.

contd....p/3

209 -
Bhupen Chandra Das.
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6) That with reference to the statements made in paragraph 7 & 8 of the application, I beg to state that the additional services rendered by the employee is well recognised by the Department as was evident from the statement made by the employee herself at this point. In recognition of her work performance, the department has offered her an honorarium amounting to Rs.750/- as a special case.

Since the Indian Information Service is a Cadre Post wholly regulated by the Union Public Service Commission, New Delhi appointments and induction to it, if any, is also regulated by the Commission. Press Information Bureau, at best, can help recommend the employee's application if she applies for such a post through proper channel

7) That with reference to the statements made in paragraphs 9,10,11,12,13 & 14 of the application the respondents reiterate the statements made in paragraph 3 above.

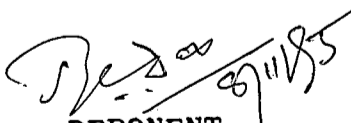
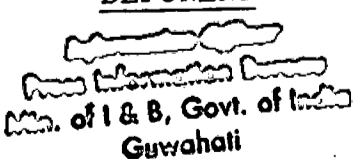
8) That the applicant is not entitled to any relief sought for in the application and the same is liable to be dismissed with costs.

9) That the Respondents crave leave of filing addi. written statement if situation so demands.

V E R I F I C A T I O N S

I, Bhupen Chandra Das, Information Officer, Press Information Bureau, Govt. of India, Guwahati do hereby declare that the statements made in this written statement are true to my knowledge and derived from the records of the case.

I sign this Verification on this *Eight* day of November 1995 at Guwahati.


DEPONENT

Min. of I & B, Govt. of India
Guwahati

4 - ~~S. No. 10(1)~~

Annexure A

-51-

F.No.10(1)/E.III/88
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 13th Sept., 1991

Office Memorandum

subject:- Career advancements of Group 'C' and Group 'D' employees.

The undersigned is directed to say that as a result of the recommendations of the Fourth Central Pay Commission contained in para 23.10 of Part-I of its Report, Selection Grades in Group 'C' and Group 'D' cadres were abolished. The Staff Side of the National Council (JCM) raised a demand for revival of Selection Grades in these cadres on the ground that simultaneous Cadre Reviews to provide for promotional grades/posts were also required to be conducted. The demand of the staff side for revival of Selection Grade could not be agreed to. It was also felt that there is not much scope for creation of higher grades/posts in most of the Group 'C' and 'D' cadres because such higher grades/post. can be identified only on functional justification. Keeping this in view, the Government agreed to evolve a scheme whereby Group 'C' and 'D' employees may get at least one promotion in their service career.

2. This matter has accordingly been under consideration of the Government for some time past and the President is now pleased to introduce a scheme to ensure at least one promotion in service career to each Group 'C' and 'D' employee. This scheme shall be applicable to (i) employees who are directly recruited to a Group 'C' or to Group 'D' post; (ii) employees whose pay on appointment to such a post, is fixed at the minimum of the scale; and (iii) employees who have not been promoted on regular basis even after one year on reaching the maximum of the scale of such post. The scheme will have the following basic features:-

- (a) Group 'C' and 'D' employees who fulfil the conditions mentioned at (i), (ii) and (iii) above will be considered for promotion in situ to the next higher scale.

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-52-
(b) Promotion in situ will be allowed after following the process of promotion with reference to seniority-cum-fitness.

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(c) The employees will get promotion in situ to the next higher scale available to them in the normal line/hierarchy of promotion. Promotions made on the basis of a qualifying or competitive departmental examination or subject to possessing or acquiring higher qualifications will not be treated as promotions in the normal line/hierarchy for the purpose of these instructions. In cases where no promotional grade is available, promotional scale will be decided by the Ministry of Finance. The promotional grade in case of Staff Car Drivers in the scale of Rs.950-20-1150-EB-25-1500 will be Rs.1200-30-1440-EB-30-1800.

(d) Group 'D' employees will retain the benefit of retirement at 60 years even after they are promoted in situ to the scale of Rs.825-15-900-EB-20-1200. On promotion in situ to any higher group 'C' scale, the retirement age of 58 will apply.

(e) In case recruitment to any category of posts (Group 'C' or 'D') is made both by direct recruitment and by promotion, a promotee will be considered for promotion in situ from the date a direct recruit junior to him in that cadre becomes eligible for in situ promotion even though in his case (in case of promotee) it will be the second promotion. Similarly, a direct recruit who was not fixed at the minimum of the scale at the time of appointment will also be considered for promotion in situ from the date a direct recruit junior to him and fixed at the minimum of the scale becomes eligible for promotion.

