

CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK.

ORIGINAL APPLICATION NO. 365 OF 1999
Cuttack, this the 25th day of May, 2000

Ram Chandra Satpathy and others Applicants

Vrs.

Union of India and another Respondents

FOR INSTRUCTIONS

1. Whether it be referred to the reporters or not? *Yes*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not? *No*


(J.S.DHALIWAL)
MEMBER (JUDICIAL)


(SOMNATH SOM)
VICE-CHAIRMAN
25.5.2000

CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK.

ORIGINAL APPLICATION NO. 365 OF 1999
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CORAM:

HON'BLE SHRI SOMNATH SOM, VICE-CHAIRMAN
AND
HON'BLE SHRI J.S.DHALIWAL, MEMBER(JUDICIAL)

.....

1. Ram Chandra Satpathy, son of late Harekrushna Satpathy, Branch Post Master, Rahania Branch Post Office, At/PO-Rahania, Dist.Jajpur.
2. Padmanava Nayak, son of late Rushinath Nayak
3. Bhagyadhar Rout, son of Sadhu CharanRout, Branch Post Master, Champatepur Post Office, At/PO-Champatepur, Dist.Jajpur.
4. Ratikanta Kar, son of late Kulamani Kar, Branch Post Master, Mulubasata Branch Post Office, At/PO-Mulubasta, Dist.Jajpur.
5. Sri Kartik Ch.Sahoo, son of Kasinath Sahoo, Branch Post Master, Basudevpur Branch Post Office, At/PO-Basudevpur, Dist.Jajpur.
6. BiranchiKishore Mohanty, son of late Hrudananda Mohanty, Branch Post Master, Kuhard Branch Post Office, At/PO-Kuhard, Dist.Jajpur.
7. Ramesh Chandra Mohanty, son of Krushna Chandra Mohanty, Branch Post Master, Osanga Branch Post Office, At/PO-Osanga, Dist.Jajpur.
8. Gobinda Chandra Pradhan, son of late Akuli Ch.Pradhan, Branch Post Master, Madhupur Branch Post Office, At/PO-Madhupur, Dist.Jajpur.

Sd/m
No.2 is Branch Post Master, Gokan Branch Post Office, At/PO-Gokan, Dist.Jajpur ... Petitioners

Advocates for applicants - M/s S.Misra-I
S.N.Mishra
B.Dash
R.K.Satpathy

Vrs.

1. Union of India, through Director General of Posts, Ministry of Communication, Dak Bhawan, Sansad Marg, New Delhi-110 001.
2. Chief Post Master General, Orissa, At/PO/PS-Bhubaneswar, Dist.Khurda.... Respondents

Advocate for respondents-Mr.J.K.Nayak
ACGSC.

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O R D E R

SOMNATH SOM, VICE-CHAIRMAN

In this Application the eight petitioners who are Extra-Departmental Branch Post Masters (EDBPM, for short) in different Extra-Departmental Branch Post Offices (EDBPO, for short), have prayed for quashing the order dated 17.12.1998 at Annexure-2 in so far as it relates to anomaly between remuneration "Time Related Continuity Allowance (TRCA, for short) for EDBPM and other ED Agents. The second prayer is for a direction to the respondents to revise the TRCA by fixing Scale-II of TRCA under serial no.3 of Schedule A to Annexure-2 with workload upto 3 hours and 45 minutes and fix higher scale of TRCA for EDBPM for workload of more than 3 hours and 45 minutes.

2. The respondents have filed counter opposing the prayers of the applicant. The petitioners have also filed rejoinder reiterating their prayers on various grounds. It is not necessary to record the averments made by the applicants in support of their prayers in the OA and in the rejoinder and of the respondents in opposing the prayers of the applicants. These will be referred to at the time of discussion of the submissions made by the learned counsel of both sides.

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3. We have heard Shri S.N.Misra, the learned counsel for the applicants and Shri J.K.Nayak, the learned Additional Standing Counsel for the respondents and have also perused the records.

