

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00232/2018

DATED THIS THE 14<sup>TH</sup> 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, 2<sup>nd</sup> Cross,  
BSK III Stage, III Phase, 5<sup>th</sup> 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

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