



CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

9A 863/2017

Nipesh Majumder, S/o Late Chitaranjan Majumder, aged about 46 years, retired as Head Cook under the control of Divisional Railway Manager, Khurda Road Division, East Coast Railway at present working as Executive (EO) under Group General Manager, Indian Railway Catering and Tourism Corporation Ltd., at present residing at 423, Rani Rashmani Bagan, P.O. Santoshpur, Kolkata - 700075, West Bengal.

..Applicant

- Vs -

1. Union of India through the General Manager, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar, District - Khurda, Pin - 751017, Odisha.
2. Chief Personnel Officer, East Coast Railway, Rail Sadan, Chandrasekharpur, Bhubaneswar, District - Khurda, Pin - 751017, Odisha.
3. Divisional Railway Manager, Khurda Road Division, East Coast Railway, Post - Jatni, Pin - 752050, Odisha.
4. Sr. Divisional Personnel Officer, Khurda Road Division, East Coast Railway, Post - Jatni, Pin - 752050, Odisha.
5. Sr. Divisional Commercial Manager, Khurda Road Division, East Coast Railway, Post - Jatni, Pin - 752050, Odisha.
6. Group General Manager, Indian Railway Catering & Tourism Corporation Ltd. (East Zone), 3, Koylaghat Street, Ground Floor, Kolkata - 700001.
7. Joint General Manager, (HRD) Indian Railway Catering & Tourism Corporation Ltd. (East Zone), 3, Koylaghat Street, Ground Floor, Kolkata - 700001.

.. Respondents

Nipesh Majumder

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. OA 350/863/2017

Date of order : 6.7.2017

Present: Hon'ble Ms. Jaya Das Gupta, Administrative Member

For the applicant : Mr.C.Sinha, counsel

For the respondents: None

O R D E R (ORAL)

Heard Id. Counsel for the applicant. None appeared for the respondents though service has been effected.

2. It is the submission of the Id. Counsel for the applicant that the applicant was appointed in the South Eastern Railway on 29.7.1994 and while working as Head Cook in the East Coast Railway joined IRCTC on deputation and was absorbed in the IRCTC w.e.f. 1.1.2007. Since no pension and other retiral benefits have been paid to the applicant, he submitted a representation through proper channel which was duly forwarded to the competent authority. But the settlement dues have not yet been released.

3. It appears from the record that Annexure A/3 dated 8.10.2015 is a letter written by Mr.C.R.Mishra, AFA(G) regarding forwarding of the representation made by the applicant, to CPO, East Coast Railway for payment of settlement dues to the Catering Staff of East Coast Railway presently working in IRCTC :

"East Coast Railway

Office of the FA & CAO,
Rail Sadan,
Bhubaneswar - 751017

No.ECoR/Accts/BBS/Pension Correspondence/2843 Date: 8.10.2015

CPO/ECoR/BBS (Settlement)

Sub : Payment of Settlement due to the undersigned Catering Staff of ECoR.Rly presently working in IRCTC.

The copies of representations received from Bablu Aich & Nipesh Majumder regarding payment of settlement dues are enclosed herewith for necessary action, if any, at your end please.

Enclo : As above.

Sd/-
(C.R.Misha)
AFA (G)
For FA & CAO (Pension)"

It also appears from Annexure A/5 that a letter has been written dated 10.3.2016 to the DRM (P), Khordha Road which is set out below :

" East Coast Railway

Office of the
Chief Personnel Officer,
2nd Floor, South Block, ECoR Sadan,
Bhubaneswar - 751017.
Dt. 10.03.2016

No. EcoR/Pers/Sett/Bill(NG)/Misc

To
The Divisional Railway Manager (P),
East Coast Railway,
Khordha Road.

Sub : Payment of settlement dues of erstwhile catering
Staff of KUR division of ECoR.

Ref : Joint General Manager/HRD/EZ/Kolkata's letter
No.IRCTC/EZ/HRD/Settlement dues dtd. 15.12.2015

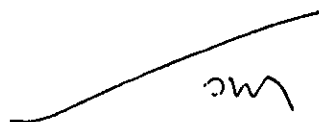
In reference to the above, it is to inform you that Sri Nipesh Majumder, Ex Head Cook/KUR and Sri Bablu Aich, Ex. Head Cook/KUR have applied for their settlement payment from Railway as on 31.12.2006 as they desire to continue their service with IRCTC (Copy enclosed)

You are therefore, requested to arrange for payment of settlement dues (Pensionary benefits) to the above named erstwhile catering staff in terms of RBE NO. 53/2003 at the earliest at your end.

Enclo : As above (8 Pages)

Sd/-
(R.C.Sethy)
Asst Personnel Officer (Bils)
For Chief Personnel Officer"

4. A representation has also been made on 2.6.2016 by the applicant to the Sr. Divisional personnel Officer, East Coast Railway, Khurda Road with a copy to DRM, Khurda Road, E.Co.Rly. However, it has been alleged that till date no progress has been made for providing the settlement dues to the applicant.
5. Ld. Counsel for the applicant submits that he will be satisfied if the representations made by the applicant are considered by the respondent No.2 i.e. CPO, East Coast Railway.
6. Hence it is directed that the applicant shall place a copy of this order along with the OA to the respondent No.2 as expeditiously as possible. The respondent No.2 shall consider the representations of the applicant strictly as per rules within 2 months of getting a certified copy of this order and the decision arrived at should be communicated to the applicant within 2 weeks thereafter.



7. It is made clear that I have not gone into the merits of the case and all the points are kept open for consideration by the respondents.
8. The OA is accordingly disposed of. No costs.

(JAYA DAS GUPTA)
ADMINISTRATIVE MEMBER

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