4. Before considering the submissions made by both sides it would be worthwhile to say a few words regarding the Extra-Departmental System in existence in the

Department of Posts. I can do no better in this regard than quote from an order of Bangalore Bench of the Tribunal in the case of Peter J.D'sa v. Union of India, 1988(3)SLJ (CAT) 407: (1989) 9 ATC 225, printed in Section I of Swamy's Compilation of Service Rules for Extra-Departmental Staff in Postal Department (Fourth Edition):

"The Extra Departmental Agent System is said to have taken inception in the Department of Posts and Telegraphs as long back as in 1854, i.e., nearly a century and three decades ago. The object underlying was a judicious blend of economy and efficiency, catering to postal needs of the rural communities dispersed in remote areas, these needs being restricted and infrequent. The Department, therefore, hit upon the idea of availing of the services of school masters, shop-keepers, landlords and such other persons in a village, who had the faculty of a reasonable standard of literacy and adequate means of livelihood and who, therefore, in their leisure hours, could assist the Department by way of gainful avocation and social service, in ministering to the rural communities in their postal needs, through maintenance of simple accounts and adherence to minimum procedural formalities, as prescribed by that Department for the purpose. Persons in the above category, readily volunteered themselves to serve the Department in that manner, motivated more by the special status that such service conferred on them in the village, than the token financial incentive offered.

Thus, came into existence the EDA system, which gained vigour and impetus, with the advent of Independence and thereafter, when the postal needs in village and smaller towns acquired momentum, apace with country's development, in the post-Independence era. By and by, the activities under EDA system increased and covered a wide gamut of duties such as receipt and despatch of mail, booking of money orders, registration of letters and parcels, delivery of unregistered letters, registered articles, inclusive of letters and parcels, payment of money orders, savings banks works (small savings), booking and delivery of telegrams, booking and receipt of telephone calls, which came to be entrusted to the ED Branch Post Offices. Small Savings Bank work alone, reflective of economic progress in rural areas, occupied a major part of the hours of duty, of the ED Branch Post Masters ("EDBPM", for short)."

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5. The admitted position between the parties is that Government of India set up a Committee under Mr. Justice Talwar to go into the service conditions, wage structure and to examine the reasonableness of introducing a social security scheme for ED Agents. Apparently this is the fourth successive Committee set up by Government of India on the above subject. Before going into the recommendations of the Committee in respect of the matters covered in the prayer of the applicants, it is necessary to note the manner in which remunerations of ED Agents were fixed/^{earlier} Basic allowance of EDBPMs varied from Rs.275/- to Rs.535/- per month. There was a system of assessing the workload of a particular EDBPM on the basis of points in the following manner:

(i) One point for every 20 registered articles handled every month;

(ii) One point for every 15 money orders handled in a month;

(iii) One point for every 25 unregistered articles handled in a day;

(iv) One point for every Rs.1000/-cash transactions in a month;

(v) One point for every Rs.45/- worth of stamps sold in a month;

(vi) One point for every ten savings bank or certificate transactions in a month;

(vii) One point for every 15 pension payments in a month;

(viii) One point for every 20 receipts of LIC premium;

(ix) One point for every 20 receipts of GIC premium;

(x) 14 points for accounts work and receipt and

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despatch of mails in a month.

On the basis of workload of EDBPM so calculated the monthly basic allowance used to be fixed in the following fashion:

	<u>Workload</u>	<u>Basic Allowance</u>
(1)	Upto 40 points	Rs.275/-
(2)	41-50 points	Rs.303/-
(3)	51-60 points	Rs.351/-
(4)	61-70 points	Rs.413/-
(5)	71-80 points	Rs.440/-
(6)	81-90 points	Rs.485/-
(7)	91-100 points	Rs.535/-

6. In respect of Extra-Departmental Delivery Agents, Extra-Departmental Mail Carriers and other Extra-Departmental Agents, the basic allowance was computed in the following manner:

<u>BASIC ALLOWANCE</u>		
<u>Duration</u>	<u>Minimum</u>	<u>Maximum</u>
For less than 2 hours of work	Rs.240/-	-
For 2 hours and more work	Rs.270/-	Rs.420/-

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The maximum allowance of Rs.420/- was payable for 5 hours of workload of these ED Agents. In between the minimum and maximum basic allowance, EDDAs, EDMCs and other ED Agents are paid pro-rata on the basis of workload assessed in terms of time in each case.

