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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

* * *

G.A. 1393/93

Dt. of Decision 14.12.93

G. Venkateshwar

. . Applicant.

Vs

The Government of India
Represented by Cabinet Secretary
Central Secretariat
New Delhi.

. . Respondent.

Counsel for the Applicant : Mr.G.Venkateswar
(Party - in - person)

Counsel for the Respondents. : Mr.N.R.Devaraj, Sr.CSSC.

CORAM:

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

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

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14/12/93

ORDER

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

The short relief claimed by the applicant is for equal treatment with the employees of the Railways in the matter of grant of Productivity Linked Bonus. The applicant is an employee of the Department of Posts and is working in Higher Selection Grade (1600 - 2600) in Hyderabad GPO. The question of grant of Productivity Linked Bonus for the employees has been considered and revised from time to time by the Government, keeping in view the demands voiced by the employees. The latest agreement dated 13.9.93 reached in the National Council (JCM) (Annexure 1 to the OA) is to the following effect.

1. Vth Pay Commission will be appointed immediately. The terms of reference will be finalised in consultation with the Staff Side. A special meeting of the National Council (JCM) or Standing Committee will be called for the purpose.

2. An interim relief of Rs. 100/- will be granted to all employees from 16.09.1993. It will not count for any purpose.

3. 20% of Dearness Allowance drawn at the time of retirement will be merged with pay for the purpose of gratuity only with effect from 16.09.93.

4. In view of the rejection of the two Awards of BOA (Conveyance Allowance & Encashment of leave) by the Cabinet, Parliament's approval will be sought in the next Session.

5. The eligibility ceiling on income for payment of Bonus will be raised as follows:-

For Railwaymen From 3500 to 4500

For P&T and other employees covered by productivity
Linked Bonus Scheme from 2500 to 3500

For Other (Central Secretariat.

Income Tax. Audit : No Change

& Accts. etc.,) 2500 to continue

2. In the said agreement there is a recorded observation that in the event of P&T employees securing a favourable decision from the Supreme Court in the case now pending before the said court, ceiling will be raised to Rs. 4500 for P&T employees also.

3. Heard Mr. G. Venkateswar the applicant who appeared in person and Mr. N.R. Devaraj learned counsel for the respondents. Mr. N.R. Devaraj stated that the differentiation in the grant of Productivity Linked Bonus was always there, because of the different levels of production, obtaining in the various Departments of the Government. The applicant however contended that there could be difference in his quantum of bonus, but there is no justification in fixing different levels of eligibility to claim the same.

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Copy to:-

1. Cabinet Secretary, Government of India, Central Secretariat, New Delhi.
2. One copy to Sri. G.Venkateswar, (Party-in-person), Asst. Post Master, Hyderabad.
3. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
4. One copy to Library, CAT, Hyd.
5. One spare copy.

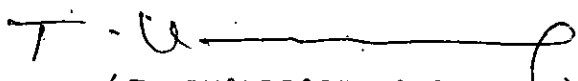
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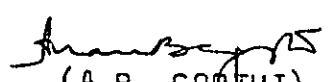
Rsm/-

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4. It is evident from the record made in the agreement dt. 13.9.93 that the demand of the P&T employees for fixing the ceiling at par with the employees of the Railways is under consideration of the Hon'ble Supreme Court. The record further shows that in the event of the P&T employees securing a favourable decision of the Supreme Court, the respondents would accept the decision of the Supreme Court and raise the level to Rs. 4500 in respect of the P&T employees also. In view of this categorical observation recorded by the National Council (JCM) in its agreement dt. 13.9.93, we need not pass any further orders in this case.

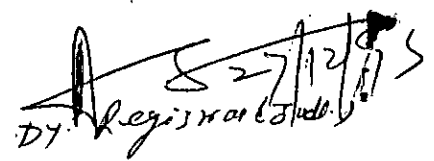
5. The application is disposed of with the above observation.


(T. CHANDRASEKHARA REDDY)
MEMBER (JUDL.)


(A.B. GORTHI)
MEMBER (ADMN.)

Dated : The 14th December 93.
(Dictated in Open Court).

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Dy. Registrar (Judl.)

Com 12 --- 5/-