

ORDER DATED 29th SEPT., 2010

Abdul Hakim Applicant
Vrs.

Union of India & Others Respondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, MEMBER(A)

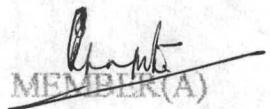
Heard Sri N.R. Routray, Ld. Counsel for the applicant and Sri S.K. Ojha, Ld. Standing Counsel appearing on notice for the Railways on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. The applicant claims that he was entitled to the benefit of MACP Scheme in view of the clarification at Annexure-A/3 issued by the Ministry of Railways on 10.12.2009. Since the applicant was granted ACP under the old Scheme w.e.f. 01.10.1999 and that pay scale has been merged by a revised pay structure of grade pay of Rs.1800 in the pay band of PB-1, he is entitled to the benefit of MACP Scheme. In this connection he has already submitted representation to Respondent No.2 vide Annexure-A/4 on 08.12.2009. Having received no reply from the concerned authorities of the Railways so far, the applicant has approached this Tribunal by filing the present Original Application. Since the clarification at Annexure-A/3 is unambiguous, this case needs to be considered by Respondent No.2 for appropriate decision at an early date.

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3. With the above observation and direction without going into the merit of the case and as agreed to by the Ld. Counsel for the parties this Original Application is disposed of at the stage of admission itself by directing Respondent No.2 to consider the representation at Annexure-A/4 in the light of the clarification at Annexure-A/3 and issue a reasoned order regarding the commencement of the benefits under the MACP Scheme within a period of three months from the date of receipt of the copy of this order.

4. Send copies of this order to the Respondents (together with the copy of this O.A) and also copy of this order may be supplied to the Ld. Counsel appearing for the parties.


MEMBER(A)