

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

OA 310/00165/2020 & MA No.72/2020

Dated Monday the 3rd day of February, 2020

P R E S E N T

**Hon'ble Shri. P. Madhavan, Member (J)
&
Hon'ble Shri. T. Jacob, Member (A)**

K. Amutha
Chief Nursing Superintendent (Employee No. 15208024352)
Southern Railway Headquarters Hospital
Perambur, Chennai – 600 023. ... Applicant

By Advocate M/s G. Thyagarajan

Vs

1. The Secretary
Ministry of Railway, Railway Board
Railway Bhawan, New Delhi.

2. The Union of India
Rep. by the General Manager
Southern Railway
Park Town, Chennai – 600 003.

3. The Divisional Railway Manager
Chennai Division
Personnel Branch
Park Town, Chennai – 600 003.

4. The Chief Personnel Officer
Southern Railway, Chennai Division
Personnel Branch
Park Town, Chennai – 600 003. ... Respondents

By Advocate Mr. P. Srinivasan

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

MA 72/2020 filed by the applicant to condone the delay of 15 days in re-presenting the OA is allowed.

2. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- “ i) Pass an order or direction to the respondent railways to declare that the applicant is entitled to the minimum pay of Rs. 13,950/- basic pay + 4800/- grade pay, making the basic pay of Rs. 18,750/- as per the fixation table with bunching benefits as applicable with effect from 01.01.2006 in line with Order in OA No. 98 of 2014 dated 27.03.2015 passed by the Central Administrative Tribunal, Principal Bench, Delhi, upheld by Hon'ble High Court, Delhi and Hon'ble Supreme Court of India.
- ii) Direct the respondents to grant the applicant the arrears of pay from 01.01.2006 as applicable with interest.
- iii) Any such further or other order in the above said facts and circumstances of the case and thus render justice.”

3. When the matter came up for consideration, learned counsel for the applicant submits that the applicant was appointed as Staff Nurse in the Respondent Railways prior to 01.01.2006 and she got promotion as Nursing Sisters in the pay scale of Rs. 5500-9000/-. Thereafter VI Pay Commission was introduced, wherein the Commission recommended to convert the pay scale of Staff Nurse from Rs. 5500-9000/- to Rs. 7500-12000/- before implementing VI Pay Commission pay scale of Rs. 9300-34800 with GP of RS. 4800/-. According to the applicant, the Respondent Railways had calculated wrongly by multiplying the 1.86th factor from the applicant's last drawn pay as on 01.01.2006 in earlier pay scale of Rs. 5500-9000/- directly

without converting the pay scale to Rs. 7500-12000/-. So the applicant had a shortfall of Rs. 2420/- per month without any bunching benefits. Learned counsel for the applicant submits that already this Tribunal had ordered similar issue in OAs 1294/2019 to 1298/2019 dt. 26.09.2019 and he seeks similar relief in this matter also. *He submits that the applicant is ready to submit detailed representation to the respondents regarding her grievance and she will be satisfied if the respondents are directed to consider the representation of the applicant in the light of order of this Tribunal in OAs 1294/2019 to 1298/2019 dt. 26.09.2019.*

4. Mr. P. Srinivasan takes notice for the respondents and submits that he has no objections in disposing of the representation to be submitted by the applicant.

5. In view of the limited relief sought and without going into the substantive merits of the case, the OA is disposed of in the following lines:

"The applicant is permitted to submit a detailed representation to the competent authority within a period of two weeks from the date of receipt of copy of this order and the competent authority is directed to consider the representation to be submitted by the applicant in accordance with law and in the light of the order passed by this Tribunal in OA Nos. 1294/2019 to

1298/2019 dated 26.09.2019 and pass a reasoned and speaking order within a period of four months thereafter."

**(T.JACOB)
MEMBER (A)**

03.02.2020

**(P.MADHAVAN)
MEMBER (J)**

M.T.