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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH:CUTTACK

ORIGINAL APPLICATION NO.209 OF 2010

Cuttack this the 24th day of August, 2010

CORAM:

THE HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER
Govinda Ch.Das. ... Applicants
-VERSUS-
Union of India & Ors. ... Respondents

ORDER

Perused the materials on record. This Original Application has been filed with the following prayer.

“To direct the Respondents to grant 1st and 2nd financial upgradation under the MACP Scheme w.e.f. 01.09.2008 by granting grade pay of Rs.4800 and Rs.5400/- and release the differential arrear salary in the interest of justice”.

As an interim measure the applicant has sought for the following interim relief.

“Pending disposal of the Original Application the applicant at present pray for a direction to the Respondents to refer the candidature of the applicant to the Screening Committee is going to be held in the month of July, 2010”.

The applicant has made a series of representations to Respondent No.3 vide Annexures-A/3 and A/4, the latest being at Annexure-A/5 dated 19.3.2010 for grant of financial upgradation under MACP Scheme in terms of Government of India's decision on the recommendations of 6th Pay Commission. Having received no response on the pending representations, the applicant had approached the concerned authorities under the R.T.I.Act, 2005 and a reply has been received vide Annexire-A/7 which speaks that “there are also other staffs like the applicant who have not yet been considered for financial upgradation under MACPS and their cases are under review

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by the nominated committee of MACPS and the case of the applicant will be taken up for consideration with other similar staff, as and when Rly Board's clarification is received by this office". In view of the above information available under the R.T.I.Act and also the reason that the representations of the applicant are pending for decision by the appropriate authority, it is necessary that the available remedies must be exhausted before this Tribunal ~~for~~ entertaining the matter.

Accordingly, at this stage, the ends of justice would be met if a direction is issued to Respondent No.3 to consider the pending representations at Annexures-A/3, A/4 and A/5 and a decision taken in the matter by communicating a reasoned order to the applicant within a period of sixty days from the date of receipt of this order.

Ordered accordingly.

With the above observation and direction, this O.A. is disposed of at the stage of admission. No costs.

Send a copy of this order along with copy of the O.A. to Respondent No.3 for compliance at the cost of applicant.


ADMINISTRATIVE MEMBER