

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH, KOLKATA**

O.A. 297 of 2016

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

1. Subhas kr. Das,  
S/o Late B.K. Das,  
Aged about 52 years,  
Working for the post of Office  
Superintendent/GM(P)/CLW  
Chittaranjan,  
Residing at Qrts No. 4A, Street No. 21/B,  
P.O. & P.S. – Chittaranjan, Burdwan,  
West Bengal, PIN – 713331.

2. Narayan Gangopadhyay,  
S/o Late R.N. Gangopadhyay,  
Aged about 47 years,  
Working for the post of Office  
Superintendent/(P)/CLW Chittaranjan,  
Residing at Qrts No. 27A, Street No. 23,  
P.O. & P.S. – Chittaranjan, Burdwan,  
West Bengal, PIN – 713331.

..... Applicants.

Versus

1. The Union of India,  
General Manager,  
Chittaranjan Locomotive Works,  
Chittaranjan,  
P.O. & P.S. – Chittaranjan,  
District – Burdwan,  
West Bengal – 713331.
2. General Manager,  
Chittaranjan Locomotive Works,  
Chittaranjan,  
P.O. & P.S. – Chittaranjan,  
District – Burdwan,  
West Bengal – 713331.
3. Chief Personnel Officer,  
Chittaranjan Locomotive Works,  
Chittaranjan,

P.O. & P.S. - Chittaranjan,  
District – Burdwan,  
West Bengal, PIN – 713331.

4. Sr. Personnel Officer (G)  
Chittaranjan Locomotive Works,  
Chittaranjan,  
P.O. & P.S. – Chittaranjan,  
District – Burdwan,  
West Bengal, PIN – 713331.

..... Respondents.

For the applicant : Mr. B. Chatterjee, Counsel

For the respondents : Mr. K. Sarkar, Counsel

Reserved on : 22.04.2019

Date of Order : 14.5.19

**ORDER**

**Per : Bidisha Banerjee, Judicial Member**

Two applicants have preferred this OA, to seek the following reliefs:

"8.a. An order granting leave to the applicants under Rule 4(5)(a) of the Central Administrative Tribunals (Procedure) Rules, 1987 to move this application jointly.

b. Leave may be granted to move this Original Application without serving copy of the Original Application to the respondents.

c. An order quashing the selection notice No.GMA/GS/88-(A) Pt.VII dated: 28-05-2014 (Annexure A-I) so far as period of Assessment is concerned upon declaration that the same is void and ultra-vires for not being in conformity of the rules, laws equality, instruction and the Constitution of India.

d. Any rule or instructions contrary to the principle of equality incepting seniority may be declared void and/or inoperative and non-est.

e. The respondent Authority may kindly be directed to determine and publish integrated/ inter-se seniority list of all the eligible prospective candidates in accordance with law, constitutional mandates conforming the principles of equity, equality, conscience and good sense after treating the assessment period from 14.01.2013 instead of 01.04.2013.

*B*

f. An order directing the official respondents to produce/ caused production of all relevant records pertaining to the instant matter;

g. And to pass any other order or orders, direction or directions as Your Lordships may deem fit and proper."

2. The applicants have preferred this Application assailing violation of Clause 8 of the Notification for the post of Assistant Personnel Officer (APO)/AWO/Assistant Secretary to General Manager, in Group "B" Service, against 70% quota of Personnel Department vide Notice No. GMA/GS/88-(A)Pt.VII dated 28.05.2014 issued by Senior Personnel Officer (G) for General manager (P) CLW, Chittaranjan.

They are aggrieved as without disposing of their representations, the respondent authorities have proceeded to hold viva voce and are going to finalize the Panel for the post in question, without addressing and redressing their grievance applicants.

