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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A.No. 552/88

Decided on: 16-9-93.

Jag Ram

...Applicant

VERSUS

Union of India
through The General Manager,
Northern Railway, New Delhi, & 2 Others.

...Respondents

CORAM:

HON'BLE MR. N.V.KRISHNAN, VICE-CHAIRMAN.

HON'BLE MR. B.S.HEGDE, MEMBER(J).

For the applicant.

...Shri V.P.Sharma, Counsel

For the respondents

...None.

JUDGMENT (ORAL)

(BY HON'BLE MR. N.V.KRISHNAN, VICE CHAIRMAN) :

Heard. The applicant is an employee in the Railway who admittedly did not participate in the 1974 General Strike. The Ministry of Railways had announced some incentives/rewards to employee who did not go on strike, i.e., loyal employee. In para 6.6 of the application, the three benefits have been listed as follows :

- i) One son/daughter can be employed in the Railway Department.
- ii) One increment in the existing pay scale.
- iii) Case award."

The learned counsel for the applicant clarifies that these are alternatives available to the employee who is entitled to one of the three benefits according to his option. Admittedly, the applicant opted for grant of annual additional increment. As this was not granted to him, he made a representation for giving appointment to his son which is also one of the benefits contemplated. This was rejected vide letter dated 24.8.87 (annexure A-1/1) stating that the policy of employment of son of loyal employee did not exist at that time.

2. However, the third respondent, i.e., Divisional Railway

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Manager, Northern Railway, Bikaner sanctioned one increment to the applicant w.e.f. 1-6-74 on the ground that he did not take part in the 1974 General Strike. His pay has also been re-fixed on that basis. The learned counsel for the applicant was fair enough to produce a copy of the order dated 22-2-89 in this regard.

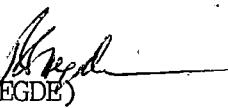
3. He also states that applicant has availed himself of the benefit of this increment.

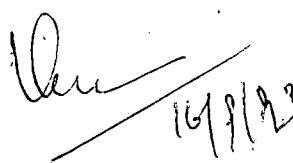
4. Nevertheless, the applicant has filed this O.A. for a direction to the respondents to consider the claim of the applicant for appointment of his son to a Class III post. The same benefit has been given to loyal employees of the Department.

4. We have heard the learned counsel for the applicant. The scheme contemplates giving only one of the three benefits. This is admitted by the learned counsel for the applicant. He also admits that one increment has been given to him on 1-6-74, though belatedly, during the pendency of this O.A. However, he did not decline that benefit and he has been enjoying it.

5. In the circumstances, we are of the view that the applicant has been fully rewarded for his loyal acts though there was considerable delay in sanctioning the increment. That, however, does not entitle him to one more increment under that scheme, i.e., employment of his son in Class III post.

6. In the circumstances, we do not see any merit in this O.A. and the same is dismissed. No costs.


(B.S. HEGDE)
MEMBER(J)


(N.V. KRISHNAN)
VICE-CHAIRMAN

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