

(23)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD.

C.A.NO. 810/95.

DATE OF JUDGMENT: 19-07-95.

BETWEEN:

1. P. Ramachandrudu
2. L. Suryanarayana Reddy
3. G. Sadanandam
4. Smt. K.L. Sujatha
5. Sk. Madar Sahab
6. K.A. Venkateswarlu

.. Applicants.

AND

1. The Superintendent of Post Offices,
Nandyal Division, Nandyal.
2. The Sr. Superintendent of Post Offices,
Ongole Division, Ongole.
3. The Superintendent of Post Offices,
Kurnool Division, Kurnool.

.. Respondents.

COUNSEL FOR THE APPLICANT: SHRI Krishna Devan

COUNSEL FOR THE RESPONDENTS: SHRI V. Bhimanna,
Sr/Asst. CGSC.

CORAM:

HON'BLE SHRI JUSTICE V. NEELADRI RAO, VICE CHAIRMAN
HON'BLE SHRI R. RANGARAJAN, MEMBER (ADMN.)

O.A.No.810/95.

Date: 19-7-1995.

J U D G M E N T

[as per Hon'ble Sri R.Rangarajan, Member(Administrative)]

Heard Sri Krishna Devan, learned counsel for the applicants and Sri V.Bheemanna, learned Standing Counsel for the respondents.

2. In this OA dated 7-7-1995 filed under sec.19 of the A.T.Act., 1985 the applicants herein who were RTP Postal Assistants of Nandyal Division, prayed for a declaration that they are entitled for the grant of productivity linked bonus applicable to the regular Postal Assistants for the period they had worked as RTP/Short Duty Postal Assistants and for a further direction to pay the arrears of bonus to which the applicants are eligible within three months from the date of receipt of this order.

3. The details such as joining of duty as Short Duty/ RTP Postal Assistants and their regularisation as Postal Assistants are as under:-

Sl. no.	Name of the applicant	Date of joining as RTP/SD	Regularisation as PA/SA
	S/Shri/Smt.		
1.	P.Ramachandrudu	1.12.1982	8.4.1988
2.	L.Suryanarayana Reddy	1.12.1982	12.6.1987
3.	G.Sadanandam	20.12.83	9.6.1989
4.	Smt.K.L.Sujatha	18.12.83	2.7.1990
5.	Sk.Madar Saheb	1.12.1982	28.10.1987
6.	K.A.Venkateswarlu	1.1.1984	29.9.1988

...3/-

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: 3 :

They stated that they were selected after qualifying in the examination prescribed for it and performed qualitatively and quantitatively the same work as that of regular Postal Assistants whenever they were engaged intermittently against the vacancies of regular Postal Assistants. By denying them the benefit of Productivity Linked Bonus during the periods mentioned supra when they worked as RTPPA, allowed by the D.G., Deptt. of Post & letter dt. 5.10.1988, they have been subjected to hostile discrimination in violation of Art.14 and 16 of the Constitution. Hence, this OA has been filed with the above prayer.

4. The OA No.171/89 dt. 18.6.1990 on the file of Ernakulam Bench was decided on the basis of the decision in OA No.612/89 on the file of the same Bench. The ratio in that judgment was that no distinction can be made between an RTP worker and a Casual Labourer in granting productivity linked bonus. It was further held in that OA that RTP candidates like Casual Labourers are entitled to P.L.bonus if they have put in 240 days of service each year ending 31st March for 3 years or more. It is further held in that OA that amount of productivity linked bonus would be based on their average monthly emoluments determined by dividing the total emoluments for each accounting year of eligibility by 12 and subject to other conditions prescribed from time to time.

5. Similar orders were also passed by this Tribunal in OA 458/94, dt. 28.4.94 where the applicants are similarly situated to that of the applicants in OA 171/89 of the Ernakulam Bench. Similar orders were also passed by this Tribunal in OA 484/94 dt. 28.4.94 and OA No.611/94 dt.31.5.94




..4/-

and in OA 1423/94 dt. 25.11.94 of this Bench where the applicants are similarly placed to that of the applicants in OA No.171/89. As the applicants herein are in the same situation as the applicants in OA No.171/89 decided by the Ernakulam Bench, and in OA Nos.458/94, 611/94 and 1423/94 of this Bench, we see no reason in not extending the same benefit to the applicants in this OA also. Learned counsel for the respondents also fairly submitted that this case is covered by judgments quoted above.

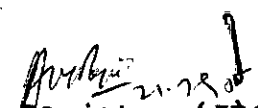
6. In the result, this application is allowed with a direction to the respondents to grant to the applicants the same benefit as granted by the Ernakulam Bench and this Bench of the Tribunal in the aforesaid cases quoted in para-5 above. The above direction should be complied within a period of 3 months from the date of communication of this order.

7. The OA is ordered accordingly. No costs.


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice Chairman

Dated 19th July, 1995.


Deputy Registrar (JPCC)

Grh.

To

1. The Superintendent of Post Offices,
Nandyal Division, Nandyal.
2. The Sr. Superintendent of Post Offices,
Ongole Division, Ongole.
3. The Superintendent of Post Offices,
Kurnool Division, Kurnool.
4. One copy to Mr. Krishna Devan, Advocate, CAT, Hyd.
5. One copy to Mr. V. Bhiyamanna, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

A N D

THE HON'BLE MR. R. RANGARAJAN: (M(ADMN))

DATED 19/7 1995.

~~ORDER~~/JUDGMENT:

M.A./R.A./C.A.No.

OA.No. in

810/95

TA.No.

(W.P.

)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No. order as to costs.

No spare copy