7. The Talwar Committee had made comprehensive recommendation on various aspects of the work, service conditions and emoluments of EDBPMs and other ED Agents. It is not necessary to refer to all these

recommendations. Only such of those which are relevant for the purpose of the present application are indicated below along with the final orders of the Department on these recommendations. The Committee had recommended that ED Agents including EDBPMs should be paid for hours of attendance and not on the basis of workload on point system. It was further recommended that minimum working hours for a Branch Post Office, in other words the minimum working hours for an EDBPM should be three hours and they should be paid for longer hours of attendance on different graded scales. For EDDA, EDMC, ED Packer, ED Stamp Vendors, etc., the Committee recommended minimum hours of attendance as 3 hours and 45 minutes as against three hours for EDBPMs. For all categories of staff maximum hours of attendance were made 7.5 hours. The scales of pay recommended by the Committee for EDSPMs, EDBPMs, EDDAs, ED Stamp Vendors, EDMC and all other categories of ED Agents are indicated below:

"Scales of pay for EDSPMs:

(i)	Rs.2,125-50-3,125/-	5 hrs	20 years
(ii)	Rs.2550-60-3,750/-	6 hrs	
(iii)	Rs.2,975-75-4475	7 hrs	
(iv)	Rs.3,200-85-4,900	7.5 hrs	

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For excess workload of half an hour or more, a lumpsum pay of Rs.212 be given."

"Scales of pay for EDBPMs:

(i)	Rs.1,280-35-1980	3 hours	20 years
(ii)	Rs.1,600-40-2400	3 hrs 45 mts	
(iii)	Rs.2,025-50-3025	4 hrs 45 mts	
(iv)	Rs.2,450-60-3650	5 hrs 45 mts	
(v)	Rs.2,875-70-4275	6 hrs 45 mts	
(vi)	Rs.3,200-80-4800	7.5 hours	

For all BPMs the minimum scale is for 3 hours of attendance. But those whose workload is beyond 3 hours, they would be entitled to the higher scale of 3 hours 45 minutes. For excess workload of half an hour or more, a lumpsum pay of Rs.212 be given. This lumpsum pay will also be given if workload increases from 3 hours to 3.5 hours."

"Scales of pay for EDDAs/EDSVs:

(i)	Rs.1,375-25-2125	3 hrs 45 mts 30 years
(ii)	Rs.1,740-30-2640	4 hrs 45 mts
(iii)	Rs.2,105-35-3155	5 hrs 45 mts
(iv)	Rs.2,470-40-3670	6 hrs 45 mts
(v)	Rs.2,750-50-4250	7.5 hours

For excess workload of half an hour or more, a lump sum pay of Rs.183 be given".

"Scales of pay for EDMCs/ED Packers/ED Runners/ED Messengers and all other categories of ED Agents who do the same work as Group-"D":

(i)	Rs.1220-20-1600	3 hrs 45 mts 19 years
(ii)	Rs.1545-25-2020	4 hrs 45 mts
(iii)	Rs.1870-30-2440	5 hrs 45 mts
(iv)	Rs.2,195-35-2860	6 hrs 45 mts
(v)	Rs.2440-40-3200	7.5 hours

For excess workload of half an hour or more, a lumpsum pay of Rs.162/- be given".

The recommendations of the Committee were considered and Government decision on these recommendations was issued in order dated 17.12.1998 (annexure-2). It is not necessary to go into the decision of Government on all aspects of service conditions and allowances for EDSPMs, EDBPMs and other ED Agents. It is only necessary to note that according to the Government order all ED Agents were ordered to be paid arrears from 1.1.1996 to 28.2.1998 by increasing the basic monthly allowance by a factor of 3.25. It was further provided that with effect from 1.3.1998 the allowance of ED Agents may be fixed at the minimum of TRCA. If the allowance fixed by a factor of 3.25, as mentioned above, is more than the minimum of TRCA, the difference would be protected as personal allowance to be absorbed against future entitlement against all categories of ED Agents. The TRCA allowed for different categories of ED Agents including EDSPMs and EDBPMs

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approved by Government are indicated below:

"TRCA for EDSPMs

(I) Rs.2,125-50-3,125

"TRCA for EDBPMs

(I) Rs.1280-35-1960

For those with workload up to 3 hours.

(II)

Rs.1,600-40-2400

For those with workload more than 3 hours."

"TRCA for EDDAs/EDSVs

(I) Rs.1,375-25-2,125

For those workload upto 3 hours and 45 minutes.

(II)

Rs.1,740-30-2640

For those with workload more than 3 hours 45 minutes."

"TRCA for EDMCs/ED Packers/ED Runners/ED Messengers and all other categories of ED Agents:

(I) Rs.1,220-20-1,600

For those with workload up to 3 hours 45 minutes.

(II)

Rs.1,545-25-2020

For those with workload more than 3 hours 45 minutes."

Certain other benefits like increase in ex gratia gratuity, office maintenance allowance, and severance amount on retirement/death (newly introduced) were also provided, but it is not necessary to refer to the same.

