

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.184/2017 with MA No.177/2017

This the 18th day of March, 2021

**COROM : Hon'ble Shri Jayesh V. Bhairavia, Member (J)
Hon'ble Dr. A.K.Dubey, Member (A)**

Shri Virabhai Somabhai Prajapati
Son of Somabhai Ranchhodbhai Prajapati
DOB 01.2.1946 (Age 71 years)
Head Sorting Assistant (HSG-I) Retired
O/o. Head Record Officer
RMS "AM" Division, Ahmedabad 380 002.
Residing : 20/A, Shrinagar Society
Kalol – 382 721.
District : Gandhinagar Applicant
(By Advocate : Shri A.D.Vankar)

VERSUS

1. Union of India & Others
Notice to be served through
The Secretary,
Ministry of Communication and I.T.,
Department of Posts, Dak Bhavan, Sansad Marg,
New Delhi - 110 001.
2. Chief Postmaster General,
Gujarat Circle, Khanpur,
Ahmedabad - 380 001.
3. Sr.Suptd. of RMS,
"AM" Division,
Ahmedabad - 380 009.
4. Head Record Officer,
RMS 'AM' Division
Ahmedabad - 380 002..... Respondents
(By Advocate : Ms. R.R.Patel)

ORDER – ORAL

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

In the instant OA, the grievance of the applicant is that the respondents have not grant one increment in pre-revised scale of Rs.6500-10500 w.e.f. 01.01.2006 and refixed his pay.

2. Considering the reasons stated in the MA No. 177/2017 for condonation of delay, the same is allowed.

3. In our considered view, it has been correctly decided by the respondents vide their communication dated 05.12.2016 which reads as under :

"With reference to above cited subject, it is intimated that as per memo No.10/02/2011-E.III/A dated 19.03.2012 from the Government of India, Ministry of Finance, Department of Expenditure, New Delhi in para-3, the Central Government employee who were due to get their annual increment between February to June during 2006 may be granted one increment on 01.01.2006 in the pre revised pay scale as one time measure.

In this case, date of increment of the official is 1st February every year in pre revised pay. The official getting pay of Rs.8100/- w.e.f. 01.02.2005 (i.e. date of increment) upto 31.12.2005 and pay has been fixed on 01.01.2006 pay band Rs.15070/- + GP Rs.4600 as per 6th CPC (upto 31.1.2006). The next increment due on 01.02.2006 whereas official has already retired on superannuation w.e.f. 31.01.2006 A/N. before drawl of next increment due to official on 01.02.2006 in the pre revised scale. It is obvious that he is not entitled for the benefit of one increment on 01.01.2006 in the pre revised scale as a one time measure as per Govt. of India memo No.of even dated 19.3.2012."

4. Counsel for the applicant has also placed reliance on the OM dated 19.03.2012 (Annexure A-4) and attempt to justify his claim. In this regards, it is noticed that the said OM in categorical terms stated that those central government employees who were due to get their annual increment between February to June during 2006 may be granted one increment on 01.01.2006 in the pre revised pay scale as a one time measure and thereafter

will get the next increment in the revised pay structure on 01.07.2006 as per Rule 10 of CCS (RP) Rules, 2008. The pay of the eligible employee may be refixed accordingly.

5. When the specific query has been put to the counsel whether the applicant was eligible employee after his retirement on 31.01.2006 in terms of para-3 to the said OM dated 19.03.2012, the same could not be explained. However, otherwise, in terms of the OM dated 19.03.2012, the same is not applicable in the case of the applicant.

6. The grounds stated by the applicant in the OA and the submissions are not helpful to negate the conclusion and submissions of the respondents.

7. In view of the above, the OA stands dismissed.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

nk