

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA.

OA No. 563 of 2005

C O R A M

Hon'ble Ms. Sadhna Srivastava, Member [J]
Hon'ble Shri Amit Kushari, Member [A]

Kamla Tiwari S/o Late Nagina Tiwari
Vs.
Union of India & Others.

Counsel for the applicant : Shri S.K. Verma
Counsel for the respondents : None.

O R D E R [Oral]

18.09.2008

Amit Kushari, M [A] :- Heard learned counsel for the applicant.

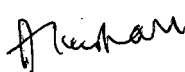
2. The applicant had worked in a Basic Education School run by Zila Parishad, Balia in U.P from the year 1959 to 1972. Thereafter, he applied for the post of Assistant Teacher in Railway, and in the application form he did not mention that he was working in any government run school. He had applied directly as any other direct recruit candidate. He joined railway school as Assistant Teacher on 31.7.1972, and he retired in the year, 1998, after putting in 26 years of service. However, he is short by seven years to qualify for the length of pensionable service giving full pension i.e. 33 years. He has tried to prove that his earlier experience from 1959 to 1972 [almost 13 years] as a teacher in a government run school in UP should be counted while calculating his pension. The railway respondents have rejected the claim, saying that he had not applied

through U.P government while applying for the post of Assistant Teacher in Ralways.

3. Now, the applicant has brought in some additional certificates from the District Education Officer, Balia countersigned by the Director of Basic Education of U.P. Government , showing that he has drawn his salary for this period from the Basic Education Department. The certificate is countersigned by Director of Basic Education U.P. Government and is dated 5.6.08. He has also annexed another letter dated 2.6.08 from the District Basic Education Officer, Balia , addressed to higher authorities in Lucknow.

4. Before issuing the earlier speaking orders, the respondents were not aware of these new orders / developments. Now the respondents are hereby directed to consider these certificates now produced by the applicant from the Directorate of Basic Education, U.P. Government and issue a fresh speaking order as to whether his claim for counting his 13 years of service rendered in District Board's School Balia could be counted for pension purposes. Speaking order in this connection may be issued within three months of receipt of copy of this order.

5. With these directions, this OA is disposed of. No costs.


[A. Kushari] M [A]


[Sadhna Srivastava] M [J]

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