

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BENGALURU**

**ORIGINAL APPLICATION NO.170/01360/2018**

**DATED THIS THE 27<sup>TH</sup> DAY OF AUGUST, 2019**

**HON'BLE DR. K.B.SURESH  
HON'BLE SHRI C.V. SANKAR**

**...MEMBER(J)  
...MEMBER(A)**

Bujji Reddaiah,  
S/o M.V.S. Naidu,  
Aged about 59 years,  
Retired Food Safety Officer,  
Mysore Division,  
South Western Railway,  
Mysore.  
R/at Plot No. 343 1b1,  
Shastri Nagar, Extension Near Knihatti,  
Shankarappa Memorial Hospital,  
Bellary.

...Applicant.

(By Advocate Shri Ranganatha S Jois)

Vs.

1. The Senior Personnel Officer,  
Personnel Branch,  
Mysore Division  
Mysore-570 001.

2. The Chief Personnel Officer,  
South Western Railway,  
Divisional Office,  
Personnel Branch,  
Hubli – 580 020.

...Respondents.

(By Standing Counsel Shri J. Bhaskar Reddy for Respondents)

**O R D E R (ORAL)**

**HON'BLE DR.K.B.SURESH      ...MEMBER(J)**

Heard. The matter is in a very small compass. The respondents have produced in page 38, a Tabular of the career progress of the applicant, which we quote as it is.

Appointment/ Promotion	Pay scale in Rs. With PC at the Time of appt./ Promt/ (Corres. Pay scale in VI PC	W.E.F	Remarks
Appointed as Health Inspector	330-560(III)/ 5200-20200+2400 GP (VI PC)	18.03.198 1	Initial appointment
Promoted as Health Inspector-III	1400-2300/ 9300-34800 +4200 GP (VI PC)	18.06.198 7	Counted as 1 <sup>st</sup> Promotion w.e.f. 18.06.1987 as both grades
Promoted as Health Inspector-II	1600-2660/- 9300-34800+4200 GP (VI PC)	14.01.199 4	are merged in VI PC w.e.f. 01.01.2006. Note- Promotion ordered in scale Rs.1600-2660 is to be ignored.
Promoted as Health Inspector-I	6500-10500	01.01.199 6	Counted as IInd promotion/ Financial upgradation w.e.f.
2 <sup>nd</sup> ACP granted on completion of 24 yrs of service	7450-11500/ 9300- 34800+4600 GP (VI PC)	18.03.200 5	01.01.1996, as both grades are merged w.e.f. 01.01.2006 in VI PC. Note- II ACP granted on completion of 24 yrs. Of service is to be ignored.
III MACP	9300-34800 + 4800 GP	01.09.200 8	Granted III Financial upgradation under MACP

2. He was appointed Health Inspector on 18.03.1981. Thereafter on 18.06.1987, but with effect from 1984, he has been confirmed as Health Inspector III. After discussion with the counsel and examining the documents, we find that it is actually a promotion, but then the word confirmation was used in relation to it in 1984 and therefore it is the first promotion. Thereafter, he seems to have been promoted as health Inspector II. But we also find that these are merged in the 6<sup>th</sup> Pay Commission with effect from 01.01.2006 and it is merger of scales only. Therefore, we hold that this is not a promotion, but then as Health

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Inspector II, on 01.01.1996 he had got promotion in the scale of 6500-10500. Then the 2<sup>nd</sup> Financial Up-gradation on 18.03.2005. The 2<sup>nd</sup> ACP in the scale of 7450-11500/ 9300-34800+4600 GP, was also granted to him.

3. But some how the 3<sup>rd</sup> MACP with 4800 GP is also seen granted to him on 01.09.2008. Therefore, as of right, he cannot claim for further financial benefits. OA therefore, held to be non-meritorious. Dismissed. No costs.

(C.V. SANKAR)  
MEMBER(A)

(DR.K.B.SURESH)  
MEMBER(J)

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**Annexures referred in O.A. No. 170/01360/2018**

Annexure-A1: Copy of appointment order dated --02.1981.  
Annexure-A2: Copy of confirmation order dated 9.3.1987.  
Annexure-A3: Copy of the Mutual transfer order dated 23.2.2011.  
Annexure-A4: Copy of consequential order dated 2.3.2011.  
Annexure-A5: Copy of circular of the Railway Board for additional increment dated 12.09.2008  
Annexure-A6: Copy of Pay fixation order dated 17.1.2011.  
Annexure-A7: Copy of Permission order to retire dated 16.3.2017.  
Annexure-A8,9 & 10: Copy of representations for grant of MACP dated 26.12.14, 28.4.15 & 29.4.15.  
Annexure-A11: Copy of letter of the CPO, for placing the applicant in the Pay Band of Rs.9300-34,800.  
Annexure-A12: Copy of Last Pay Certificate.  
Annexure-A13-15: Copy of representations dated 15.2.2018.  
Annexure-A16: Copy of endorsement.

**Annexures with reply statement**

Annexure-R1: Copy of RBE No.101/2009 dated 10.6.2009.  
Annexure-R2: Copy of RBE No.142/2012 dated 13.12.2012.

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