

MINISTERIAL STAFF ASSOCIATION
SURVEY OF INDIA, CENTRAL HEADQUARTERS : DEHRADUN
C/o NPG , Hathibarkala Estate, Dehradun-248 001

No.CHQ- 32 /MSA/2013

Dated 16-8-2013

To

All Branch Secretaries.

Dear friends,

It is learnt about the contents of decision dated 26-11-2012 passed by the Hon'ble CAT, Principal Bench, New Delhi in **OA No.904/2012** between **Sanjay Kumar, UDC and 18 others Vs. Secretary, MOD and 2 others** for grant of MACP in the hierarchy of the promotional post. On perusal of the same, it is found that the aforesaid judgement was relied upon the decision dated 31-5-2011 of the Hon'ble CAT, Chandigarh Bench in **OA No.1038/CH/2010** in the case of **Rajpal S/o Tilak Ram Vs. UOI and others** issued orders for grant of MACP in the hierarchy of the promotional post. The Hon'ble High Court of Punjab and Haryana at Chandigarh in their order dated 19-10-2011 in CWP No.19387/ 2011 has upheld the aforesaid decision dated 31-5-2011 of the Hon'ble CAT, Chandigarh Bench. I have received the copies of the aforesaid CAT, Chandigarh and High Court orders along with order dated 15-4-2013 on SLP No.cc-7467/2013 passed by the Hon'ble Supreme Court of India and the gist of these Court decisions are furnished as under:-

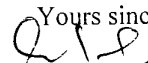
Sl. No.	OA No./ CWP No.	Parties	Date of Order	Name of Court	Remarks
1	OA No.1038/CH/2010	Raj Pal s/o Tilak Ram, Photo Copier in CAT, Chandigarh.	31-5-2011	CAT, Chandigarh	OA is allowed for grant of MACP in the hierarchy of promotional post.
2	CWP No.19387 of 2011 (O&M)	Union of India represented by DoP&T and others Vs. Raj Pal and another.	19-10-2011	High Court of Punjab and Haryana at Chandigarh	Order dated 31-5-2011 of Hon'ble CAT, Chandigarh is upheld. CWP filed by Respondents dismissed.
3	SLP No.cc-7467 of 2013 against order dated 19-10-2011 of the Hon'ble High Court	Union of India represented by DoP&T and others Vs. Raj Pal and another.	15-4-2013	Supreme Court of India	SLP filed by the Union of India is dismissed.
4	OA No.904/2012	Sanjay Kumar, UDC and 18 others Vs. UOI represented by Ministry of Defence and others.	26-11-2012	CAT, Principal Bench, New Delhi.	OA is allowed for grant of MACP in next promotional post i.e. Assistant in PB-2+Grade Pay Rs.4200.

2. Accordingly, model draft representation addressing to the SG which was prepared by Com. P.K. Das, Secretary, Bhubaneswar Branch & Dy.Secy General(CHQs) should be submitted by the UDCs preferably who are having 10 years of service as UDC or total 20 years service as LDC and UDC for consideration and grant of MACP in hierarchy of the promotional post i.e. pay structure of Assistant. In case of UDC having lesser service, they may also submit the representation with modifications. You are requested to arrange in submitting the same to the authorities through proper channel and intimate the same to me for information and further action.

3. In this connection you are also requested to kindly visit our website to know the content of my letter written to DST in the matter for your information.

4. In the mean time, we have discussed the matter with Com. S.K. Vyas, Member National Council (JCM) and Member of the Joint Committee on MACP and requested him to take up the issue with DoP&T / in next meeting of Joint Committee on MACP which is likely to be held during September, 2013.

Thanking you,

Yours sincerely,

(MANOJ KUMAR SHARMA)
Secretary General.