

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00232/2018

DATED THIS THE 14TH DAY OF NOVEMBER, 2018

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C V SANKAR, MEMBER (A)

G.S. Ravindra,
S/o Sri G. Suryanarayana Rao,
Aged about 61 years,
Former Assistant Director,
National Institute for Miners' Health
Marikuppam Post, K.G.F- 563 119
Kolar District, Karnataka.
Residing at No. 88, 2nd Cross,
BSK III Stage, III Phase, 5th Block,
Bangalore – 560 085

.....Applicant

(By Advocate Shri B.S. Venkatesh Kumar)

Vs.

1. Union of India,
Represented by its Secretary, Ministry of Mines
No. A-320, Shastri Bhavan,
Rajendra Prasad Road,
New Delhi – 110 001

2. National Institute for Miners' Health
Represented by its Director,
C/o JNARDDC Campus,
Opp. Wadi Police Station,
Amaravathi Road,
Nagpur – 440 023

....Respondents

(By Shri S. Prakash Shetty, Counsel for Respondent No. 2 and
Shri Sayed S Kazi, Counsel for Respondent No. 1)

ORDER (ORAL)DR. K.B. SURESH, MEMBER (J):

Heard. The Hon'ble Apex Court have held time and again that retired employees are also pari materia entitled to medical facilities as serving employees and there cannot be any distinction or discrimination shown between serving and retired employees. The ground taken by the respondents seems to be that this being an autonomous institution under the Government then the rules relating to them will have a precedence. It is not correct. They still have to follow what the governing institution has to say, i.e., the Government of India. Since the Government of India decreed that all retired employees are also eligible to the medical facilities, it is not incumbent upon other respondents to say that they are not. They are also eligible for it. When facilities are extended to serving employees, same facilities should be extended to retired employees also, provided if there is a condition for joining a particular scheme then they are bound to join that particular scheme and in other way also it should be pari materia with serving employees.

2. The OA is allowed. Benefits to be made available within two months next. No order as to costs.

(C V SANKAR)
MEMBER (A)

(DR.K.B.SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No.170/00232/2018

Annexure A-1: Copy of the Memorandum dated 09.08.1989

Annexure A-2: Copy of the Office Order dated 09.12.2015

Annexure A-3: Copy of the applicant's letter dated 24.10.2017

Annexure A-4: Copy of the reminder dated 20.11.2017

Annexure A-5: Copy of the reply dated 30.11.2017

Annexure A-6: Copy of the extract of Establishment and Administration Manual of ICAR, an autonomous body
