

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA 1724 of 2009

Date of Order : 25-01-2010

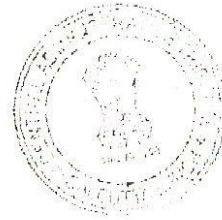
Present : Hon'ble Mr. K.V. Sachidanandan, Vice-Chairman
Hon'ble Mr. Champak Chatterji, Administrative Member

Somnath Aich & Ors.
-VS-

Eastern Railway/South Eastern Railway

For the Applicants : Mr. U.K. Singh, Counsel

For the Respondents : Mr. P.K. Arora, Counsel (ER)
Mr. K. Chakraborty, Counsel (SER)

ORDER (ORAL)PER MR. K.V. SACHIDANANDAN, VC:

There are three applicants in number in this OA who claim that they are working as Chemical & Metallurgical Assistant (CMA) at different Diesel Loco Shed at different places of Eastern Railway and South Eastern Railway. Their claim is that for the post of CMA the minimum requirement of qualification as prescribed is Degree in Engineering which they possess and direct recruitment. The pay scale attached for the said post is pay band-2 with grade pay Rs.4,600/- whereas they have been placed only in pay band with grade pay Rs.4,200/-. As per recommendation of the 6th Pay Commission the pay scale attached to the post is Rs.4,600/- for all the Engineer having element of direct recruitment. Hence, they are entitled to get the said pay scale as recommended by the 6th Pay Commission. They made representation to the concerned authority but not yet replied to. Being aggrieved, they have filed this OA seeking the following main relief:

- (a) To pass an order directing the respondents to consider the representation of the applicants in connection with anomaly and discrimination in pay scale by not keeping the applicants in grade pay of Rs.4,600/- though they are entitled.

(b) An order allowing the applicants to withdraw application under Rule 4(5)(a) of the CAT (Procedure) Rules, 1985.

To pass an order directing the concerned authorities to take immediate steps for allowing pay grade of Rs.4,600/- to the applicants as per recommendation of the Sixth Pay Commission w.e.f. 1.1.2006.



- 2. Ld. Counsel for both the parties were present and heard.
- 3. When the matter came up to-day, the Ld. Counsel for the applicants submitted that he will be satisfied if a direction is given to the concerned authority to consider the representation of the applicants and dispose of the same within a time-frame.
- 4. Since fixation of pay is concerned, we are of the view that the applicant shall forward copy of the OA, representation all other annexures to the concerned General Manager of the respective Railways within fifteen days from to-day and on receipt of such materials, the said authority or any other competent authority, as may be, shall consider and dispose of the representation by a speaking order and communicate the same to the applicant within a time-frame of four months from the date of receipt of copy of the said materials. The OA is accordingly disposed of. No costs.

MEMBER(A)

VICE-CHAIRMAN

DKN

Central Administrative Tribunal
 Calcutta Bench
 24/2/10
 Central Administrative Tribunal
 Calcutta Bench

7098
 Name of the Applicant..... V.K. Singh
 Name of the Applicant.....
 Date of present matter..... 28/1
 Name of the Applicant.....
 Name of the Applicant.....
 Name of the Applicant..... 03/2/2010
 Name of the Applicant..... 9/2/10