

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No.489/99

Monday this the 16th day of July, 2001.

CORAM

HON'BLE MR. A. M. SIVADAS, JUDICIAL MEMBER
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. V.Sadanandan
S/o Velayudhan
Mohana Vilasam
Chelikuzhy P.O.
Nedumon.
2. G. Kuttan Pillai
S/o Govindan
Machirazhikathu
Elamannur P.O.
3. G.Gangadharan Pillai
S/o Vovinda Pillai
Saraswathi Vilasom
Parakode P.O.
4. P.M.Yohannan
S/o Mathew
Puthenpura Kizhakkethil
Angadical South P.O.

(By advocate Mr.G.Sasidharan
Chempazhanthiyil)

Versus

1. Chief Postmaster General
Kerala Circle, Trivandrum.
2. Director General
Postal Department
New Delhi.
3. Union of India rep. by its
Secretary
Ministry of Communications
New Delhi. Respondents.

(By advocate Mr.K.Shri Hari Rao,ACGSC)

The application having been heard on 16th July, 2001, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER

Applicants seek the following reliefs:

1. Call for the records and quash A-4 in as much as it denies the applicants revised ex-gratia gratuity and severance amount, recommended by the Talwar Commission.

- ii. Declare that the applicants are entitled to be treated on par with these Extra Departmental Agents who retired on or after 17.12.1998 in the matter of payment of revised ex-gratia gratuity and severance amount and direct the respondent to regulate the payment to the applicants accordingly.
- iii. Direct the 3rd respondent to reconsider the grant of revised ex-gratia gratuity and severance amount to all the Extra Departmental Agents who retired after the date of submission of the report by the Talwar Commission.
- iv. Any other further relief or order as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.
- v. Award the cost of these proceedings.

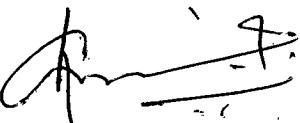
2. Applicants say that A-4 is illegal, fixing 17.12.98 as the cut off date for the purpose of extending revised ex-gratia gratuity and severance amount to Extra Departmental Agents who had retired before 17.12.98 are arbitrary and discriminatory, denying the applicants who retired on reaching the age of 65 before 17.12.98 the benefits of the Talwar Commission report especially revised ex-gratia gratuity and the newly introduced severance amount of Rs. 30,000/- is illegal ^{and} treating those EDAs who retired before 17.12.98 and thereafter is discriminatory.

3. Respondents have filed reply statement.

4. When the OA was taken up, learned counsel appearing for the applicants submitted that this Bench of the Tribunal in OA 388/99 considered an identical question and the finding therein is against the applicants herein.

5. Accordingly, following the finding in OA 388/99, this OA is dismissed.

Dated 16th July, 2001.


G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER

aa.


A.M. SIVADAS
JUDICIAL MEMBER

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Annexure referred to in this order:

A-4 : True copy of letter No.26-1/97/PC & ED Cell dated 17.12.98 issued by the 3rd respondent.