



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 1163 of 2019

Date of order: 11.11.2019

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

Kshitish Chandra Roy,
Son of Late Jagadish Chandra Roy,
Aged about 54 years,
Residing at Bethuadahari,
Village - Station Para,
P.O. - Bethuadahari,
P.S. - Nakashipara,
District - Nadia,
Pin - 741126.

Applicant

VERSUS -

1. Union of India,
Service through the Secretary,
Ministry of Textiles (Silk Section),
Udyog Bhawan,
New Delhi - 110
2. The Joint Director (Admin.),
Central Silk Board,
Ministry of Textiles,
Government of India,
CSB Complex,
BTM Layout,
Madiwala, Bangalore,
Karnataka,
Pin - 560 068.
3. The Member Secretary,
NSSO, Central Silk Board,
CSB Complex,
IVth Floor, Hosur Road,
BJ, 4 Layout, Madiwala,
Bangalore,
Pin - 560068.
4. The Director,
Central Seri Cultural Research Institute,
Central Silk Board,

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Berhampore,
District - Murshidabad,
Pin - 742 101.

.. Respondents

For the Applicant : Mr. G. Singh, Counsel

For the Respondents : None

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached the Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

"(a) A direction upon the respondents to re-fix and revise the scale of pay of the applicant in the same scale of pay as that of Skilled Farm Workers with Temporary Status, and to pay the applicant all arrears of salaries and allowances with effect from 25.4.17 and to pay the applicant all arrears of salaries and allowances;

(b) Issuance of any other order or orders and/or direction as this Hon'ble Tribunal may deem fit and proper.

2. Heard Ld. Counsel for the applicant. Affidavit of service is taken on record.

Examined documents on record. This matter is taken up for disposal at the admission stage.

3. The submissions of the applicant, as articulated through his Ld. Counsel, is that the applicant was appointed as a Casual Driver since 1987 with the respondent authorities, and, that, his status was converted to that of a Skilled Farm Worker after completion of training as well as skill test. According to the applicant, although he is a permanent government employee with the respondent authorities, he was not allowed identical pay scales and other service benefits as that of Skilled Farm Workers with temporary status, despite there being no difference between a Skilled Farm Worker and a Skilled Farm Worker with temporary status. The applicant has represented to the respondent

authorities on 10.4.2019 (Annexure A-4 to the O.A.) citing the applicability of circular dated 15.2.2019 for implementation of the recommendations of Seventh CPC and for grant of the pay scale that he claims to be entitled to. Such representation, however, remains pending with the respondent authorities and, aggrieved by such inaction, the applicant has approached the Tribunal praying for the aforementioned relief.

Ld. Counsel for the applicant prays for directions on the respondent authorities to dispose of his representation in a specific time frame.

4. Although affidavit of service is on record, the respondents have not chosen to represent themselves in this matter and, accordingly, Rule 16(1) of Central Administrative Tribunal (Procedure) Rules, 1987, is invoked.

5. It will not serve any useful purpose to call for a reply in this matter when the respondents are yet to decide on the representation. Hence, without entering into the merits of the matter, we hereby direct the respondent No. 4, who is the Director, Central Sericulture Research Institute, Central Silk Board, Berhampore, to examine the contents of the representation of the applicant dated 10.4.2019 (Annexure A-4 to the O.A.), if received at his end, within a period of six weeks from the date of receipt of a copy of this order.

The said respondent authority will thereafter decide in accordance with law and convey his decision to the applicant forthwith thereafter.

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

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP