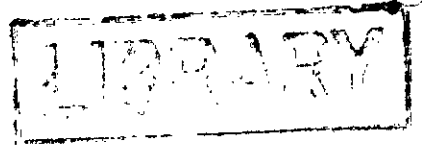


CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



Date of order: 14.03.2019

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

(1) O.A. 1827 of 2018

Dr. Manas Deb Maji,
Scientist – C (Retd.),
Aged about 62 years,
S/o. Late Mahadeb Maji,
Bipasa Apartment,
Flat No. 202/24/1/A,
S.S. Sen Road,
P.O. Berhampore – 742101,
Dist. – Murshidabad,
West Bengal.

(2) O.A. 1828 of 2018

Shri Sudeb Chatterjee,
Scientist – D (Retd.),
Aged about 62 years,
Son of Late Chandra Sekhar Chatterjee,
204 Sundaram Apartment,
122/1, N.K. Banerjee Street,
P.O. Rishra,
Dist. : Hooghly,
Pin : 712248, West Bengal.

(3) O.A. 1830 of 2018

Dr. Lal Mohan Saha,
Scientist – D (Retd.),
Aged about 64 years,
Son of Late Aswini Kumar Saha,
C/o. Dr. Subhra Chanda,
CSR&TI,
Staff Quarter No. Type IV/2,
Central Silk Board,
P.O. Berhampore – 742 101,
Dist : Murshidabad,
West Bengal.

(4) O.A. 1831 of 2018

Dr. Swapan Kumar Mukhopadhyay,
Scientist – D (Retd.),
Aged about 63 years,
Son of Late Anil Baran Mukhopadhyay,
B-12/278,
Kalyani – 741235, Dist: Nadia,
West Bengal.

- 2 o.a. 1827.2018, o.a. 1828.2018, o.a. 1830.2018, o.a. 1831.2018, o.a. 1832.2018, o.a. 1833.2018, o.a. 1834.2018, o.a. 1835.2018, o.a. 1836.2018, o.a. 1849.2018, o.a. 1850.2018, o.a. 1851.2018, o.a. 1856.2018, o.a. 1857.2018, o.a. 1867.2018, o.a. 1868.2018, o.a. 1869.2018

(5) O.A. 1832 of 2018

Smt. Chandana Maji,
Scientist-D,
Aged about 60 years,
D/o Late Paritosh Kumar Saha,
Central Sericultural Research &
Training Institute,
Central Silk board,
P.O. – Berhampore – 742 101,
Dist. – Murshidabad,
West Bengal.

(6) O.A. 1833 of 2018

Mr. Ashis Kumar Pal,
Scientist – D,
Aged about 59 years,
S/o Late Tarak Chandra Pal,
Regional Silk Technological
Research Station, CSTRI,
Central Silk Board,
Muga Farm,
Kharapara, Guwahati,
Dist. Kamrup (Metro),
Pin – 781022, Assam

(7) O.A. 1834 of 2018

Dr. Godam Kr. Chattopadhyay,
Scientist – D (Retd),
Aged about 64 years,
Son of Late Sudhir Kr. Chattopadhyay,
Jyoti Apartment, Flat No. 2A,
Kadamtala, Vivekananda Polly,
Berhampore – 742 101,
Dist. – Murshidabad,
West Bengal

(8) O.A. 1835 of 2018

Dr. Anil Kumar Verma,
Scientist – D,
Aged about 58 years,
S/o Late Bhagwan Prasad Verma,
Central Sericultural Research &
Training Institute,
Central Silk Board,
P.O. – Berhampore – 742 101,
Dist. – Murshidabad,
West Bengal.

(9) O.A. 1836 of 2018

Dr. Ranjit Kar,
Scientist – D,
Aged about 57 years,

heli

Son of late Monoranjan Kar,
Quarter: Type – IV,
Regional Sericultural Research Station,
Central Silk board
(Ministry of Textiles : GOI),
7th Mile, Reshambari,
Kalimpong – 734 301,
West Bengal.

(10) O.A. 1849 of 2018

Shri Niharendu Bikash kar,
Aged about 60 years,
Son of Late Nikhil Bandhu Kar,
Working as Scientist – D (R&S),
GSR & TI, at Berhampore, West Bengal
And at present residing at CSR & TI,
Staff Quarter No. Type IV/8,
Berhampore – 742 101,
West Bengal.

(11) O.A. 1850 of 2018


Dr. Ujjal Kumar Bandyopadhyay,
Scientist – D (Retd.),
Aged about 62 years,
Son of Late Gopal Chandra
Bandyopadhyay,
Varma Housing Complex,
Flat No. D-9/A,
101 R.S. Verma Road,
Uttarpara – 742 258,
Dist. – Hooghly,
West Bengal.

(12) O.A. 1851 of 2018

Dr. Swapan Kumar Mandal,
Scientist – D (Retd.),
Aged about 64 years,
S/o Late Sukumar Mandal,
Kangaliganj, Patna,
P.O. Abash,
Dist. – Paschim Medinipur,
Pin – 721 102,
West Bengal.

