

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH**

OA/496/1993

Date of Decision : 03-10-2000

Smt. V. K. Girija Panicker : Petitioner [s]

Mr. A. L. Sharma : Advocate for the petitioner [s]

Versus

Union of India and Ors. : Respondent [s]

Mr. R. M. Vin : Advocate for the Respondent [s]

CORAM :

THE HON'BLE MR. V. RAMAKRISHNAN : **VICE CHAIRMAN**

THE HON'BLE MR. A. S. SANGHAVI : **MEMBER (J)**

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the judgment? ~
2. To be referred to the Reporter or not? ~
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether it needs to be circulated to other Benches of the Tribunal? ~

Smt. V. K. Girija Panicker
W/o. Shri. C.K.G. Panicker,
Aged 51 yrs. Hd. Mistress,
Rly., Primary School (EM),
R/o. Bunglow No. L/297,
West Yard, Rly. Colony,
Valsad - 396 001.

= Applicant =

Advocate : Mr. A. L. Sharma

Versus

1. Union of India, through,
General Manager, W. Rly.,
Church gate, Mumbai : 20.
2. Divisional Rail Manager,
W. Rly., Bombay Central.

= Respondents =

Advocate : Mr. R. M. Vin

ORAL ORDER
O.A 496 of 1993

Date : 03.10.2000

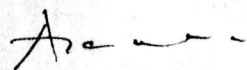
Per Hon'ble Shri. V. Ramakrishnan : Vice Chairman.

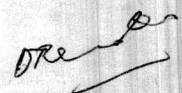
We have heard Mr. Sharma for the applicant and Mr. Vin for the respondents. The applicant who was appointed as an Assistant Teacher in the Railway Administration, Primary School has sought for a direction to the respondents to re fix her pay as claimed by her with arrears. The O.A itself does not bring out as to what is the pay she has asked for earlier and ~~that her grievance~~ essentially relates to non-grant of three advance increments from 11.6.70.

2. We find from the pleadings that Railways had issued a circular dated 15.10.70 copy at Annexure R/2 which provided that teachers

in Primary school who acquired intermediate qualification should be given three advance increments. The Railway administration has interpreted the circular to mean that the advance increment will be available only to those who passed the intermediate test while in service and not those who had already qualified at the time of their initial appointment.

3. We find that the circular dated 15.10.70 talks of grant of advance increment to those acquiring intermediate in Arts, Science, Commerce, agriculture or possessing first year degree course in respect of Primary School Teachers, in other words what is required is that such qualification is to be acquired after joining service. It does not apply to those who already had qualified before joining the service. We also note that the applicant was regularised as a Primary School Teacher w.e.f. 21.4.72 and that the provisions of circular dated 15.10.70 would equally apply to her. Besides what the applicant seeks is now to re-open her pay fixation from 1970 onwards. So far the present case is concerned, we find that her pay has infact been fixed in accordance with the relevant rules and instructions which give the benefit of advance increment only to those who acquire intermediate qualification while in service which is not the case for the present applicant. The O.A is devoid of merit and is dismissed with no order as to costs.


(A.S. Sanghavi)
Member (J)


(V. Ramakrishnan)
Vice Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, AHMEDABAD BENCH

OA/TA/RA/CP/ 496/93 of 200Smt. V. K. Girija Punicker

APPLICANT(S)

VERSUS

U.O.T. & Ors

RESPONDENT(S)

I N D E X ----- S H E E T

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Certified that the file is complete in all aspects.

Allen 12/01/01

Signature of S.O. (X)

AW 10/11Signature of Dealing
Hand.