(f) Employees given promotion in situ will continue to be borne on the seniority list of the lower cadre/post and will be considered for functional promotion against available vacancies as per provisions of the Recruitment Rules.

(g) Even though promotion under this scheme, which is in situ, may not involve assumption of higher duties and responsibilities, the benefit of FR 22(1)(a)(1)

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- 53 -

(Old FR 22-C) will be allowed while fixing pay on promotion as a special dispensation. However, such benefit will not be allowed again at the time of functional promotion in the same scale.

(h) In case of Group 'D' employees, the stagnation increment(s) being drawn will be taken into account in fixation of pay in the event of promotion in situ under the scheme as a one time dispensation.

3. Each administrative Ministry/Department will identify the posts which have no promotional grade in the Ministry/Department or Organisations under its control and furnish the information relating to designation, scale of pay, recruitment qualifications, duties and responsibilities attached to each such post alongwith suggestion for suitable promotional scale based on comparable promotional grades generally available for the posts of that level to the Financial Adviser concerned. The Financial Advisers after scrutiny will take up the matter with the Ministry of Finance (Establishment Division) for prescribing suitable promotional grades based on an over-all considerations in each such case.

4. These orders will take effect from 1.4.91.

5. Ministry of Home Affairs etc. are advised to take necessary action to consider eligible Group 'C' and 'D' employees for promotion in situ in accordance with the scheme contained in para 2 above. They are also advised to furnish details of posts having no promotional grade in accordance with the provisions of Para 3 above at the earliest to the Ministry of Finance. Every subordinate authority should make a reference to Ministry of Finance only through the administrative Ministry concerned with the specific comments of Financial Adviser concerned.

6. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders are issued after consultation with the Comptroller and

Attached
To
Addl. Control Officer
Examining Officer.


(B. Kumar)

Under Secretary to the Govt. of India.

All Ministries/Departments of the Government of India
(As per standard mailing list with usual number of
spare copies).

Contd...4/nd

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Copy also forwarded to (1) Department of Personnel and Training (JCA Section)
10 copies.

(ii) Secretary (Staff Side)
National Council, JCM,
13-C, Feroze Shah Road,
New Delhi.

(iii) Members of the Staff Side of
the National Council of
JCM.

PRESS INFORMATION BUREAU
GOVERNMENT OF INDIA

Press Information Bureau
New Delhi
Gauhati

Ref. No. 1342
Date 4/3/93

Subject:- Representation of Kum. Memcha Devi,
Receptionist, PIB, Imphal.

.....
PIB, Guwahati Office may please refer Hqrs. u.o. of even No. dated 13.4.93 on the subject noted above.

Kum. Memcha Devi is sending her representation to Hqrs. for her promotion. The post of Receptionist is an isolated post. There is no other post which she could be promoted. However, a copy of DP&T O.M. No. 10(1)E-III/88 dated 13.9.91 and 4.9.92 were sent to PIB, Guwahati vide PIB's u.o. Note No. 10/65/91-Estt. dated 22.11.91 and 1.12.92 respectively under which the case of Kum. Memcha Devi can be considered for grant of promotion scale under the said scheme. PIB, Guwahati Office may please indicate the Hqrs. about action taken on this O.M. as indicated in guidelines sent to them.

(Signature)
(SWARN CHUGH)
SECTION OFFICER

✓ IO (Shri A.K. Baruah), PIB, Guwahati
PIB Hqrs. u.o. No. 10/11/93-Estt., dated 30.8.1993.

*Attested
A.K. Baruah*

*RECEIVED
4/3/93*

Similarly, employees...
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No. 29/70/91-Admn.II (Pt.)
Government of India
Ministry of Information and Broadcasting
-x- New Delhi, 2.12.1993

OFFICE MEMORANDUM

In pursuance of Ministry of Finance's O.M.No.10(1)E.III/83 dated 13.9.1991 regarding career advancement of Group 'C' and 'D' employees, it has been decided with the approval of Ministry of Finance that the incumbents of the following posts in various Media Units may be considered for promotion in-situ to the higher scale of pay as indicated against the posts:-
Pay scale on in-situ promotion (Rs.)

S.No. Name of the post & scale of pay (Rs.)

