

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.404/99

Thursday this the 8th day of April, 1999.

CORAM

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

T.M.George,
S/o late Mathew,
Aged 74 years, retd.Chief Parcel Clerk
Ernakulam residing at Thanelimalil,
Asamanur PO, Odakkali, Via.Perumbavoor,
Ernakulam District.Applicant

(By advocate Mr. V.R.Ramachandran Nair).

Vs.

1. The Union of India, represented by the Secretary, Minsitry of Railways, Rail Bhavan, New Delhi.
2. The Secretary to Government of India, Ministry of Personnel, Public Grievances and Pension, (Department of Pension Pensioners Welfare) New Delhi.
3. The Chairman, Railway Board, Rail Bhavan, New Delhi.Respondents

(By Advocate Mr. K.Karthikeya Panicker)

The application having been heard on 8.4.1999, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant is a Railway Pensioner. His grievance is that the orders in regard to the medical allowance for retired Railway Pensioners has not so far been issued by the competent authority though in the order dated 19.12.97 (A1) of the Government of India, Ministry of Personnel, Public Grievances and Pension it was stated that separate orders would be issued by the respective administrative authorities in respect of the members of Armed Forces, All India Services and Railway Pensioners, family pensioners etc. in regard to the

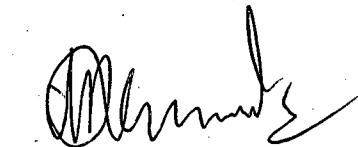
medical allowance. The applicant had earlier filed an application O.A.1240/98 seeking a direction to the respondents to pay medical allowances at the rate of Rs.100/- p.m. as ordered by the Government of India with arrears from 1.12.97. When the Original Application came up for hearing, the learned counsel appearing for the respondents submitted that the Railway Board vide letter dated 10.9.98 had advised that the question of implementation of the 5th Pay Commission recommendations for Railway Pensioners, having due regard to the effect that the Railways have a country wide network consisting of about 670 Health Units and 122 Hospitals together with a system of team of doctors visiting various stations to dispense medical services to working and retired Railway men is under active consideration of the Board and a decision shall be taken shortly. In view of the submission of the learned counsel that application was closed. Finding that the Railway Board is yet to take a decision in the matter, the applicant has filed this application for a direction to the Railway Board to take a decision regarding grant of medical allowance to the applicant pursuant to A.1 and to issue a direction to the respondents to pay the applicant medical allowance at the rate of Rs.100/- p.m. with effect from 1.12.1997 with arrears.

2. When the application came up for hearing, learned counsel on either side agree that the application may be disposed of with a direction to the concerned respondents to take an appropriate decision and to issue orders in regard to the payment of medical

allowance to Railway Pensioners in terms of the Order dated 19.12.97 within a period of six months.

3. In the light of the above submission of the learned counsel on either side at the Bar, the application is disposed of directing the concerned respondents to issue orders in regard to the payment of medical allowance to the Railway Pensioners in terms of the Government of India Orders dated 19.12.97 (Al) within a period of six months from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 8th day of April, 1999.



A.V. HARIDASAN
VICE CHAIRMAN

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Annexure referred to in the order:

Annexure.Al: True copy of the office memorandum No.45/57/97/P&PW(C) dated 19th December, 1997 issued by the 2nd respondent regarding the grant of fixed medical allowance to the Central Government Pensioners.

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