The notification dated 25.8.14 is as under:

*"Sub: - Formation of a panel for the post of APO/AWO/Asstt. Secy. To GM in Group 'B' Service against 70% vacancies in Personnel Department of CLW.*

*Last date of receipt of application:- 30.06.2014(A/N)*

1. It has been decided to hold a selection for formation of a panel of 04 (four) candidates for promotion to the post of APO/AWD/Asstt. Secy. to GM in Group 'B' service in PB-2, Pay Band Rs. 9,300-34,800/- in GP Rs. 4800/- against 70% quota in Personnel Department of CLW as per following reservation:-

MODE OF SELECTION	UR	SC	ST	Total
70%	03	01	-	04

2. Assessment Period :- 01.04.2013 to 30.09.2015
3. Eligibility :- All permanent Group 'C' staff belonging to the categories mentioned below who have put in minimum 03 years non-fortuitous service in grade Rs. 9,300-34,800/- + GP Rs. 4200/- and above and fulfil the conditions laid down below as on 01.04.2013 are eligible to be considered for this selection. As per Para 203.2 of IREM and provisions in relevant recruitment rules, if a junior employee is considered for 70%

selection by virtue of his satisfying the relevant minimum service conditions, all persons senior to him shall be held to be eligible, notwithstanding the position that they do not fulfil the requisite minimum service condition.

- a. All Ministerial staff of Personnel Department, Mech. & Elect(G), Civil, Stores(CRJ/HWH & Kol) & TKO who have put in minimum 3 years non-fortuitous service in grade Rs. 9,300-34,800/- + GP Rs. 4200/- and above are eligible.
- b. All Chief Law Assistants who have put in minimum 3 years year non-fortuitous service in grade Rs. 9,300-34,800/- + GP Rs. 4600/- and above are eligible. Law Assistants & Chief Law Assistants in the event of their selection in Group 'B' for the posts of APO/AWO/Asstt. Secy. To GM will have to exercise an option indicating clear choice for promotion to Gr 'B' in only one category, out of the avenue available to them i.e. either APO/AWO/Asstt. Secy. To GM or ALO/Estate Officer in writing within 30 days of the result of the selection. Option once exercised should be treated as final under extant rules.
- c. Ministerial staff in the departments like Stores, Time Office and also ministerial staff of other departments excluding Hindi organization and Accounts Department who have put in a minimum 3 years non-fortuitous service in grade Rs. 9,300-34,800/- + GP Rs. 4200/- and above are eligible provided they do not have adequate avenue of promotion to Group 'B' post in their own departments and also subject to the condition that they will exercise option in writing for promotion to the post of APO/AWO/Asstt. Secy. to GM within one month of the result of the selection. Option once exercised will be treated as final under extant rules.
- d. All Stenographers in Grade Rs. 9,300-34,800/- + GP Rs. 4200/- and above who have put in a minimum 3 years non-fortuitous service are eligible. Stenographers in the event of being selected in Gr. 'B' for the posts of APO/AWO/Asstt. Secy. to GM will have to exercise an option indicating clear choice for promotion to Gr. 'B' in one category either in APO/AWO/Asstt. Secy. to GM or PS Gr. I in Gr. 'B' service in writing within one month of the result of the selection. Option once exercise should be treated as final under extant rules."

3. The clause 8 of the Notification dated 28.5.2014, as referred to supra, reads as under:

"8. The eligibility list of the employees as per integrated seniority will be notified which may be got noted by the candidates. Representation, if any, regarding the same should be submitted within 15 days of its publication to the concerned Establishment Office under advice to this office it will be the personal responsibility of the controlling officer to ensure that no complaint whatsoever arises on future date."

4. The applicants seem to be particularly aggrieved with the fixation of Assessment period as 1.4.13 – 30.9.15, due to fact that several juniors, between 14.1.13 – 1.4.13 have been promoted to higher grades and therefore they would be enbloc senior, placed over and above the applicant in the panel, that is drawn up as per seniority and any employee qualifying in the said selection from the higher Grade would rank senior and would be empanelled in view of such interse/integrated seniority above the applicants by virtue of holding higher Grade. In support the applicants have cited the case of two persons namely Sri Partha Bose and Sri Amitabha Chakraborty, promoted to the Grade Pay of Rs. 4600/- and empanelled for qualifying in the viva voce test as before 01.04.2013 who got promotion to the Grade Pay of Rs. 4600/- although they were juniors to the applicants in Grade Pay of Rs. 4200/- Aggrieved as such, before publication of viva voce test and the final panel, the applicants made representations (Annexure A-8 collectively to the Original Application) inter-alia stating that the cut off date should have been 14.01.2013 instead of 1.4.13 as the earlier assessment of Assistant Scale Group B vacancies of Personnel Department was made upto 13.01.2013 (Annexure RJ-3 to the Rejoinder). The applicants lament that their representations have fallen to deaf ears. Further, they have been denied opportunity to make representation earlier due to non-adherence of the Clause 8 of the Notice dated 28.05.2014.

