

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 345 of 1994

Between:

Smt. N. Vimala Ramesh Chander ... Applicant
and

1. The Comptroller & Auditor General of India, New Delhi
2. The Accountant General (A&E) Andhra Pradesh, Hyderabad.
3. The Union of India, retd. by its Secretary, Ministry of Finance, New Delhi ... Respondents

CHRONOLOGICAL EVENTS OF THE CASE

Sr. No.	Description	Page No.
1.	The Applicant's Husband late Sri N. Ramesh Chander was working as Senior Auditor in the Office of the Accountant General (Audit) A.P., Hyd., The Applicant's husband died on 31-5-1983 while in service.	31-5-1983
2.	The Applicant is employed in the Office of Accountant General (A&E), A.P., Hyd., as Sr. Auditor since her marriage with late Sri N. Ramesh Chander.	
3.	In view of the Service rendered by her husband the applicant is drawing Family Pension vide PAO(A)III/Pen/83-84/FP No. 341 from 1-6-83	1-6-83
4.	In view of the employment of the applicant, the applicant is being denied the benefit of Dearness Relief on her family pension.	1-6-83
5.	Dearness Relief on Family Pension is not being paid in view of Sub-clause(ii) of the New Rules 55-A "Dearness Relief on Pension/ Family Pension" incorporated in the Central Civil Services (Pension) Rules, 1991.	1991 C.C.S (Pen)

Central Administrative Tribunal Madras Bench
its order in O.A.No.801 of 1991 dtd.13-1-92
have held that "Dearness Relief forms an integral
part of the pension and cannot be dissociated
therefrom. They have declared that the Sub-
clause(ii) of the New Rules 55-A, in the Central
Civil Services (Pension) Rules 1991, which denies
Dearness Relief on Pension to a category of pen-
sioners, viz., the employed or re-employed as un-
reasonable and discriminatory as price rise is the
same for all the pensioners and violative of
Art.14 of the Constitution and hence not enforce-
able.

13-1-92

5. The Central Administrative Tribunal, Hyderabad
vide its Judgement dated 13-9-93 in O.A.No1116/93
have concurred with the above view of Madras
Tribunal and has granted Dearness Relief to App-
licants at the admission stage itself.

13-9-93

Hyderabad,

Dated: 16-3-1994

P. Gopal
COUNSEL FOR THE APPLICANT.