

No. 2-25/2019-PCC
Government of India
Ministry of Communications
Department of Posts

Dak Bhawan, Sansad Marg,
New Delhi – 110001
Date : 08.06.2021

To

1. All Chief Postmasters General / Postmasters General
2. Chief General Manager, BD Directorate / Parcel Directorate / PLI Directorate / CEPT.
3. Director, RAKNPA / Directors of All PTCs
4. Addl. Director General, Army Postal Service, R.K.Puram, New Delhi
5. All General Managers (Finance) / Directors Postal Accounts

Sub: Extension of benefit of clause 1(x)(e) of Ministry of Finance Resolution No. 1/1/2008 IC dated 29.08.2008 in respect of similarly placed officers of Department of Posts in term of order of Hon'ble Madras High Court dated 06.09.2010 in WP No. 13225/2010 consequent upon dismissal of SLP No. CC 15627/2011 (converted to CA No. 8883/2011) – reg.

Sir/ Madam,

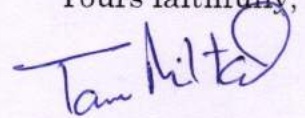
This refers to various references received from filed formations of Department of Posts and representations of Group-'B' officers of the Department as well as of service Associations on the above noted subject.

2. Briefly, as per recommendations of the 6th Central Pay Commission, clause 1(x)(e) of Department of Expenditure Resolution No. 1/1/2008 IC dated 29.8.2008 stipulates that Group-'B' officers of Department of Posts, Revenue etc. will be granted Grade Pay of Rs.5400/- in PB-2 on non-functional basis after 4 years of regular service in the Grade Pay of Rs. 4800/- in PB-2. In this context, Hon'ble Madras High Court vide judgment dated 06.09.2010 in WP No. 13225/2010 in the case of Shri M. Subramaniam (a Group 'B' officer of Department of Revenue being Inspector of CBEC), allowed the benefit of NFU on completion of 4 years of regular service in Grade Pay of Rs. 4800/- in PB-2 which was earned under Assured Career Progression (ACP) Scheme. Further, some Court judgments, passed by placing reliance on the M. Subramaniam case (supra), have been implemented in respect of similarly placed Group-'B' officers (Inspector Posts / Assistant Superintendent of Posts) of Department of Posts in consultation with Department of Expenditure.

3. On receipt of various references/representations and keeping in view the fact that many CAT/Court cases are pending throughout India seeking the benefit of M. Subramaniam case; the matter of extending the benefit of Order dated 06.09.2010 of the Hon'ble High Court of Judicature at Madras in W.P. No. 13225 of 2010 in the case of M. Subramaniam to all similarly placed Group-'B' officers of Department of Posts was examined and a comprehensive proposal was referred to Department of Expenditure vide ID note No. 2-25/2019-PCC dated 03.03.2021 seeking blanket approval to extend the benefit to all similarly placed Group-'B' officers of Department of Posts. Department of Expenditure vide I.D. note No. 6(3)/E.III(B)/2018 dated 13.04.2021 has not agreed to extend the benefit of Level-9 (corresponding to Grade Pay Rs.5400) on Non -Functional basis to all similarly placed Group 'B' officers of Department of Posts.

4. However, the Court judgments which are passed by placing reliance on the M. Subramaniam case are forwarded to Department of Expenditure for further directions in so far as implementation of such CAT/Court orders is concerned. Therefore, the implementation of such Court Cases on the basis of the advice received from the D/o Expenditure is specific to such cases and cannot be taken as precedent.
5. Thus, all the references/representations on the issue stand disposed off accordingly.
6. This issues with the approval of the Competent Authority.

Yours faithfully,



(Tarun Mittal)

Asstt. Director General (PE-I/SCT)-LO

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