

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Order in M.A.1011/2001 and O.A.No.460/2001.

Monday this the 20th day of August 2001.

CORAM:

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

P.Narayanankutty,
S/o late P.Sankunny Menon,
Retired Assistant Surveyor of Works,
Civil Construction Wing/AIR&TV/Bombay,
residing at: "Sivaganga", No.23/562,
Pulimugal Road, Changampuzha Nagar P.O.,
Kochi-33. Applicant

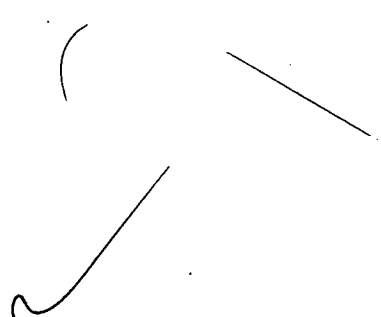
(By Advocate Shri T.C.Govindaswamy)

Vs.

1. Union of India represented by
the Secretary to the Government of
India, Ministry of Information &
Broadcasting, New Delhi.
2. The Director General,
All India Radio,
New Delhi.
3. The Pay & Accounts Officer,
Central Pension Accounting Office,
Government of India,
Trikoote-2, Bhikaji Cama Place,
New Delhi-110066.
4. The Pay & Accounts Officer,
All India Radio,
Ministry of Information &
Broadcasting, Mumbai-400 020.
5. The Superintending Engineer (Civil),
Civil Construction Wing, AIR & TV,
Films Division Complex,
24, Peddar Road,
Mumbai-400 026.
6. The Chief Executive Officer,
Prasar Bharati (Broadcasting
Corporation of India),
New Delhi. Respondents

(By Advocate Ms. S Chitra, ACGSC)

The application having been heard on 20th August 2001
the Tribunal on the same day delivered the following:



O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

This O.A. has been filed by the applicant seeking for the following reliefs:

"(a) Call for the records leading to the issue of Annexure A-3 and quash the same to the extent it fixes the applicant's pension/family pension based on a fictitious pay of Rs.6500-10500, at the time of his retirement;

(b) Declare that the applicant is entitled to have his pension/family pension, retirement gratuity, leave encashment etc. calculated and paid on the basis of the emoluments actually drawn by the applicant, in the scale of Rs.7500-12000/-, at the time of his retirement and direct the respondents accordingly;

(c) Declare that the applicant is entitled to an amount of Rs.12,249/- (Twelve Thousand Two Hundred Forty Nine) as Transfer Grant plus TA/DA on retirement account and direct the respondents to pay the same less the amount of Rs.4779/- (Four Thousand Seven Hundred Seventy Nine) already paid to the applicant;

(d) Direct the respondents to grant the applicant the benefits of the declaration in paras (b) & (c) above, within a time limit as may be found just and proper by this Hon'ble Tribunal with 18% interest to be calculated with effect from 1.1.2001;

(e) Award costs of and incidental to this application;

(f) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case."

2. The Miscellaneous Application has been filed praying for a direction to the respondents to refix the retiral benefits of the applicant in terms of the order produced along with the M.A. and marked as M.A.I. The counsel on either side agree that the O.A. as also the M.A. may be disposed of directing the respondents to revise the retiral benefits of the applicant as per Prasar Bharathi scale in terms of the order of the Government of India, Ministry of Information and

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Broadcasting No.310/173/97-B (D) part II dated 14.3.2001 mentioned in the letter MA-I dated 6th July 2001 within a short time and leaving the applicant liberty to make representation regarding his claim for balance amount of Transfer Grant, TA and DA.

3. In the result, in the light of the above submission made by the learned counsel on both side, the application is disposed of directing the respondents to revise the pensionary entitlement of the applicant giving him the Prasar Bharati scale, and to make available to him the monetary benefits flowing therefrom within a period of two months from the date of receipt of a copy of this order. Regarding the claim of the applicant for the balance amount of Transfer Grant and TA/DA, the applicant is at liberty to make a representation to the concerned authority in the department. M.A. also stands disposed of. No costs.

Dated the 20th August 2001.


T.N.T.NAYAR
ADMINISTRATIVE MEMBER


A.V.HARIDASAN
VICE CHAIRMAN

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LIST OF ANNEXURES REFERRED TO IN THIS ORDER :

1. Annexure A-3 : True copy of Pension Payment Order No.282330000691/287503 of 17-11-2000.
2. Annexure MA-1: True copy of the Order bearing No.PAO/AIR/MUM/PN of 6-7-2001 issued by the 4th respondent.