8. The submissions made by the learned counsel of both sides and the prayer of the applicants will have to be considered in the context of the above facts.

9. We have heard Shri S.N.Mishra, the learned counsel for the petitioners and Shri J.K.Nayak, the learned Additional Standing Counsel for the respondents and have also

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perused the records.

10. It has been submitted by the learned Additional Standing Counsel for the respondents that a High Power Committee under the chairmanship of a retired Judge of High Court has gone into the entire question and taking into consideration his recommendations Government of India have issued orders substantially improving the service conditions of EDSPMs, EDBPMs and other ED Agents. It is further submitted that the Tribunal cannot sit in judgment over decisions taken against the above background and therefore the petition should be rejected at the outset.

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11. It has been submitted by the learned counsel for the petitioners that in case it is found by the Tribunal that while accepting the recommendations of the above Committee, the Government have issued orders which have resulted in obvious anomaly, then the Tribunal would be within its power to interfere. It is further suggested by the learned counsel for the petitioners that in any case if the Tribunal comes to a finding that there has been anomaly as a result of issuing of the orders by the Government, then the Tribunal can in any case direct the Department to reconsider the matter with a view to remove the anomaly. In support of his contentions the learned counsel for the petitioners has relied on the following decisions:

- (1) Chief Administrator-cum-Joint Secretary to the Government of India and another v. Dipak Chandra Das, (1998) 3 ESC 1911 (SC);
- (2) State of West Bengal and others v. West Bengal State Audio Visual Technicians

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Association and others, (1999) 1 ESC 255

(Cal.); and

(3) Delhi Veterinary Association v. Union of India and others, AIR 1984 SC 1221.

We are not sure if for the purpose of considering this petition this larger issue is required to be decided. But we have gone through these decisions and this aspect will be referred to in subsequent paragraphs of this order.

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12. The first grievance of the petitioners is that the Talwar Committee had recommended that the basic allowance which has been called TRCA in the Government order should be based on hours of attendance and not on workload, i.e., point system for all ED Agents including EDSPMs and EDBPMS, the Government in their order have related this for EDSPMs and EDBPMS on point system. It is stated that the respondents in their counter have pointed out that on the basis of clarification issued in letter dated 5.3.1999 (Annexure-R/3) TRCA of EDBPMS has been fixed on point basis. For EDBPM whose workload works out up to 75 points in a month, the scale of Rs.1280-1960 has been allowed, and above 75 points the scale of Rs.1600-2400 has been allowed. This, it has been submitted, is not in accordance with the recommendation of the Committee. Secondly it is submitted that the Committee was in error in fixing the minimum period of attendance of EDBPMS as 3 hours whereas for all other categories of ED Agents the minimum hours of attendance have been taken as 3 hours and 45 minutes. The above two submissions are discussed below.

13. Originally one of the conditions for appointment as EDBPM was that the selected candidate must belong to the village where the ED Post Office is situated and he must provide rent free accommodation for running the

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Post Office. Later on the condition of residence in the village was modified and it was provided that the selected candidate may belong to any village but after appointment he must take up residence in the post village and provide rent free accommodation for running the Post Office. As a result a large number of EDBPMs work from their own house. As in overwhelming majority of cases the place where ED Post Office is situated, there is no other supervisory officer above EDBPM. It is therefore difficult on the part of the Department to determine hours of attendance of EDBPMs. In view of this, they have adopted the point system which has been followed by the Department for many years and has the sanction of long usage. In view of this, the action of the Government in adopting point system while fixing the TRCA scale for EDBPMs cannot be found fault with. Moreover, it is to be noted that in the Government order dated 17.12.1998 which is at Annexure-2 of the petition and is at Annexure-R/2 of the counter of the respondents, the TRCA of EDBPMs has been fixed on hourly basis as recommended by the Committee. Those who are with workload upto 3 hours have been allowed the scale of Rs.1280-35-1900 and those having workload of more than three hours have been allowed the scale of Rs.1600-40-2400/- It is only for the purpose of working out the hours of work that the Department have adopted the point system. It cannot therefore be said that fixation of TRCA on the basis of hours of attendance has been given a go by by the Department while adopting the new scales. This contention is therefore held to be without any merit.

