

**Central Administrative Tribunal  
Madras Bench**

**OA/310/00443/2018**

**Dated Tuesday the 27<sup>th</sup> day of March Two Thousand Eighteen**

**P R E S E N T**

**Hon'ble Mr. R.Ramanujam, Member(A)**

P.Mohan  
Post Master Grade.I,  
Ammapettai 636003,  
Salem District. .. Applicant

By Advocate **M/s.C.S.Associates**

**Vs.**

1. Union of India, rep by its Postmaster General, Western Region, Tamil Nadu Circle, Coimbatore 641 002.
2. Senior Superintendent of Post Offices, Salem East Division, Salem 636001, Salem District. .. Respondents

By Advocate **Mr.V.Chandrasekaran**

**ORAL ORDER**

Pronounced by Hon'ble Mr.R.Ramanujam, Member(A)

Heard. The applicant has filed this OA seeking the following relief:-

“to call for the records pertaining to the order passed by the 2<sup>nd</sup> respondent in his Proceedings No.B1/MACP/2016/Dlgs dated at Salem 636001 the 09.02.2017 and the order passed by the 1<sup>st</sup> respondent in his Proceedings No.STC/10-4/Reptn/SLE dated at Coimbatore 641002 the 05.6.2017 and set aside the same and direct the respondents to sanction MACP Grade II to the applicant with effect from 04.11.2015 and fix the scale of pay accordingly in the Grade Pay of Rs.4200/- and confer all the consequential benefits and pass such further or other orders as may deem fit and thus render justice.”

2. Learned counsel for the applicant submits that the applicant's juniors had been fixed at a higher pay than the applicant although they all belonged to the same category. The applicant made Annexure A6 representation on 07.2.2017 which was disposed of by Annexure A7 communication dated 09.2.2017. However, not satisfied with the rejection, the applicant filed Annexure A8 Appeal to the 1<sup>st</sup> respondent dated 27.2.2017. The same has again been rejected by Annexure A9 communication stating that MACPS envisaged merely placement in the immediate next higher grade pay in the hierarchy of the recommended revised pay bands and grade pay. Accordingly, grant of MACP-II to the applicant w.e.f. 01.9.2008 to the grade pay of Rs.2800/- was stated to be in order.

3. The grievance of the applicant is that the basis on which the applicant's request had been rejected was equally applicable to his juniors. The impugned

communication was silent on the alleged discrimination pointed out by the applicant. It is accordingly submitted that the applicant would be satisfied if the respondents are directed to reconsider his Annexure A8 Appeal/representation dated 27.2.2017 and pass a speaking order specifically on the allegation that his juniors could not be granted a higher pay scale in the light of the provisions of the same scheme which was equally applicable to all of them.

4. Mr.V.Chandrasekaran takes notice for the respondents.

5. On perusal, it is seen that the impugned order does not throw light on the issue raised by the applicant and to that extent it is non speaking. Therefore, keeping in view the limited prayer and without going into the substantive merits of the claim, I deem it appropriate to direct the 1<sup>st</sup> respondent to reconsider Annexure A9 communication dated 05.6.2017 and pass a reasoned and speaking order in accordance with the provisions of the MACP Scheme, specifically dealing with the allegation that the applicant's juniors could not be granted a higher pay scale by application of the same scheme, within a period of two months from the date of receipt of a copy of this order.

6. OA is disposed of at the admission stage with the above direction.

(R.Ramanujam)  
Member(A)  
27.03.2018

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