(13) O.A. 1856 of 2018

Dr. Md. Safikur Rahaman,
Scientist – C (Retd.),
Aged about 64 years,
S/o. Late Md. Yeakub Hossain,
54/1/5, Nilmoni Bhattacharjee Lane,
Kadai, Berhampore – 742 101,
Dist. : Murshidabad,
West Bengal.



4 o.a. 1827.2018, o.a. 1828.2018, o.a. 1830.2018, o.a. 1831.2018, o.a. 1832.2018, o.a. 1833.2018, o.a. 1834.2018, o.a. 1835.2018, o.a. 1836.2018, o.a. 1849.2018, o.a. 1850.2018, o.a. 1851.2018, o.a. 1856.2018, o.a. 1857.2018, o.a. 1867.2018, o.a. 1868.2018, o.a. 1869.2018

(14) O.A. 1857 of 2018 Dr. (Mrs.) Subhra Chanda,
Aged about 60 years,
Daughter of Late Bhupendra Mohan
Chanda,
Working as Scientist – D, CSR & TI,
At Berhampore, West Bengal and
At present residing at CSR & TI
Staff Quarter No. Type – IV/2,
Berhampore – 742 101,
West Bengal.

(15) O.A. 1867 of 2018 Dr. Atul Kumar Saha,
Scientist – D (Retd.),
Aged about 61 years,
s/o Late Sanat Kumar Saha
Ghuanpur Ghosh Para
Sukanta Pally
P.O. – Chaltia
P.S. – Berhampore,
Murshidabad,
West Bengal.
Pin – 742 165.

(16) O.A. 1868 of 2018 Mr. Partha Datta Gupta,
Aged about 58 years,
Son of Late Haripada Datta Gupta,
Scientist – D (R&S),
Silk Conditioning & Testing House,
Central Silk Board,
M.K. Road,
Sarbamangala Pally,
(Near Sukanta Morh),
Malda – 732 101,
West Bengal.

(17) O.A. 1869 of 2018 Shri Abhijit Sinhababu,
Scientist – D (Retd.),
Aged about 62 years,
S/o. Late Srikanta Sinhababu,
1A/3, Bharati Road,
B-Zone,
Durgapur – 713205,
Dist. : Paschim Bardhaman,
West Bengal.

.... Applicants



- VERSUS -

1. Union of India,
Service through Secretary,
Ministry of Textiles,
Government of India,
Udyog Bhavan,
New Delhi - 110 011.
2. Secretary,
Ministry of Science and Technology,
Government of India,
Technology Bhavan,
New Delhi - 110 016.
3. Member Secretary,
Central Silk Board,
Ministry of Textiles,
Government of India,
CSB Complex,
BTM Layout,
Madivala,
Bangalore - 560068.

For the Applicants

Mr. P. Banerjee, Counsel

For the Respondents

Mr. P. Mukherjee, Counsel

ORDER

Per Dr. Nandita Chatterjee, Administrative Member:

17 Original Applications have been filed under Section 19 of the Administrative Tribunals Act, 1985 praying for similar relief as below:-

"(A) A mandatory order directing the respondents and/or their agents to act in accordance with the law and to allow all the benefits of the Flexible Complementing Scheme (FCS) including all other benefits attached therewith to the Applicant on and from 30th July 2001 being the Annexure A-2 herein, the date when the Central Silk Board had been brought under the umbrella of Science and Technological Organization and the benefits of the Flexible Complementing Scheme (FCS) had been extended to the Scientists up to the level of F category attached at the Central Silk Board and/or to remove all the disparity of the Scale of pay and other consequential service benefits amongst the Scientists attached with the Board forthwith.

(B) Any other order and/or further orders as Your Lordships may seem fit and proper."

hah

6 o.a. 1827.2018, o.a. 1828.2018, o.a. 1830.2018, o.a. 1831.2018, o.a. 1832.2018, o.a. 1833.2018, o.a. 1834.2018, o.a. 1835.2018, o.a. 1836.2018, o.a. 1849.2018, o.a. 1850.2018, o.a. 1851.2018, o.a. 1856.2018, o.a. 1857.2018, o.a. 1867.2018, o.a. 1868.2018, o.a. 1869.2018

2. The applicants have approached the Tribunal in the second stage litigation. The earlier O.A. bearing No. 350/00946/2016 had been disposed of on 16.5.2017, directing the respondent No. 2 to dispose of representations of the applicants with a well reasoned order and, in compliance to the same, the respondent authority issued a speaking order dated 13.12.2017 (Annexed as A-13 to the O.A.). As, however, the said speaking order has not been challenged in the instant O.A., Ld. Counsel for the applicants would seek liberty to file an amended Application in which he would seek to challenge the speaking order.

3. The pleadings in the Original Applications would require to be amended suitably in the context of amended relief. Hence, we hereby grant the applicants liberty to withdraw the Original Applications and to file afresh seeking appropriate relief therein.

4. With these directions, the O.A.s are disposed of as withdrawn.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP