

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 172 of 2011

Date of Decision: This, the 6th day of March, 2012.

HON'BLE SHRI MADAN KUMAR CHATURVEDI, ADMINISTRATIVE MEMBER

1. **Shri Mitra Prasad Luitel**
Scientific Assistant
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
2. **Shri Atul Chandra Sarma**
Scientific Assistant
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3. **Shri Thagindra Deb Sarma**
Scientific Assistant
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4. **Shri Reeta Brahma Gayary**
Scientific Assistant
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
5. **Shri Kanai Baidya**
Scientific Assistant
Regional Meteorological Centre
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6. **Shri Dipak Chandra Das**
Scientific Assistant
Regional Meteorological Centre
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7. **Shri Amal Borah**
Scientific Assistant
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
8. **Shri Mintu Sarma**
Scientific Assistant
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
9. **Shri Kulen Patgiri**
Radio Mechanic
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15

Shri Chandan Patowary
Scientific Assistant
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15



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11. Shri Bisnu Ram Saikia
Radio Mechanic
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
12. Shri Manoranjan Das
Scientific Assistant
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
13. Shri Bisnu Pada Mandal
Scientific Assistant
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
14. Shri Raghu Nath Saha
Scientific Assistant
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L.G.B. Air Port, Guwahati-15
15. Shri Deben Chandra Das
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L.G.B. Air Port, Guwahati-15
16. Shri Basanta Kumar Borah
Radio Mechanic
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
17. Shri Sailen Saikia
Assistant Meteorologist
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
18. Shri Tapan Banik
Assistant Meteorologist
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
19. Shri Naren Chandra Bhuyan
Assistant Meteorologist
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
20. Shri Ranadhir Ghose
Assistant Meteorologist.
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
21. Shri Manik Ghosh
Assistant Meteorologist.
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
22. Shri Kalyan Bhattacharji
Assistant Meteorologist.



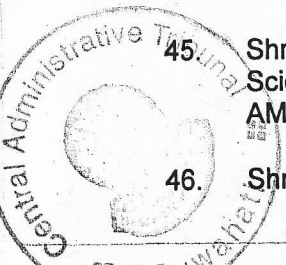
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Assistant Meteorologist.
Regional Meteorological Centre
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35. Shri Kanai Chandra Sarkar
Assistant Meteorologist.
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
36. Shri Pinu Das
Scientific Assistant.
Regional Meteorological Centre
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37. Shri Panna Holne Roy
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38. Shri Basudev Hore
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39. Shri Bijan Mazumdar
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40. Shri Piar Ali
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41. Shri Prashenjit Ghosh
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42. Shri Putul Dutta
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43. Shri Ranjit Kumar Das
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44. Shri Buddheswar Teron
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Regional Meteorological Centre
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45. Shri Bipul Chandra Nath
Scientific Assistant
AMO N. Lakhimpur

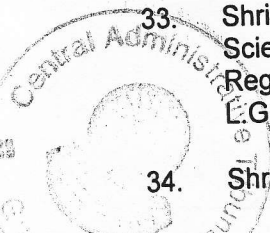
46. Shri Ratnakanta Goswami



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Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15

23. Shri Pradip Kr. Saikia
Assistant Meteorologist-1.
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
24. Shri Brajendra Barman
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Regional Meteorological Centre
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25. Shri Dilip Kumar Barthakur
Assistant Meteorologist.
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L.G.B. Air Port, Guwahati-15
26. Shri Pradip Kumar Mahanta
Assistant Meteorologist.
Regional Meteorological Centre
L.G.B. Air Port, Guwahati-15
27. Shri Doli Haloi
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28. Shri Amarjyoti Bhuyan
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29. Shri Mukul Goswami
Scientific Assistant.
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30. Shri Chandan Kumar Bhuyan
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31. Shri Nikunja Das
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Regional Meteorological Centre
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32. Shri Swapan Kumar Bhattacharjee
Assistant Meteorologist.
Regional Meteorological Centre
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33. Shri Abhijit Choudhury
Scientific Assistant.
Regional Meteorological Centre
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34. Shri T.R. Rajbanshi



Assistant Meteorologist
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47. Shri Jagadish Prasad
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48. Shri Badal Chandra Sarkar
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L.G.B. Air Port, Guwahati – 15.
49. Md. Abdul Hasib Choudhury
Scientific Assistant, M.O. Cherrapunji.
50. Shri Babul Lal Mandal
Scientific Assistant
M.O. Barapani.
51. Shri Pankaj Kumar Das
Scientific Assistant
M.O. Silchar.

...Applicants

By Advocate: Mr. M. Chanda.

