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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00440 of 2016

Cuttack this the 4th day of July, 2016

CORAM

HON'BLE SHRI R.C.MISRA, MEMBER(A)

...

Subas Kumar Routray aged about 50 years S/o Late Sh. Alekh Prasad Rourtray, presently working as Bindery Assistant in Postal Printing Press, Mancheswar Industrial Estate, Bhubaneswar-10, District- Khurda, Resident of At/PO- Rasulgarh, Plot No. 126, Mancheswar, Bhubaneswar, District Khurda-751025.

...Applicant

By the Advocate(s)-M/s.B.P.Pal, A. Panda, P.B. Behera

-VERSUS-

1. Union of India represented through the Secretary, Ministry of Communication and IT, Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
2. Director General, Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
3. Chief Post Master General, Orissa Circle, At/PO Bhubaneswar, Pin-751001, District - Khurda.
4. The Manager, Postal Printing Press, Mancheswar Industrial Estate, Bhubaneswar-10, District Khurda.

...Respondents

By the Advocate(s)- Mr. A.K. Mohapatra

ORDER(Oral)

R.C.MISRA, MEMBER(A):

Heard Sri P.B.. Behera, Ld. Counsel appearing for the Applicant and Sri S.B. Mohanty, Ld. ACGSC appearing for the Respondents, on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. ^{who} Applicant is presently working as Bindery Assistant in the Postal Printing Press, Mancheswar Industrial Estate, Bhubaneswar has approached this Tribunal for direction to be issued to respondents to allow him the revised pay scale of Rs.4000-6000 and also pay the arrears salary as accrued w.e.f. 01.01.1996. Earlier, applicant had approached this Tribunal by filing O.A. No. 877 of 2014 which was disposed of on 08.12.2014. The facts of that O.A. were that the respondents were allegedly



not implementing the recommendations of the 5th Pay Commission with regard to the scale of pay of Bindery Assistant which includes the erstwhile Binder Grade-II and Bindery Assistant. The Hon'ble High Court of Odisha in OJC No. 5485/2001 directed the respondents to revise the pay scales of the applicants in accordance with the recommendations of the 5th Pay Commission. Therefore, the applicant in the previous O.A. had sought for a direction from this Tribunal to the respondents to extend him the similar benefits as per the order passed in OJC No. 5485/2001 by the Hon'ble High Court of Odisha. While disposing of that O.A, the Tribunal had directed the respondents to take an appropriate decision and communicate the same to the applicant.

3. It is submitted that in response to the orders of this Tribunal in O.A. No. 877 of 2014, the respondents by letter dated 05.03.2015 intimated that the orders of the Hon'ble High Court of Odisha ^{re l} have been accepted by the Department and the petitioners in that case are going to get subsequent pay benefits as per the departmental provisions. It was further intimated that the representation of the applicant was considered in the positive light and he was found to be entitled to such benefits as to be extended to the petitioners of OJC No. 5485/2001 which will be available to ^{applicant l} you as soon as possible. Subsequently, by an order dated 13.05.2015, the respondents have issued an order applicable in respect of 57 employees in which, the pay scales of the Bindery Assistants cadre officials was revised to Rs. 4000-6000 from the date noted against their names. The present applicant's name appears at Sl.No. 2 and the revised scale would be effected in his case from the date 01.01.1996. This was in compliance to the orders of this Tribunal in OA No. 878/2014. It is noted that in respect of other employees, similar pay



fixations have been made in obedience to the orders of this Tribunal passed in various O.As. Therefore, it is found that the compliance of the order has been made by the Department. However, the prayer made by the applicant in this case is that no steps have been taken for payment of his arrears from 1996 as a result of the compliance of the orders. Since the arrears have not been disbursed, applicant has made a representation to the Manager, Postal Printing Press, Bhubaneswar (Respondent No.4) on 11.08.2015 making such prayer. A further representations have also been made praying for the same relief on 27.10.2015 and on 10.12.2015. The learned counsel submitted that the matter is still pending with the concerned authorities. This is a matter which arises subsequent to implementation of the orders of this Tribunal.

4. Therefore, at this stage of admission, I dispose of this OA by giving a direction to respondent No.4 to dispose of the pending representation with a reasoned and speaking order and, accordingly, release the arrears as per the entitlement of the applicant within a period of three months from the date of receipt of a copy of this order.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Sri Behera, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 4 by Speed Post for which he undertakes to file the postal requisites by 05.07.2016.


(R.C.MISRA)
MEMBER(A)