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**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

O.A. No. 424 of 2011  
K.Vijayan .....Applicant  
Vs  
UOI & Ors. ..... Respondents

1. Order dated: 8<sup>th</sup> July, 2011.

**C O R A M**  
THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (ADMN.)

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Heard and perused the materials placed on record.

The Applicant earlier approached this Tribunal in OA No.609 of 2009 seeking direction to the Respondent-Railway to issue post retirement complementary passes as he has got 20 years of continuous service in the Railway. In order dated 23.12.2009 the said OA was disposed of by this Tribunal directing the Senior Divisional Personnel Officer to dispose of Annexure-A/4 within a reasonable time at any rate within 45 days from the date of receipt of copy of the order. By filing the present OA, the applicant has brought to the notice of this Tribunal that despite the orders of this Tribunal and the letter under Annexure-A/4 dated issued by Sr. Personnel Officer (Con.), ECoRly, Bhubaneswar to the ADEN, ECoRly, Cuttack complimentary passes to which the applicant is entitled have not been issued to the applicant. Vide order dated 5.7.2011 despite notice to file counter, no counter has been filed by the Respondents till date.

2. Today/08-07-2011 Mr. Ojha, Learned Standing Counsel for the Respondents has brought to the notice of this Tribunal a copy of the letter dated 07-07-2011 of the Assistant

Divisional Engineer-I, ECoRly, Cuttack in which it has been stated as under:

1. In regard to issue of complementary pass to Sri K.Vijayan, Retd. Painter Gr.II as on date this has office not received any documents from Sr. Divisional Personnel Officer, E.Co.Railway, Khurda Road for issue of complementary pass;
2. It is to inform you that office of Asst. Divisional Engineer (I) Cuttack is not the authority to issue complementary pass suo moto. This office issues complementary passes to the retired staff after receiving necessary instruction from SR. Divisional Personnel Officer, ECoRailway, Khurda Road.
3. In regard to the copy of letter enclosed as annexure A/4 in the petition copy it is to state that office of ADEN/I/CTC has not received any such letter.
4. The pass can be issued after getting necessary instruction as well as relevant documents of the party from Sr. Sr. Divisional Personnel Officer, E.Co.Railway, Khurda Road.
5. As per the practice in vogue, the party should submit necessary documents to and request Sr.DPO/KUR then Sr.DPO/KUR issues necessary instruction to concerned pass issuing unit the party has to give his choice from which unit he would like to avail complementary pass for issue of complementary pass duty enclosing the necessary documents required for issue of complementary passes."

Annexure-A/4 dated 10.2.2011 is a letter written by the Sr. Personnel Officer (Con.)/Co-Ordn., ECoRailway, Bhubaneswar to the ADEN ECoRailway, Cuttack. The relevant portion of the said letter is quoted herein below:

"The specimen signature of Sri K.Vijayan, Retd. Painter Gr.II in triplicate and family declaration are enclosed herewith for your records and future passes may be issued from your end. He has not been

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provided any Railway accommodation Xerox copy of the Service Certificate of the above named retired staff is also enclosed herewith for issuance of Post Retirement Complimentary Pass in favour of Sri K.Vijayan, Retd. Painter Gr.II.

Further, it is mentioned here that no complimentary pass in favour of the above retired staff has been issued from this Construction Organization."

3. In view of the above, as agreed to by Learned Counsel for both sides, this OA is disposed of with direction to the Respondents to do the needful in regard to issuing Complimentary pass to the Applicant, as due and admissible to him under Rules within a period of 45 days from the date of receipt of copy of this order. Notice sent for filing counter is recalled.

  
(C.R.MOHAPATRA)  
Member (Admn.)