5. The respondents have refuted their claim by submitting as under:

In Para 24 of the said notification dated 28.5.2014, incumbents were advised to submit representation, if any, arising out of the contents of notification, or, on any other related matter, by 16.6.2014 to Sr. Personnel Officer

(Gaz.) through proper channel after which no representation on the notification would be entertainable.

Both the petitioners submitted their appeal to the Respondent No. 3 i.e. CPO/CLW only on 3.2.2016 i.e. after completion of written test of 70% selection for the post of APO/AWO/Asstt. Secy. to GM that was held on 5.12.2015 and 30.12.2015 (supplementary) and publication of result and therefore long after the time limit, as per notification was over.

They have further averred that in Paras 12, 13, 14 and 15 of the Notification No. GMA/GS/88(A)Pt-VIII dated 28.5.2014, it was clearly mentioned that the prescribed qualifying marks for the written examination is 60% and relaxation in qualifying marks is provided to reserved candidates in terms of extent instruction of Railway Board. The candidates who secured prescribed marks in the written examination are sent for medical examination. On successful clearance of the medical examination the candidates are called for viva-voce test to the extent of 6<sup>th</sup> times the no. of vacancies in order of marks obtained in the written test. The marks on the records of service also count as per instruction of Railway Board.

As per Master Circular 68 of the Railway Board, Para 8.6 thereof, for the selection of APO (70%), there exists no bar/ restriction for limiting the number of candidates who volunteer for APO (70%) selection. Naturally all staff of Ministerial Cadre-Stenographer, CLA, Typist, etc. volunteer for the selection. Integrated seniority is published only after completion of written test.

As per Master Circular 68 of Railway Board, particularly Para 6.6.2 thereof, "for the viva-voce test, successful candidates to the extent of six times the number of vacancy should be called strictly in the order of marks obtained".

D

In the instant selection, only six numbers of candidates, against 03 (three) posts and 07 (seven) number of candidates against 01 (one) S.C. post under 'Best Among he Failed Scheme' qualified for viva-voce as noticed vide General Manager Memorandum No. GMA/COB/APO(70%)/2015, dated 12.01.2016. In this selection, integrated seniority of those who qualify the written test and are called for viva-voce test, are maintained by the railway administration. Publishing of the integrated seniority list before conducting written test for APO (70%) selection is not feasible as candidates appear from different streams.

The respondents have further submitted that "the assessment period for the selection had been taken as 01.04.2013 to 30.09.2015 and its cut-off date for eligibility was 01.04.2013 for candidates who volunteer for the selection under 70% without any limitation on number of candidates as per Master Circular 68 of Railway Board in Para 8.6.1".

The respondents have alleged that when the notice was published on 28.05.2015, clearly the cut-off date specifying, both the petitioners could have immediately represented against such cut-off date fixation to G.M. instead they sought to represent only after publication of result of written examination. They have averred that the assessment period was taken as 01.04.2013 to 30.09.2015 to maintain the selection calendar as per instruction of the competent authority and all assessment period of Gr. B scale of CLW was modified and set from 01.04.2013 to 30.09.2015 for the sake of practical assessment and clarity.

Moreover, they contend that in terms of Para 3.2 of Master Circular 68 a suitable calendar would be drawn depending on position on each Railway whereas the previous selection assessment period was taken from 04.01.2011 in

terms of para 5.1 of Master Circular 68 Realistic Assessment of Vacancies ought to be made. Hence an assessment from mid-month was not practicable, and the accrual of actual vacancies were taken into consideration.

The respondents have revealed that one of the petitioners who filed the instant petition was the in-charge of the dealing section where the Gr. B selection of CLW is maintained while assessment of the selection was done by the petitioner No. 2.

The respondents have averred that while the petitioners have claimed that the eligibility for volunteering for selection of APO (70%) should be Grade Pay Rs. 4200/- of non-fortuitous service of three years as per Para 320 of IREM Vol. I, but as per Master Circular 68 of Railway Board for Gr. B selection as in Para 9.1 thereof, employees from the different streams are eligible for appearing in the selection. Their integrated seniority for the purpose of the selection was determined on the basis of total length of non-fortuitous service rendered in Grade 6500-10500/- now GP Rs. 4200/- (6<sup>th</sup> CPC) and above. In other words the date of appointment in such grade pay on a non-fortuitous service was the criterion. The applicants were holding the Grade Pay of Rs. 4200/- and therefore would naturally rank below those in the Grade Pay Rs. 4600/- . However, having qualified in the written test they were called for viva-voce as per Memorandum dated 12.01.2016 and as they ranked junior and were not taken in the consideration for final select list of APO (70%) as per panel issued on dated 17.02.2016.

