

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**JABALPUR BENCH**  
**JABALPUR**

**Original Application No.200/553/2019**

Jabalpur, this Friday, the 06<sup>th</sup> day of March, 2020

**HON'BLE SHRI NAVIN TANDON, ADMINISTRATIVE MEMBER**  
**HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER**



Anil Kumar Mishra S/o Shri Mathura Prasad Mishra D.O.B. 30.9.1977  
Present Post Income Tax Officer R/o H.No.15, Shastri Vihar Colony,  
Deendayal Ward, Trimurti Nagar, Jabalpur (M.P.) Mobile Number  
7587190149

**-Applicant**

(By Advocate –**Shri S.K. Nandy**)

**V e r s u s**

1. Union of India, Through its General Manager, West Central Railway,  
Headquarter Near Indira Market, Jabalpur 482001 (M.P.)

2. Divisional Railway Manager (P) West Central Railway, Jabalpur Division,  
Jabalpur (M.P.) 482002

3. Railway Recruitment Board (RRB) Bhopal Through its Secretary West  
Central Railway Bhopal 462010 (M.P.)

4. Principal Commissioner of Income Tax-I Napier Town Jabalpur (M.P.)  
482007

**- Respondents**

(By Advocate –**Shri Arun Soni proxy counsel for Shri Sapan Usrethe for  
respondents Nos.1 and 3 & Shri Arun Soni for respondent Nos.2, None  
for respondent No.4**)

**ORDER****By Navin Tandon, AM:-**

The applicant had filed this Original Application praying for old pension scheme when he joined the Railways. Subsequently applicant has joined income tax department.

2. The applicants had filed M.A. No.200/255/2020 wherein the Office Memorandum dated 17.02.2020 issued by Department of Pension and PW have been attached. This O.M. has been adopted by Railways on 03.03.2020 (RBE No.28/2020) (colly. Annexure A/7). This O.M. gives certain relaxation to Central Government employees whose selection for appointment was finalized before 01.01.2004 but had joined Government Service on or after 01.01.2004.

3. Learned counsel for the applicant submits that the case of the applicant is squarely covered under clause 3(i) which reads as under:-

*“3(i). The result for recruitment was declared before 01.01.2004 but the offer of appointment and actual joining of the Government servant was delayed on account of police verification, medical examination etc.”*

4. The applicant is praying before this Tribunal to pass appropriate orders directing the respondent Nos.1 to 3 to provide all the details/documents with regard to the applicant's appointment in the Railways. It is also prayed that the respondent No.4 i.e. the present department of the applicant be directed to



place the applicant under the Old Pension Scheme after completing necessary formalities and the applicant may be allowed to exercise his option as per DOPT OM dated 17.02.2020 and he may be given the benefit of Old Pension Scheme with all consequential benefits.

5. We have considered the matter.

6. The respondents Nos.1, 2 and 3 are directed to provide all the details/documents with regard to applicant's appointment with the Railways within 60 days of receipt of certified copy of this order. After receipt of the same, Respondent No.4 is directed to take further necessary steps as per rules and law for granting the relief.

7. Accordingly, this Original Application is disposed of. It is made clear that this Tribunal has not expressed any view in the matter.

**(Ramesh Singh Thakur)**  
**Judicial Member**

**(Navin Tandon)**  
**Administrative Member**

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