-Versus-

1. The Secretary
Govt. of India
Ministry of Earth and Sciences
India Meteorological Department
Mahasagar Bhavan, Block-12
C.G.O. Complex, Lodhi Road
New Delhi – 110003.
2. Director General of Metrology
India Meteorological Department
Govt. of India
Mausam Bhawan, Lodhi Road
New Delhi – 110003.
3. Director, India Meteorological Department
Ministry of Earth Sciences
Mahasagar Bhavan
Block-12, C.G.O. Complex
Lodhi Road.

...Respondents

By Advocate: Mr. K.K. Das, Addl. CGSC.



ORDER (ORAL)**MADAN KUMAR CHATURVEDI, MEMBER (A):**

At the outset, Mr. M. Chanda, learned counsel for the applicants sought permission to move this application jointly in a single application under Section 4 (5) (a) of the Central Administrative Tribunal (Procedure) Rules, 1985 as the grievances are common.

2. Heard the learned counsel. Permission is granted.

3. By this O.A., applicants make a prayer to issue direction to the respondents to consider extension of benefit of Flexible Complementary Scheme (FCS) to the applicants working in the cadres of Scientific and technical cadre.

4. Mr. M. Chanda, learned counsel for the applicants appeared and submitted that FCS is accepted by the Government in the light of the recommendation of the S.K. Das Committee. It was implemented in respect of Group 'A' officers as well as in respect of officers in the Administrative cadres. However, despite specific recommendations of 6th CPC referred in Para 3.5.6 (ii) for implementation of FCS in respect of all 'B' and 'C' Scientific Cadres, no action has been taken in the matter. As such, necessary direction may be issued for implementation of this scheme for all Group 'B' and 'C' Scientific and Technical cadres with effect from 01.01.2006 with all consequential benefits.

5. Mr. K.K. Das, learned Addl. CGSC appearing for the respondents submitted that so far, the applicants did not make any representation in that regard. The only representation was made by the



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Association which is under active consideration of the Ministry. Mr. Das submitted that let applicants be asked to file a comprehensive representation projecting all their grievances. Thereafter, respondents may be directed to adjudicate the said grievances within a time frame.

6. I have heard the rival submissions. S.K. Das committee made a specific recommendation for introduction of flexible complimenting scheme in India. It was recommended to avoid anomaly and disadvantage to the existing Sr. Scientist/other Group 'B' & 'C' Scientist and Technical officials who are stagnating for a long time. This scheme envisaged promotion from one grade to another after a prescribed period of service for scientists of proven merit and ability irrespective of the availability of any vacancy. The structural distortions were noted by the Fifth CPC for the said scheme and modified version of the scheme was presented by the Sixth CPC.

7. The general conspectus of the main plank of Mr. Chandas' argument is that - the fate of Group 'B' and 'C' Scientific Cadres be not kept in limbo. The scheme was implemented, qua Group 'A' officers, as such, benefit of the same be extended to the Group 'B' & 'C' Scientific Cadre also. Once a scheme is accepted by the Government, it should be implemented without delay; otherwise the very purpose of the scheme will get frustrated.

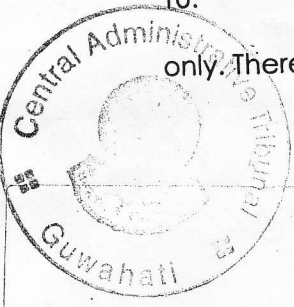
8. Mr. K. Das could not enlighten the Bench as to the reason for delay in implementing the scheme qua the Group 'B' and 'C' Scientist Cadres. Mr. Das simply submitted that the proposal is pending with the concerned Ministry. Administrative Ministry can not remain so



unconcerned about such an important aspect. The State in its wisdom and in furtherance of its valid policy may not accept the recommendation of the Pay Commission but decision as to acceptance or non acceptance, must be communicated to the concerned without any delay.

9. I therefore, in the interest of justice, direct the applicants to make a comprehensive representation within a period of two weeks from the date of the receipt of this order. Thereafter, respondents are required to take a final decision in a judicious manner on the said representation and it should be communicated to the applicants within a period of four months from the date of the receipt of the comprehensive representation.

10. O.A. stands disposed of accordingly at the admission stage only. There will be no order as to costs.



Sd/-
M.K. CHATURVEDI
MEMBER (A)

PB

Date of Application : 7.3.2012
Date on which represented by : 7.3.2012
Date on which represented by : 7.3.2012
Certified to be true copy

[Signature]
Section Officer (Judl)
C. A. T. Guwahati Bench
Guwahati-5.