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14. The other aspect of this question is fixation of minimum of 3 hours of work for EDBPMs whereas for other ED Agents the minimum hours of work are 3 hours and 45 minutes. It has been submitted by the learned counsel for the petitioners that the work and responsibilities of EDBPMs are more onerous than other ED Agents and in view of this, minimum hours of attendance for EDBPMs should not have been fixed at a lower level of 3 hours while fixing the minimum hours of attendance of other ED Agents at 3 hours 45 minutes. It has to be noted in this connection that by and large ED BPM's work is stationary that is inside the Post Office whereas other ED Agents like EDDA, EDMC, ED Runner, etc., have to work in the field. Possibly in consideration of this, the Committee had recommended minimum 3 hours of work for EDBPMs and this has been accepted by the Government. We have no materials before us for holding that minimum hours of work for EDBPMs should have been 3 hours and 45 minutes. The Committee has noted in their Summary of Recommendations that it had received more than 2100 letters and memoranda besides responses from State Government, Members of Parliament, Lok Sabha and Rajya Sabha and from some other countries with regard to their system of maintaining rural postal systems in remote rural areas of their country. With this wealth of material before it, the Committee has assessed the minimum hours of attendance of EDBPMs as 3 hours and merely on the ground that the work of EDBPM is more onerous as has been submitted by the learned counsel for the petitioners, it cannot be held that this should have been fixed at 3 hours and 45 minutes.

15. Moreover the main prayer of the applicants is that all eight of them should be given Scale-II of TRCA shown in the Government order, i.e. , the scale of Rs.1600-2400/-. The respondents in their counter have mentioned that except applicant no.3, all other applicants have been given the higher scale of Rs.1600-2400/-. Therefore, so far as these seven applicants, this prayer of theirs has already been met by the departmental authorities. As regards applicant no.3, obviously on the basis of the point system his workload in a month has come to 75 points or less and therefore he has been given the corresponding scale of Rs.1280-1960/-. If applicant no.3 has a grievance on facts stating that his workload on point system works out to more than 75 points, then he will be free to approach the departmental authorities for getting the higher scale. It is not necessary for the Tribunal to pass any order because this is implicit in the system now adopted by the respondents.

16. The last contention of the learned counsel for the petitioners is that while the higher scale of TRCA for EDBPMs is Rs.1600-2400/-, for EDDAs/ED Stamp Vendors having workload of 3 hours and 45 minutes the scale has been fixed at Rs.1740-30-2640/-. Thus, both the beginning and the end of the higher scale of TRCA for ED Delivery Agents and ED Stamp Vendors is more than the beginning and end of the highest scale of TRCA of EDBPMs at Rs.1600-2400/-. It is submitted by the learned counsel for the petitioners that EDBPMs exercise supervisory power over the other ED Agents and his work is also more onerous. Therefore, his TRCA scale of Rs.1600-2400/- should not have been less than the higher TRCA of Rs.1740-2640/- meant for EDDAs and EDSVs. In support of his contention it has also been submitted that the

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entry qualification for EDBPMs is Matriculation whereas entry qualification for EDDAs and EDSVs is Class VIII pass. The respondents in their counter have pointed out that so far as the qualification for the post of EDBPM is concerned, the rules provide that any qualification higher than Matriculation is required to be ignored. So far as other ED Agents are concerned, even though the minimum qualification is Class VIII pass, the rules specifically provide that Matriculates will be preferred. In effect, therefore, there is virtually no difference in the educational qualification between the two categories of posts. We have considered the rival submissions carefully. The essential qualification for EDBPMs and other ED Agents is different. For the first it is Matriculation and for the others it is Class VIII pass. But for other ED Agents Matriculation is the desirable qualification and it is provided that a Matriculate will be given preference over Class VIII pass candidate. With large number of educated unemployed in our villages, effectively educational qualification for both the posts is in actual practice becomes the same. This contention is also therefore without any merit.

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17. As regards granting of higher TRCA scale to EDDAs and EDSVs compared to EDBPMs, the respondents have pointed out that EDDAs do field work and therefore their workload in terms of hours of engagement is more and their work can be said to be more onerous than EDBPMs. While this contention is *prima facie* acceptable, there is some doubt in our mind if this argument will be equally applicable for ED Stamp Vendors. In the revised scales of TRCA, ED Stamp Vendors having workload upto 3 hours and 45 minutes have been given the scale of Rs.1375-25-2125 and those having workload

