

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

O.A.No.199/09

Friday this the 24<sup>th</sup> day of July 2009

**C O R A M :**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER  
HON'BLE Mr.K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

Smt.S.Asathy,  
W/o.Srelesh R.,  
Postal Assistant, Mavelikkara HPO (under suspension).  
Residing at Padeettadath Puthenveedu, Vengara,  
Thodiyoor North P.O., Thazhava – 690 523. ...Applicant

(By Advocate Mr.P.C.Sebastian)

**Versus**

1. The Superintendent of Post Offices,  
Mavelikkara Division, Mavelikkara – 690 101.
2. The Chief Postmaster General,  
Kerala Circle, Thiruvananthapuram.
3. Union of India represented by its Secretary,  
Ministry of Communications, Department of Posts,  
New Delhi. ...Respondents

(By Advocate Mr.T.P.M.Ibrahim Khan,SCGSC)

This application having been heard on 24<sup>th</sup> July 2009 the Tribunal on the same day delivered the following :-

**ORDER**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER**

The applicant is aggrieved by Annexure A-6 order dated 30.1.2009 issued in reply to her Annexure A-5 representation dated 27.1.2009. The gist of her grievance is that she has not been paid the revised pay and allowances with effect from 1.1.2006 in terms of the 6<sup>th</sup> Pay Commission Report as accepted by the Government. She has also stated that her suspension allowances was also required to be increased, as she has not been under suspension on 1.1.2006.

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2. The respondents have filed a reply statement stating that the arrears of pay and allowances worked out on the basis of the 6<sup>th</sup> Pay Commission has since been disbursed to her restricting it to 40%, as decided by the Government.

3. The learned counsel for the applicant has, however, submitted that the restriction of 40% as applicable to pay and allowances shall not be applied to subsistence allowances.

4. We do not find any merit in the contention of the learned counsel for the applicant. The arrears of pay and allowances which has arisen on account of the pay revision to all the Central Government employees are paid in two installments. The first installment of 40% has already been paid to them in the last financial year. The second installment is due this current financial year. The subsistence allowances being a part of the pay and allowances, the arrears arising thereon also has to be paid to the applicant only in the said two installments. With the above observations the OA is disposed of as above. There shall be no order as to costs.

(Dated this the 24<sup>th</sup> day of July 2009)



**K. GEORGE JOSEPH**  
**ADMINISTRATIVE MEMBER**



**GEORGE PARACKEN**  
**JUDICIAL MEMBER**

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