

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

LIBRARY

No. OA 350/31/2017

Date of order : 5.5.2017.

Present: Hon'ble Mr.A.K.Patnaik, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative member

SMT. KRISHNA KUNDU
W/o Arun Kumar Kundu,
Aged 67 years,
R/o 99 M.C.Garden Road,
Kolkata - 30, Pin -700030
West Bengal.

...APPLICANTS

VERSUS

1. Union of India, through
General Manager,
South Eastern Railway,
Garden Reach,
Kolkata - 43.
2. Chief Personnel Officer,
S.E. Railway,
Kolkata - 43.
3. Sr. Divisional Personnel Officer,
South Eastern Railway,
Kharagpur Division,
P.S.- Kharagpur,
Dist.-West Medinipur,
West Bengal.
4. Sr. Divisional Finance Manager,
South Eastern Railway,
Kharagpur Division,
P.S.- Kharagpur,
Dist.-West Medinipur,
West Bengal.

RESPONDENTS.

For the applicants: Mr.M.S.S.Rao, counsel

For the respondents: None

O R D E R (ORAL)

A.K.Patnaik, J.M.

Heard Mr.M.S.S.Rao, ld. Counsel appearing for the applicants. None
appeared for the departmental respondents.

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2. This OA has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs :

“Pension Payment Order bearing No. 07010677610 dated 9.3.2010 issued by Senior Divisional finance Manager, Kharagpur be refixed with Grade Pay Rs.4800/- instead of Rs.4600/- and all consequential benefits viz., enhancement of pension, gratuity, leave salary, CVP and CTG etc. are to be released along with interest accrued thereon from the date of her eligibility in selection grade.”

3. As per the ld. Counsel for the applicants the sum and substance of the OA is that the applicant was appointed as a primary school teacher at Mohuda Railway School, Adra Division of South Eastern Railway on 6.10.1983 in the basic grade. On her own request she was transferred to Azizia School, Kharagpur in Kharagpur Division. The Divisional Personnel Officer, Kharagpur by letter dated 7.5.1997 granted her the benefit of senior grade of Rs.14002600 with basic pay Rs.1600/- as on 1.10.1996. In terms of Railway Board's Est. Sl. No.98/2002, the pay scale of primary school teachers was revised to Rs.4500-7000 as basic grade, Rs.5500-9000 as senior grade and RS.6500-10500 as selection grade respectively. The applicant having qualification of B.A., B.Ed. and having rendered 24 years of regular service as on 6.10.2007 is entitled to selection grade Rs.4800/- in pay band Rs.9300-34800 in terms of Railway Board's Est. Sl. No. 124/2008. The applicant submitted an appeal dated 30.7.08 to Sr. Divisional Personnel Officer, Kharagpur to consider her case for selection grade with Grade Pay Rs.4800/-. The applicant had superannuated from Railway service on 31.1.2010 in pay band Rs.9300-34800 with Grade Pay Rs.4600/-. She had represented on the issue before the Railway respondents several times and the last representation being dated 28.7.2016 addressed to respondent No.4. Till date she has received no reply from the said respondent No.4. Hence the applicant has approached this Tribunal in the instant OA.

4. Mr.Rao submitted that the grievance of the applicant will be more or less redressed if the respondents are directed to consider and disposed of the representation dated 28.7.16 preferred by the applicant addressed to respondent No.4 within a specific time frame.

W/O

5. We do not think it will be prejudicial to either sides if this OA is disposed of at the admission stage itself by directing the respondent No.4 to consider the representation dated 28.7.16 stated to have been preferred by the applicant as **per rules and regulations in force and communicate the result thereof to the** applicants by way of a well reasoned order, within one month from the date of such consideration.

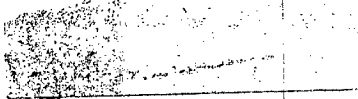
6. Therefore without entering into the merit of the case we dispose of the instant OA at the admission stage itself with a direction to the respondent No.4 to consider the appeal dated 28.7.16 stated to have been preferred by the applicant as per rules and regulations and dispose it of by passing a well reasoned and speaking order and communicate the same to the applicant within one month from the date of receipt of this order.

7. Though we have not expressed any opinion on the merit of the matter and all the points to be raised in the representation stated to have been preferred by the applicant, are kept open for the said respondent No.4 to consider the same as per the rules and regulations in force, still then we hope and trust that after such consideration if the applicant's grievance is found to be genuine then expeditious steps may be taken within a further period of three months from the date of such consideration to redress his grievance.

8. With the above observation and direction the OA is disposed of. No costs.

9. As prayed for by Mr.Rao, a copy of this order along with the paper book of this OA be transmitted to respondent No.4 by Speed Post for which he will deposit the cost with the Registry within a period of one week.


(JAYA DAS GUPTA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER (J)

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