

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 350/01496/2018

Date of order: 21.1.2019

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

Sri Ajit Kumar Das,
Son of Late Bishnu Charan Das,
Aged about 73 years,
of Narayan Chandra Kundu Road,
Lalbagh Chowk,
Post Office & Police Station : Chandannagore,
District : Hooghly, Pin – 712 136.

..... Applicant.

-Versus-

1. Union of India,
Service through the Secretary,
Department of Tele-Communication,
Ministry of Telecommunication and IT
Having its office at 20 "Sanchar Bhawan",
Ashoka Road,
New Delhi – 110 001.
2. The Chief General Manager,
BSNL, Calcutta Telephones,
Telephone Bhawan,
34, B.B.D. Bag,
Calcutta – 700 001.
3. Assistant General Manager (Staff-I) BSNL,
Calcutta Telephones,
Telephone Bhawan,
34, B.B.D. Bag,
Calcutta – 700 001.
4. Deputy General Manager (NWO CITY),
BSNL, Calcutta Telephones,
P-10 New CIT Road,
Kolkata – 700 073.

..... Respondents

For the Applicant : Mr. C. Sinha, Counsel
For the Respondents : Mr. S. Panda, Counsel

O R D E R (Oral)Per Dr. Nandita Chatterjee, Administrative Member:

The instant Original Application has been filed seeking the following relief:-

"8.I. The respondent be directed to revise the pay scale in terms of the 1st time bound IDA pay scale up-gradation w.e.f. October 1, 2004 and to pay the applicant the up-graded scale of Rs. 20600-46500 from October 1, 2004 till the date of his retirement together with marketable interest.

II. The respondent be directed to fix the pension on the up-graded scale w.e.f. September 1, 2005 as the applicant retired from service on August, 31, 2005.

III. To pass an order/direction upon the respondent authority to consider the representation of the applicant dated 26.12.2016 and April 30, 2018 being Annexure – A-4 & A-5 to this application.

IV. To pass any other further order or orders, direction or directions as to this Hon'ble Tribunal may deem fit and proper.

V. The records be directed to produce for proper adjudication of the instant proceedings.

VI. Any other appropriate order or orders be passed as to your Lordships may deem fit and proper.

2. Heard both Ld. Counsel, examined documents on record. The matter is taken up at the admission stage.

3. Ld. Counsel for the applicant submits that the applicant, who is an Ex-Sub-Divisional Engineer of BSNL, had superannuated on 31.8.2005.

That, on 8.7.2015, an order was issued by the respondent authorities regarding first time bound IDA scale upgradation of the Executives JTOs/SDEs (listed at Annexure A-3 to the O.A.) on completion of four to six years of service in the current IDA pay scale.

That, the name of the applicant had appeared at Srl. No. 1 of the office order dated 13.5.2004 (Annexure A-1 to the O.A.) in which he was directed to assume charge of SDE on temporary basis. His pay scale was thereafter proposed to be upgraded vide office orders dated 21.5.2010 & 8.7.2015 respectively (A-2/A-3 to the O.A.) to Rs. 20,600-46,500/- (E-2) w.e.f. 1.10.2004.

Although the applicant preferred several representations requesting for fixation of his pay in the upgraded pay scale and payment of the same, respondent authorities failed to respond and hence the Original Application.

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Ld. Counsel for the applicant further submits that the applicant would be fairly satisfied if an order is issued directing the respondent authorities to consider his representations at Annexure A-4 and A-5 to the O.A. within a specified time frame.

Ld. Counsel for the respondents does not object to consideration of such representation as per law.

4. Accordingly, with the consent of the parties and without entering into the merits of the matter, we hereby direct the respondent No. 2, who is the Chief General Manager, BSNL, Calcutta Telephones to examine the applicant's representations dated 26.12.2016 as well as reminders thereon and, thereafter issue a reasoned and speaking order on the prayer of the applicant in accordance with law and within a period of six weeks from the date of receipt of a copy of this order. The decision arrived at should be communicated forthwith to the applicant thereafter.

5. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

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