



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

OA. 350/1941/2018
MA. 350/961/2018

Date of order: 05.07.2019

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

SURENDRA KUMAR SINGH & 122 ORS.

-versus-

1. The Union of India, represented by the General Manager, Chittaranjan Locomotive Works, having its office at Chittaranjan Locomotive Works, General Manager, Post Office and Police Station- Chittaranjan, Dist- Burdwan, Pin- 713331;
2. The Railway Board, represented by its Chairman, having its office at Railway Bhawan, Raisina Road, New Delhi- 110001;
3. The Secretary, Department of Personnel and Training under the Ministry of Personnel, Public Grievance and Pension, having its office at North Block, Central Secretariat, New Delhi- 110001;
4. The General Manager, Chittaranjan Locomotive Works, having its office at Chittaranjan General Manager Office, Post Office and Police Station- Chittaranjan, Dist- Burdwan, Pin- 713331;
5. The Chief Personnel Officer, Chittaranjan Locomotive Works, having its office at General Manager Office, Post Office and Police Station- Chittaranjan, Dist- Burdwan, Pin- 713331;
6. The Ministry of Human Resource Development, Department of School Education & Literacy, Service through the Joint Secretary S-I, having its office at Shastri Bhavan, New Delhi- 110001.

.....Respondents.

For the Applicant : Mr. A. Ghosh, Counsel

For the Respondents : Mr. K. Sarkar, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard ld. Counsel for both parties.

2. This application has been filed by the applicants to seek the following reliefs:

"8(a) An order directing the respondents, the servants, agents and/or employees and each one of their to act upon them spirit of the MACP and benefit of the MACP should be given to the Applicant with effect from 1st September, 2008 and all consequential benefits.

(b) An order directing the Respondents, specific the respondents, specific the respondent no. and their servant/agent employees each one of them to introduce MACP scheme for the school teachers who are intending to accept or switch over to MACP Scheme."

3. MA. 350/961/2018 filed by the applicants for joint prosecution is allowed.

4. The applicants are aggrieved as they were governed by Career Advancement Scheme in terms of which 20% of the incumbents would move to the next promotional post will be subject to clearing test, whereas MACP is allowed to next higher grade upon completion of 10 years of service. Therefore, the applicants have prayed for adoption of MACP Scheme for the teachers who have been serving in the Railways School.

5. Id. Counsel for applicant would also draw our attention to the OM dated 06.08.2018 wherefrom we find that the Joint Director Estt. (P&A), Railway Board has referred the matter to the Ministry of Human Resource Development, for an appropriate order and vide OM dated 26.11.2018 the MHRD has referred the matter back to the Board as the competent authority to decide the terms and

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condition of service of railway school teachers and to clarify the MACP provisions requested/advised that the DOPT be approached. Therefore, this application seeking MACP preferred without impleading DOPT and Railway Board is misconceived.

6. In view of such, we feel it appropriate to allow the present applicants to withdraw the present OA to approach the Railway Officers jointly so that the matter can be referred to the Railway Board to take a decision in regard to adoption of MACP Scheme in consultation with DOPT in regard to the present applicants and similarly circumstanced employees.

7. The applicants shall file joint representation to the General Manager, CLW within a period of 4 weeks, who upon receipt of such representation shall forward it to the Railway Board for appropriate decision so that a decision to that effect is taken within a further period of 3 months.

8. Accordingly, OA as well as MA are disposed of with the consent of both the sides. No costs.

However, applicants to bear individual court fees.


(Dr. Nandita Chatterjee)
Member (A)


(Bidisha Banerjee)
Member (J)

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