

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 316/99

Thursday the 8th day of July 1999.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

R.Lakshmi
W/o Late C.R.Vasudeva Rao
Sri Vidya Kalamandir
Sri Ram Nagaram
Podhanur, Coimbatore.

...Applicant

(By advocate Mr K.Anand)

Versus

1. Union of India represented by
The General Manager
Southern Railway
Madras.

2. The Divisional Personnel Officer
Southern Railway
Palakkad.

...Respondents.

(By advocate Mr P.A.Mohammed)

The application having been heard on 8th July 1999,
the Tribunal on the same day delivered the following:

O R D E R

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

This is an application by Smt. R.Lakshmi who claims to be the widow of late Sri C.R.Vasudeva Rao who died while serving as a Guard under the first respondent on 28.2.1970, for a direction to the respondents to grant her family pension following the death of her husband Sri Vasudeva Rao with interest at the rate of 21% per annum and for a further direction to take appropriate action on Annexure A-1 representation made by her in that behalf. The applicant has stated in the application that though her husband had a service of about 32 years in Southern Railway, after his death, she was paid only a sum of Rs. 15,000 as D.C.R.G. provident fund settlement etc. She claims that she is entitled to family pension.

2. Respondents in their reply statement have admitted that the widow of retired/deceased employee who had opted to

continue under State Railway Provident Fund Rules is eligible for ex-gratia pension of Rs. 150/- and Dearness Relief with effect from 1.1.1986 but stated that she would not be eligible for family pension as claimed in the application. The respondents have further stated in paragraph 2 of the reply statement as follows:

"As per this order the applicant is eligible for ex-gratia pension. From page 10 of the Service Register, it is seen that an application form for granting ex-gratia pension was given to Smt. Lakshmi on 25.7.94. However, there is no record to show that Smt. Lakshmi has submitted the application with all relevant details."

It is also stated in paragraph 5 of the reply statement as follows:

"The applicant will be given a fresh form to apply for ex-gratia pension and on receipt of the filled up application form duly enclosing necessary documents, her case will be considered for granting ex-gratia pension in terms of office memorandum dated 13.6.88."

3. Taking note of the above statements in the reply statement, learned counsel of the applicant stated that the application may now be disposed of directing the respondents to send the necessary forms to the applicant by registered post at her present address, within a week and to process the claim of the applicant for grant of ex-gratia pension within 3 months of receipt of the filled up forms enclosing necessary documents. The respondents' counsel also agreed to this course.

4. In the result, in the light of above submission by the learned counsel, the application is disposed of directing the second respondent to send the necessary application forms to the applicant by registered post to her present address to apply for ex-gratia pension, within a week and with a further direction that on receipt of filled up application forms and necessary documents, the claim of the applicant

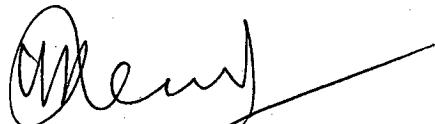
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for ex-gratia pension shall be processed and a final decision communicated to her within a period of three months from the date of receipt of the filled up application forms.

Dated 8th July 1999.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A. V. HARIDASAN
VICE CHAIRMAN

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Annexures referred to in this order:

A-1: True copy of the representation dated 20.8.97 submitted by the applicant before R2.