

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 180/00594/2020

Monday, this the 7th day of December, 2020.

CORAM:

HON'BLE Mr. P. MADHAVAN, JUDICIAL MEMBER

HON'BLE Mr. K.V. EAPEN, ADMINISTRATIVE MEMBER

T.P. Sivaraman, 81 years,
S/o. T.R. Parankutty,
Thandiakkal House, Anthikad (P.O),
Thrissur – 680 641.
(Retired Chief Draftsman, Indian Railway, S&T Workshop,
Padannur, Coimbatore.) - Applicant

[By Advocate : Mr. T.T. Muhamood]

Versus

1. Union of India, represented by the General Manager,
Southern Railway, Headquarters Office,
Park Town (P.O), Chennai – 3.
2. The Chief Personnel Officer,
Southern Railway, Headquarters Office,
Park Town (P.O), Chennai – 3.
3. The Senior Divisional Personnel Officer,
Southern Railway, Palakkad Division,
Palakkad – 678 002.
4. The Chief Workshop Manager,
Signal & Telecommunication Workshop,
Southern Railway, Podanur, Coimbatore – 641 023.
5. The Senior Accounts Officer (S&T),
W&S, Workshop Personal,
Southern Railway, Podanur – 641 023. - Respondents

(R-6 deleted vide order dated 07.12.2020.)

[By Advocate : Mr. Sunil Jacob Jose]

The application having been heard on 07.12.2020, the Tribunal on the same day delivered the following:

ORDER

Per: Mr. P. Madhavan, Judicial Member

Applicant filed this O.A seeking the following reliefs:-

- i) to direct the respondents to re-fix the pay of the applicant w.e.f. 01.01.2006 in the correct corresponding scale in PB-2 plus grade pay of Rs. 4600/- applicable to the post.*
- ii) Issue fresh PPO to the applicant revising the pensionary benefits.*
- iii) Direct the respondents to pay admissible arrears to the applicant w.e.f. 01.01.2006 plus 16% interest.*

2. The applicant retired from service of Indian Railway on 17.09.1997 while working as Chief Draftsman, Signal and Tele-Communication Workshop, Podanur. On superannuation, the applicant was sanctioned pension reckoning his qualifying service as 33 years. The last pay drawn by the applicant at the time of retirement was Rs. 2180/- in the scale of Rs. 2000-3200. The scale of pay was revised with effect from 01.01.1996 as per 5th Pay Commission recommendation. The scale of pay of Rs. 2000-3200 was revised to Rs. 6500-10500. On the recommendation of VIth Pay Commission, the pension/family pension of pre-2006 pensioners were revised with effect from 01.01.2006. Thereafter, on 01.09.2008, the Government of India, Ministry of Personnel issued O.M stating that the fixation of pension will be subject to the provision that the revised pension in no case shall be lower than the 50% of the minimum of the pay in the pay band plus the grade pay corresponding to the pre-revised pay scale from which the pensioner had earlier retired. The applicant submitted representation, but he was not granted benefits so far. Hence, he filed this O.A.

3. Mr. Sunil Jacob Jose, learned Standing Counsel for the Railways takes notice on behalf of the respondents. He submits that Respondent No. 6 – Secretary to the Government of India, Ministry of Railways is not a necessary party in this case and he may be deleted from the party array. Counsel for the

applicant submits that he has not serious objection to it.

4. Hence, Respondent No. 6 - Secretary to the Government of India, Ministry of Railways is deleted from the party array.

5. It appears that the representation given by the applicant is still pending before the Competent Authority as Annexure A-1. Therefore, we feel it appropriate to direct the respondents to consider Annexure A-1 representation within a period of three months from the date of receipt of a copy of this order.

6. The Original Application is disposed of accordingly. No order as to costs.

(Dated, 7th December, 2020.)

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

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Applicant's Annexures

- Annexure A-1 - True copy of representation dated 04.11.2018 submitted by the applicant before the 4th & 5th respondents.
- Annexure A-2 - True copy of OM No. 38/33/12-P & PW (A) dated 19.07.2019 issued by Deputy Secretary, Government of India, Ministry of Personnel.

Annexures of Respondents

NIL
