

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH**

No. OA 350/347/2018

Date of order : 10.4.2018

Present: Hon'ble Ms. Manjula Das, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

**KEDAR NATH KARNA**

S/o B.L.Das,  
Working as Asst. Director  
(Official language), in the  
Office of Subsidiary Intelligence Bureau,  
Ministry of Home Affairs,  
R/o 9/1 Gariahat Road,  
Kolkata – 700019.

**...APPLICANT**

**VERSUS**

1. The Secretary,  
Dept. of Official Language,  
Ministry of Home Affairs,  
3<sup>rd</sup> Floor,  
NDCC-II Building,  
Jaisingh Road,  
New Delhi – 110001.
2. The Director,  
Intelligence Bureau,  
Ministry of Home Affairs,  
North Block,  
New Delhi.
3. The Joint Deputy Director/C-III  
IB, Headquarters/  
Ministry of Home Affairs,  
35, Sardar Patel Märg,  
New Delhi.
4. The Assistant Director/E  
Subsidiary Intelligence Bureau,  
Ministry of Home Affairs,  
9/1 Gariahat Road,  
Kolkata – 700019.

**...RESPONDENTS.**

For the applicant : Mr.C.Sinha, counsel

For the respondents: None



O R D E R (ORAL)

Per Ms. Manjula Das, Judicial Member

By making this OA the applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- a) To direct the respondents to grant 1<sup>st</sup> Financial Upgradation under ACP Scheme in the pay scale of Rsw.8000-13,500/- w.e.f. 1.1.2006 with replacement grade pay of Rs.5400 in PB-3 of Rs.15600-39100/- and 2<sup>nd</sup> Financial Upgradation under MACP scheme in Grade Pay of Rs.6600/- in PB-3 of Rs.15600-39100/- w.e.f. 12.2.2010 with all consequential benefits.
- b) To direct the respondents to modify and/or amend order of 1<sup>st</sup> Financial Upgradation under ACP scheme dated 24.3.2003 being office order No. 95/2003 and modify and/or amend 2<sup>nd</sup> Financial Upgradation under MACP scheme vide office order dated 29.9.2010 to the extent of granting 1<sup>st</sup> Financial Upgradation under ACP scheme in the pay scale of Rs.8000-13500/- w.e.f. 1.1.2006 with replacement grade pay of Rs.5400 in PB-3 of Rs.15600-39100/- and 2<sup>nd</sup> Financial Upgradation under MACP scheme in Grade Pay of Rs.,6600/- w.e.f. 12.2.2010 with consequential benefits.
- c) Any other order or orders as the Hon'ble Tribunal deems fit and proper.

2. The brief fact of the case as narrated by the ld. Counsel for the applicant is that the applicant was appointed as Jr. Hindi Translator (JHT) in scale of Rs.1400-2600/- on 12.2.1990 in the office of Bureau of Civil Aviation Security., On 29.7.1991 he was transferred to the office of Superintendent of Police, CBI., Dhanbad. The scale of Rs.1400-2600/- was revised to Rs.5000-8000/- w.e.f. 1.1.1996 and the applicant was granted 1<sup>st</sup> ACP in scale of Rs.5500-9000/- vide office order dated 14.5.2002. On 14.7.2003 pay scale of Rs.5000-8000/- was upgraded to Rs.5500-9000/- notionally w.e.f. 1.1.1996 and actually from 12.2.2003 and the applicant was granted the same benefit.

3. We have heard both the ld. Counsels and perused the pleadings and materials placed before us.

4. Ld. Counsel for the applicant prays that a direction be given to the respondent authorities to consider the present OA as representation and dispose of the same within a specific time frame.

5. By accepting the prayer made by the ld. Counsel for the applicant we dispose of the present OA with a direction upon the applicant to serve upon the respondent authorities, a copy of this OA along with the copy of this order, the

representations preferred by him on 13.9.2017, 24.1.2018 and 15.2.2018, within 2 weeks from the date of receipt of the copy of this order. On receipt of such representation the respondents authorities, more particularly respondent No.3 shall consider and dispose of the representations made by the applicant dated 13.9.2017 and 15.2.2018 and pass a reasoned and speaking order within a period of six weeks from the date of receipt of the copy of this order. The decision so arrived shall be communicated to the applicant forthwith.

6. With the above direction and observation the OA stands disposed of. No order as to costs.

(DR. NANDITA CHATTERJEE)  
ADMINISTRATIVE MEMBER

(MANJULA DAS)  
JUDICIAL MEMBER

In