

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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R.A. No. 41/94

in

O.A. No. 1393/93.

Dt. of Decision : 29.6.94.

Union of India represented by  
the Cabinet Secretary  
Central Secretariat  
New Delhi.

.. Applicant

Vs

G. Venkateswar

.. Respondent

Counsel for the Applicant : Mr. N.R. Devaraj, Sr.CGSC.

Counsel for the Respondent : Mr. G. Venkateswar  
Party-in-person.

CORAM:

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

THE HON'BLE SHRI T. CHANDRASEKHARA REDDY : MEMBER (JUDL.)

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ASST

I As per Hon'ble Shri A.B.Gorthi, Member (Admn.) II

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This Review Petition is filed on behalf of Union of India, Respondent in O.A.No. 1393/93 which was decided by us on 14.12.93. Before disposing of the said O.A. we examined a document annexed to the OA which purported to be an agreement dated 13.9.90 reached in the National Council (JCM). The said record ~~annexed~~ <sup>dated</sup>, inter-alia that the payment of P&T employees ~~for~~ <sup>PLB to</sup> fixing the ceiling at par with the employees of the Railways was under consideration of the Supreme Court and that in the event of the P&T employees securing a favourable decision ~~from~~ <sup>of</sup> the Supreme Court the respondents would accept the said decision and apply it to the P&T employees also.

2. Mr. N.R.Devraj, learned Senior Standing Counsel for the respondents has now drawn our attention to Annexure-1 to the Review Application purporting ~~that~~ <sup>agreement</sup> to be the record of the Minutes (and not the affidavit) of the special meeting of the Standing Committee of the National Council (JCM) held on 6.9.93 and 11.9.93 under the Chairmanship of Cabinet Secretary. The relevant portion of the Minutes with regard to the eligibility limit of the Productivity Linked Bonus reads as under:-

"(iii) The eligibility limit for PLB, which is at present Rs.3500/- in Railways will be increased to Rs.4500/-. Likewise the eligibility limit for PLB in other Departments/Ministries which is at present Rs.2500/- will be increased to Rs.3500/-. The decision will be implemented after obtaining appropriate orders of the Govt. w.e.f. 16th September, 1993.%

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Copy to:-

1. The Cabinet Secretary,  
Central Secretariat, Union of India,  
New Delhi.
2. One copy to Mr. N.R.Devraj, Sr.CGSC.,CAT,Hyderabad.
3. One copy to Mr.G.Venkateswar Party in Person,  
Asst.Post Master, G.P.O., Hyderabad - 500 001.
4. One copy to Library,CAT,Hyderabad.
5. One spare copy.

YLKR

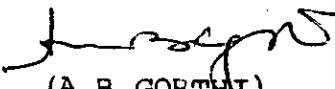
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3. we find that so far as the decision with regard to the eligibility limit of PLB, there is hardly any difference between the annexure appended to the OA by the applicant and the annexure that is now appended to the Review Petition. Mr. N. R. Devraj contends that the Minutes did not contain any such assurance that in the event of P&T employees securing a favourable decision from the Supreme Court the ceiling will be raised to Rs. 4500/- for P&T employees also. Even if such a decision was not taken at the JCM, it goes without saying that should the Hon'ble Supreme Court <sup>decide</sup> ~~besides~~ that the ceiling limit for grant of PLB in respect of P&T employees also should be raised to Rs. 4500/-, the respondents would be bound by it. From this point of view there is no requirement to modify our judgement in OA. 1393/93. Our afore-said observations however may be read as a part of our judgement in OA. 1393/93, in which we finally observed that in the circumstances of the case "we need not pass any further orders in the case".

4. The Review Petition is disposed of with the above observations without any order as to costs.

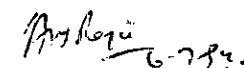
T. U  
(T. CHANDRASEKHARA REDDY)  
Member (Judl.)

  
(A.B. GORTHAI)  
Member (Admn.)

Dated: 29th June, 1994

(Dictated in Open Court)

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DEPUTY REGISTRAR (J)

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contd...