Directorate General : All India Radio

1. Farash
750-940/-

775-1025/-

Press Information Bureau

1. Carpenter
950-1400/-

975-1660/-

2. Fitter-Driver
1150-1500/-

1200-1800/-

3. Sweeper-cum-Safaiwala
750-940/-

775-1025/-

4. Sweeper-cum-Farash
750-940/-

775-1025/-

5. Chowkidar
750-940/-

775-1025/-

6. Chowkidar-cum-Farash
750-940/-

775-1025/-

7. Farash
750-940/-

775-1025/-

8. Messenger
750-940/-

775-1025/-

Directorate of Field Publicity

1. Sweeper-cum-Farash
750-940/-

775-1025/-

Central Board of Film Certification

1. Safaiwala
750-940/-

775-1025/-

2. Chowkidar
750-940/-

775-1025/-

3. Record Keeper
825-1200/-

950-1400/-

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Collected
M.C. Choudhary

Addl. Central Govt.
Standing Counsel.

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Annexure - 'D'

SUGGESTIONS FOR UPGRADATION/GRANT OF PROMOTIONAL SCALES BEFORE
PAY COMMISSION

S.NO.	CATEGORY OF POSTS/ PAY SCALE	NO. OF POSTS	PRESENT POSITION	SUGGESTIONS MADE
1	2	3	4	5
1.	Reporters (Gr. 'B' Gazetted of GCS) (2000-3500)	4	Isolated posts without promotion avenues	Upgradation of the post in scale of Rs. 3000-4500
2.	Librarian (Gr. 'C' Non-gazetted of GCS) (1400-2300) & (1350-2200)	6 (5&1)	-do-	Two running promotion scales of Rs. 1640-2900 and Rs. 2000-3500
3.	Calligraphist (Gr. 'C' non-gazetted of GCS) (1200-2040)	19	-do-	Two running Promotion scales of Rs. 1400-2300 and 1640-2900
4.	Receptionist (Gr. 'C' non-gazetted of GCS) (1350-1500)	3	-do-	Two running promotional scales of Rs. 1640-2900 and 2000-3500
5.	Fitter Driver (Gr. 'C' non-gazetted of GCS) (1150-1500)	1	-do-	Two running promotional scales of Rs. 1400-2300 and 1640-2900
6.	Carpenter (Gr. 'C' non-gazetted of GCs) (950-1400)	1	-do-	Two running promotional scales of Rs. 1150-1500 and 1350-2200
7.	Projectionist (Gr. 'C' non-gazetted of GCS) (1350-2200)	2	-do-	Two running promotional scales of Rs. 1640-2900 and 2000-3500

Attended
M. Choudhary
Addl. Central Govt.
Standing Counsel.

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No.Estt.1/18/95-Gau.
PRESS INFORMATION BUREAU
GOVERNMENT OF INDIA
GUWAHATI.

Ashram Road, Ulubari,
Guwahati, August 8, 1995.

O R D E R.

Sanction of the undersigned is hereby accorded for grant of stagnation increment at the rate of one increment last drawn by in the scale of pay shown below under F.R. 26(14) which reads with Govt. of India, Ministry of Finance (Deptt. of expenditure's O.M.No.7(20)/E-III/87 dated 7.6.90.

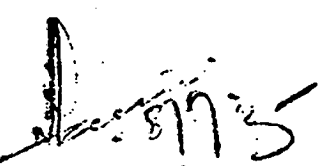
Name & designation	Date of stagnation	Amount of stagnation increment.	Date from admissible stagnation	Pay with stagnation increment.	Remarks
1	2	3	4	5	6
Kum.N.Memcha Devi, Receptionist. Pay Rs.1350-30-1440-40-1800-EB-50-2200/-	1.6.93	Rs.50/-	1.6.95	Rs.2250/-	1st. Stagnation increment.

The expenditure involved will be met out the Sanctioned Budget Grant for the year, 1995-96 (Non-Plan) of PIB, N.E.R., Guwahati and debitable to the following Head of Accounts:-

Demand No.054
Major Head-2220
C-2(3)-Press Information Services,
C-2(3)(1)-Press Information Bureau,
C-2(3)(1)(1)-Salaries.


(Biraj Das)
Dy.Principal Information Officer.

- Copy to:-
1. Pay & Accounts Officer, DDK, Guwahati.
 2. Kum.N.Memcha Devi, Receptionist, PIB-cum-IC, Imphal.
 3. Accountant.
 4. Bill clerk.
 5. Service Book.
 6. Personal file.


(A.C. Goswami)
Asstt. Information Officer.

Attested
A.C. Goswami
Asstt. Information Officer
Guwahati