The respondents have claimed that whenever, staff from different streams are called for the 70% selection, the inter-se-seniority has to reckon for actual



seniority. Such examination is relatively simpler compared to 30% selection mainly to accommodate the senior employees, The selection criterion for 30% is more stringent and wholly on merit while 70% selection is done to safeguard the interest of seniors, who have rendered much longer service. Hence, the question of quashing the panel on the basis of seniority will contravene the very objective of 70% selection.

6. To counter the respondents, in the rejoinder the applicant has submitted that in every 70% selection viz. Electrical, Mechanical, Stores etc. integrated seniority is published first. APO selection cannot be an exception.

The applicants have pleaded that to be suitable, subject to relaxation for reserved category candidates, one has to secure 60% marks in written examination and 60% in aggregate. Thereafter, as per seniority suitable candidates are put in the list according to their seniority in the integrated seniority list which is required to be prepared for this purpose.

The manner in which successful candidates are arranged in the panel, being depicted as under:-

- (1) Those securing 80% marks and above are graded as 'Outstanding'.
- (2) Those securing between 60% and 79% marks are graded as 'Good'.

The panel consists of employees who qualify in the selection, corresponding to the number of vacancies for which selection was held.

Employees securing gradation 'Outstanding' are placed on top followed by those securing gradation 'Good', interse seniority within each group being maintained.

As per para 18 of Master Circular No. 68, employees selected for promotion to Group 'B' service either on a regular basis or on ad hoc basis should be fit in all respects including physical fitness for the duties assigned to the particular category of posts to which the promotion is made. Group 'C' employees qualifying in the written test for promotion to Group 'B' posts but not passing the prescribed medical standard should not be called for viva-voce.

The applicants have averred that in the instant selection, 6 (Six) candidates against 03 (Three) UR posts including the applicants and 07 (Seven) candidates against 01 (One) No. of SC post qualified in the written test and passed the prescribed Medical examination and were called for viva voce test. As the candidates were from three different seniority units, it was a must for the respondents to publish an integrated seniority list. They have alleged the panel was published "on wrong/erroneous seniority". The applicants have further alleged that, at paragraph 8 of the said Notification dated 28.05.2014, the respondent authority indicated that seniority list had to be notified and representation, if any, regarding the same should be submitted within 15 days of that publication to the concerned Establishment Office under advice to the office of Sr. Personnel Officer (G) to the ensure that no complaint whatsoever arises on future date, but in fact the authorities have never published any integrated seniority list of eligible candidates apprehending that the same would invite representations which would interrupt them from promoting their prior-chosen men, in utter violation of Railway Boards instructions and stipulation in the notification dated 28.05.2014.

7. Ld. Counsels were heard and the materials on record were perused.

8. The discernible facts are as under:

(i) The result of written examination, as published on 12.1.16, is as follows:

Sl. No.	Name (S/Shri)	Community	Designation	Remarks
1.	Ashutosh Ray	SC	Ch. OS/Personnel	Qualified for viva-voce test against 01(one) SC post in terms of "Best amongst the failed" scheme.
2.	Shiv Balak Kumar Sinha	UR	CLA/Personnel	Not qualified for viva-voce test
3.	Partha Bose	UR	CS&WI/Admn	Qualified for viva-voce test
4.	Krishna Chandra Hansdah	ST	OS/TPT-57, G Branch	Qualified for viva-voce test.
5.	Amtava chakraborty	UR	CS&WI/Personnel	Qualified for viva-voce test
6.	Kambhatla Surya	UR	Ch. OS/Personnel	Not qualified for viva-voce test
7.	Tapas Mandal	SC	Ch. OS/G/Mechanical	Qualified for viva-voce test against 01(one) SC post in terms of "Best amongst the failed" scheme.
8.	Lal Mohan Tudu	ST	Ch. OS/Personnel	Not qualified for viva-voce test
9.	Bishnu Prasad Naik	SC	CS&WI/Personnel	Qualified for viva-voce test against 01(one) SC post in terms of "Best amongst the failed" scheme.
10.	Omkar Nath Tiwari	UR	CLA/Personnel	Not qualified for viva-voce test
11.	Arindam Hira	SC	Ch. OS Dy.CPO(W) Office	Qualified for viva-voce test against 01(one) SC post in terms of "Best amongst the failed" scheme.
12.	Mrittunjoy Karmakar	UR	C.V.I/Vig. Admn	Not qualified for viva-voce test
13.	Pran Ballav Mondal	SC	Ch OS/Personnel	Qualified for viva-voce test
14.	Babul Das	UR	CS&WI/Personnel	Not qualified for viva-voce test
15.	Ramesh Kumar Bhagat	ST	Steno I/D&D/CLW Gr	Not qualified for viva-voce test
16.	Subhas Kumar Das	UR	OS/Admn	Qualified for viva-voce test
17.	Anadi Bhusan Biswas	SC	Ch.OS/GM(P)	Qualified for viva-voce test against 01(one) SC post in terms of "Best

