

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**



No. O.A. 1470 of 2018

Date of order: 11.10.2018

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Bibhas Chandra Jana,
Son of Shri Phani Bhusan Jana,
Aged about 61 years,
Residing at 35/3, Chandi Ghosh Road,
Kolkata – 700 040
And retired while working to the post of
Senior Technician Group – II (3) in
CSIR-Central Leather Research Institute,
CLRI Region Extension and Development Centre,
3/1C, Mathewartola Road, Tangra, Kolkata,
West Bengal – 700 046 under control and authority of
Council of Scientific and Industrial Research,
Anusandhan Bhawan, 2, Rafi Marg,
New Delhi – 110 001.

Applicant

VERSUS

1. Union of India service through the
Secretary, Ministry of Science and Technology,
Government of India,
Having its office at Technology Bhavan,
New Mehrauli Road,
New Delhi – 110 016.
2. The Joint Secretary (Administration),
Council of Scientific and Industrial Research,
Anusandhan Bhawan,
2, Rafi Marg,
New Delhi – 110 001.
3. The Director General,
Council of Scientific and Industrial Research,
Anusandhan Bhawan,
2, Rafi Marg,
New Delhi – 110 001.

4. The Director,
CSIR- Central Leather Research Institute,
Sardar Patel Road, Adyar, Near IIT Madras,
Chennai,
Tamil Nadu – 600 020.
5. The Senior Controller of Administration,
CSIR- Central Leather Research Institute,
Sardar Patel Road, Adyar, Near IIT Madras,
Chennai,
Tamil Nadu – 600 020.
6. The Section Officer,
CSIR- Central LCSIR- Central Leather Research
Institute,
Sardar Patel Road, Adyar, Near IIT Madras,
Chennai,
Tamil Nadu – 600 020.
7. The Scientist-in-Charge,
CSIR-Central Leather Research Institute,
CLRI Regional Extension and Development Centre,
3/1G, Mathewartola Road, Tangra,
Kolkata,
West Bengal – 700 046.

For the Applicant :

Mr. P.C. Das, Counsel
Ms. T. Maity, Counsel

For the Respondents : None

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

An Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

"(a) To pass an appropriate order directing upon the respondent authority to give the appropriate pay scale of Rs. 15600-39100 with Grade Pay of Rs. 5400/- in connection to the designation of his post of Senior Technician Group – II (5) which he is otherwise entitled to and that pay benefit has not been given in favour of the applicant despite the fact the applicant has possessed the higher qualification and because of such higher

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qualification his assessment promotion has been given two years early and for that he is entitled to get such Grade Pay of Rs. 5400/- which was duly recommended by the appropriate authority but Headquarters office of CSIR, New Delhi did not take any decision in respect of that despite making several representations to that effect by the applicant;

(b) To pass an appropriate order directing upon the respondent authority to treat your applicant's promotion to the post of Senior Technician Group-II (5) which he has got after Assessment Committee recommended his case and under any circumstances that benefit cannot be taken away by the Administration and also to give appropriate pay benefit in connection to that post as per the recommendation of 6th Central Pay Commission as well as 7th Central Pay Commission and to give the appropriate pay scale along with grade pay in connection to the said post along with all consequential benefits with effect from the date when the applicant has got the promotion to that post.

(c) Costs.

(d) Any other relief and reliefs, as Your Lordship may deem fit and proper."

2. Heard Ld. Counsel for the applicant. Ld. Counsel for the applicant furnishes documents to show that the application has been served on the respondents and is directed to place affidavit in service when prepared, for record.

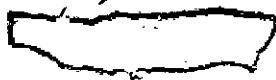
3. The applicant has been requesting for resolution of the anomaly in the pay scale of Tech. II (IV) and his representation dated 7.6.2016 was submitted to the respondent No. 3, who is the Director-General, Council of Scientific and Industrial Research, Delhi through proper channel. The applicant has also issued a reminder dated 30.12.2017 to the same authority.

Ld. Counsel for the applicant submits that the applicant will be satisfied if a direction is issued to the respondent authority to dispose of the said representation in a time bound manner and, accordingly, without entering into the merits of the matter, we hereby direct the respondent No. 3, who is the Director General, Council of Scientific and Industrial Research, New Delhi to examine the contents of the said representation, if received at his end, and to decide in terms of a speaking and reasoned and speaking order in accordance with law within a

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period of six weeks from the date of receipt of a copy of this order and communicate the decision arrived at forthwith to the applicant.

5. With these directions, the O.A. is disposed of. There will be no order on costs.



(Dr. Nandita Chatterjee)
Administrative Member



(Bidisha Banerjee)
Judicial Member

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