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of more than 3 hours and 45 minutes have been the scale of Rs.1740-30-2640/- . As against this, TRCA for EDBPMs having workload upto 3 hours is Rs.1280-35-1960/- and for those having more than 3 hours work it is Rs.1600-40-2400/- . Thus at both the levels the ED Stamp Vendors are on a higher scale of TRCA than the EDBPMs. ED Stamp Vendors work in ED Post Office and obviously their hours of work coincide with hours of functioning of Post Office. Thus where EDBPM had work upto 3 hours, it is difficult to conceive how ED Stamp Vendor in the same ED Post Office can have work of 3 hours and 45 minutes. There appears to be *prima facie* an anomaly in this. But it is not for us to take a final view on this. The learned counsel for the petitioners has relied on the three decisions referred to earlier. For the present purpose it is not necessary to go into facts of those cases. In the case of *Delhi Veterinary Association (supra)* the Hon'ble Supreme Court had held that while fixing pay scales, the degree of skill, strain of work, experience involved, training required, responsibility undertaken, mental and physical requirements, disagreeableness of the task, hazard attendant on work and fatigue involved are some of the relevant factors which should be taken into consideration. The

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Hon'ble Supreme Court have also observed that these are some of the relevant considerations which the Pay Commission have to keep in view while dealing with the complex problem of determining the equitable pay scales for the vast number of employees of the Central Government and of the Union Territories. In the case of *West Bengal State Audio Visual Technicians Association (supra)* the Hon'ble Calcutta High Court has held that job evaluation and consequent granting of scale of pay is a matter to be decided by the Pay Commission. In the case of *Dipak Chandra Das (supra)* which went to the Hon'ble Supreme Court from Cuttack Bench of the Tribunal, the

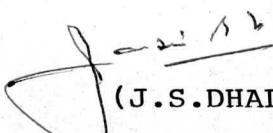
Hon'ble Apex Court has held that it is not open for the Tribunal to grant a scale of pay to an applicant even on a finding that the post held by him is higher in status than the feeder post from which promotion is made to the post held by the applicant before them, but both the posts have been given the same scale of pay. In the present case we are not dealing with pay scales but scale of allowance which by itself from the nomenclature is related to time. Assessment of workload through job evaluation is a highly complex matter and Courts cannot undertake these tasks, firstly because of absence of materials before them for job evaluation and equally importantly because the Courts are not equipped to undertake such a task. This aspect has been considered by the Hon'ble Supreme Court in the case of Secretary, Finance Department and others v. West Bengal Registration Service Association and others, AIR 1992 SC 1203 and the following observation has been made:

.....Courts must, however, realise that job evaluation is both a difficult and time consuming task which even expert bodies having the assistance of staff with requisite expertise have found difficult to undertake sometimes on account of want of relevant data and scales for evaluating performances of different groups of employees. This would call for a constant study of the external comparisons and internal relativities on account of the changing nature of job requirements. Several factors have to be kept in view while evolving a pay structure and the horizontal and vertical relativities have to be carefully balanced keeping in mind the hierarchical arrangements, avenues for promotion, etc...."

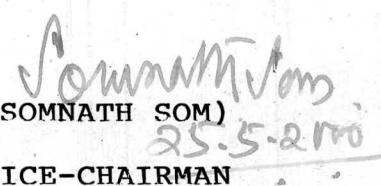
In view of the above clear direction of the Hon'ble Supreme Court about the limitation of Courts and Tribunals in undertaking job evaluation, the *prima facie* anomaly in the TRCA of ED Stamp Vendors and EDBPMs is a matter which is left to the departmental authorities. We accordingly direct that

the departmental authorities should consider this aspect of ED Stamp Vendor attached to ED Branch Post Office ,where the EDBPM has workload upto 3 hours, getting a higher scale of TRCA than EDBPM. There is no material before us to know if actually in small ED Branch Post Office where EDBPM has workload upto 3 hours which is assessed up to 75 points in a month, an ED Stamp Vendor is at all provided. If ED Stamp Vendors are there in such E.D.Branch Post Offices, then prima facie case of anomaly is a matter which the respondents should consider and in case the respondents find that there is such an anomaly, then they should take urgent steps to correct the same. As we have earlier noted that rural postal system in our country where overwhelming majority of the people live in villages, is heavily dependent upon the ED System and therefore in case there is an anomaly in their structure of TRCA, then it requires urgent correction.

18. In the result, OA is disposed of with the above observation and direction, but without any order as to costs.


(J.S.DHALIWAL)

MEMBER (JUDICIAL)
25.5.200


(SOMNATH SOM)
25.5.200

VICE-CHAIRMAN