				amongst the failed" scheme.
18.	Bidyut Kumar Chauopadhyay	UR	OS/Mechanical	Not qualified for viva-voce test
19.	Bikash Biswas	SC	Ch. OS/SF	Qualified for viva-voce test against 01(one) SC post in terms of "Best amongst the failed" scheme.
20.	Anand Kumar	UR	OS/Personnel	Not qualified for viva-voce test
21.	Narayan Gangopadhyay	UR	OS/Personnel	Qualified for viva-voce test
22.	Dinesh Paswan	SC	Ch. OS & Sports Organizer	Qualified for viva-voce test against 01(one) SC post in terms of "Best amongst the failed" scheme.

The applicants figure at Srl. Nos. 16 and 21 of the list.

(ii) The notification, specifying the assessment period as 1.4.13 to 30.9.15 and cut of date for determining eligibility as 1.4.13, was published on 28.5.14.

It is true that the applicants never objected to fixation of cut of date for eligibility as 1.4.13. Rather they happily subjected themselves to the selection without demur, therefore they are estopped by their conduct to raise hue and cry over the fixation of cut of date of eligibility.

(iii) The applicant have claimed that several juniors were promoted to GP of 4600/- between 14.1.13 and 1.4.13, but it seems that they never raised any objection when their juniors were allegedly allowed to steal a march over and above them and placed in a higher grade pay (GP in short) of Rs. 4600/- while the applicants languished in the lower GP of Rs. 4200/-.

(iv) When the notification dated 28.5.14 would expressly and explicitly provide that all permanent Group 'C' staff who have put in minimum 03

years non-fortuitous service in grade Rs. 9,300-34,800/- + GP Rs. 4200/- "and above" and fulfil the conditions therein as on 01.04.2013, are eligible to be considered for this selection, the reason why they feel aggrieved due to their placement below persons with higher grade pay, is incomprehensible.

(v) Further the notification specified that "eligible staff who fulfil the condition laid down in para-3 above and desirous of being considered for the selection should submit their applications in the prescribed form as in Annexure-I by 30-06-2014 latest through proper channel to their respective Personnel/Establishment Officers of the concerned department of notification", while "The Action to be taken on receipt of application" was thus:

"5. All Personnel Branch Officers/Controlling Officers on receipt of applications from the candidates will be required to verify the eligibility of the staff who volunteer for the selection and forward the same to this office by 10-7-2014 positively. The names of the employees, however, should be advised in the order of seniority. The application without eligibility certificate will not be entertained. No direct applications from any candidate will be entertained by CPO's Gazetted Section. It must be ensured to send the application of eligible employees only. The lien of each applicant especially of staff on deputation may be checked and certified."

Yet, the applicants are aggrieved as arrangement of names was made as per seniority, when there is nothing on record to show that seniority was violated in any manner, or was not maintained when it was quite natural and obvious that incumbents in GP of 4600/- were to rank above those in the GP of 4200/-.

(vi) We note, that the paragraph 8 of notification stipulates as under:

"8. The eligibility list of the employees as per integrated seniority will be notified which may be got noted by the candidates. Representation, if any, regarding the same should be submitted within 15 days of its publication to the concerned Establishment Office under advice to this office. It will be the personal responsibility of the controlling officer to ensure that no complaint whatsoever arises on future date."

