

Order dated : 23.04.2010

Coram:

Hon'ble Shri B.V.Rao, Member (Judl.)

&

Hon'ble Shri C.R.Mohapatra, Member(Admn.)

The applicant, at present, working as a departmental stamp vendor under the Respondent Organization. His grievance is that the Respondent-departments are not allowing him to draw the scale of 3050-4790 as recommended by the 5th Central Pay Commission w.e.f. 2.3.1996 at par with pay of Postman having regard to departmental notification dated 2.11.1968.

2. It is the case of the applicant that despite several representations made by him, the Respondents are not paying any heed and in the circumstances he has moved this Tribunal for direction to the Respondents to revise and fix his pay at Rs. 3050-4590/- instead of Rs. 2610-3540 w.e.f. 2.3.1996 with consequential financial benefits.

3. In response to the notice issued by this Tribunal the Respondents have filed their counter.

4. We have heard the Ld. Counsel for the parties and perused the material on record.

5. In the Counter Respondents have made it clear that no claim for fixation of pay could be entertained by departmental stamp vendor

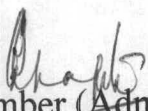


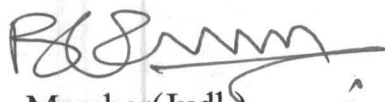
9 unless he or she elects to ²come over to the Grade Postman as per the circular as NAnnexure-5 of the O.A.

6. We have gone through Annexures-A/5 and A/6 to the O.A. Since, the applicant has preferred representation to grant him the pay scale of stamp vendor cannot be said that the applicant has not opted and/or elected for the post of Postman.

7. Be that as it may, it is directed that the applicant shall exercise his option for being posted to the post of Postman from stamp vendor within a period of 15 days of the date of receipt of this order and, in the event, if such an option is exercised the Respondents shall consider the same in the light of the provisions made in AnnexureA/5 and A/6 to the O.A. and pass appropriate orders and communicate the same to the applicant within a period of 45 days thereafter.

6. With the above observation and direction, the O.A. is disposed of. No costs.


Member (Admin.)


Member(Judl.)