In terms of the notification, it was imperative for the respondents that while preparing the integrated seniority list, such employees in GP 4600/- would be placed above those in GP 4200/- and such placement was obvious without any iota of doubt. The applicants who belonged to GP 4200/- is quarrelling with those in GP 4600/-. Their quarrel is not against inter-se seniority vis-a-vis identical GP employees, i.e. those in GP 4200/-.

(vii) Nevertheless, we also note the Format of Examination as under:

"11. FORMAT OF EXAMINATION:-

The subjects for the examination and marks allotted for each of the papers and viva-voce are as under:

Prescribed papers	Max. Marks	Qualifying Marks	Remarks
One paper on professional subject and Establishment. And Financial Rules.	150	90	(Out of 150 marks the professional subject will carry at least 100 marks 15 marks will be allotted on questions of official language rules & policies, answering of which will be optional).
(B) (i) Record of service (ii) Viva-voce	25 + 25 = 50	30 (Including at least 15 marks in Record of Service)	

12. The marks prescribed for qualifying in the written examination is 60%. Relaxation in qualifying marks will be provided to reserved candidates in terms of extant instructions of Railway Board.

13. Medical Examination: - The employees who secure prescribed marks in the written examination will be sent for Medical Examination as applicable to them.

14. Viva-voce:- On passing the Medical Examination, such employees will be called for Viva-Voce test. For the viva-voce test, successful candidates to the extent of six times the number of vacancies will be called for viva voce in the order of marks obtained in the written test.

15. The marks on Records of Service will be given on the basis of Railway Board's instructions."

The Format clearly and indubitably establishes the procedure of first sending the written qualified candidates for their medical examination and then call medically fit candidates for viva. We note that the respondents, who have emphatically averred that the "incumbents who secured qualifying marks are sent for Medical Examination and then for viva", are at the same time, conspicuous by their silence whether medical examination of written qualified candidates was conducted prior to holding viva and had it been so conducted, whether there was any chance of elimination of senior-unfit candidates giving advantage to their junior counterparts. ON this score the applicants may have a case.

(viii) We would further decipher that while the break up of the posts was 3 UR and 1 SC, the two UR category applicants figure at Serial nos. 3 & 4 out of the UR candidates who qualified for viva voce test, the names being arranged as under:

Sl. No.	Name (S/Shri)	Community	Designation	Remarks
3.	Partha Bose	UR	CS&WI/Admn	Qualified for viva-voce test
5.	Amitava Chakraborty	UR	CS&WI/Personnel	Qualified for viva-voce test
16.	Subhas Kumar Das	UR	OS/Admn.	Qualified for viva-voce test
21.	Narayan Gangopadhyay	UR	OS/Personnel	Qualified for viva-voce test

While the reason for non inclusion of applicant no. 2, is apparent and obvious, as he stood fourth, the non inclusion of applicant no. 1 against the last UR vacancy, is incomprehensible.

(ix) Furthermore, the respondents have emphatically averred that 6 numbers of candidates, against 03 (three) UR vacant posts and 07 (seven) number of candidates against 01 (one) S.C. post under 'Best Among the Failed Scheme' qualified for viva-voce, while the result of written examination shows that other than one Pran Ballav Mondal (SC) and Krishna Chandra Hansda, (ST) all the other 7 SC candidates qualified under "Best amongst the failed" scheme and only 4 UR cleared for viva.

The reason for inclusion of "6" candidates under UR category thus could not be discerned. Whether Mondol (SC) and Hnasda (ST) were included under UR category for their merit, is not apparent.

9. In view of the apparent and glaring inconsistencies in selection process as pointed out supra, the applicants may have genuine grounds for agitating against their non inclusion in the final panel. Their manifest dissatisfaction and reason for harbouring a grudge against the administration may not be baseless. Their outrage seems to be quite justified.

10. Accordingly, it is ordered that the Sr. P.O shall accord a personal hearing to the applicants, consider their grievance, as enumerated supra in accordance with law and issue a reasoned and speaking order within 3 months from the date of receipt of a copy of this order.

11. In the event, the officer feels that the applicants were wrongly deprived, suitable steps shall be taken for their inclusion in the panel with consequential benefits of seniority & notional fixation of pay.

B



12. O.A. is accordingly disposed of. No costs.

(Dr. Nandita Chatterjee)  
Administrative Member

(Bidisha Banerjee)  
Judicial Member

drh