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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. 84/95.

Dt. of Decision : 23.1.95.

1. Y.Srinivas Reddy
2. B.Munichandravali Bai
3. B.Rama Devi
4. V.Gopikrishna
5. T.Adilakshmi

.. Applicants.

Vs

1. The Superintendent of Post Offices,
Kurnool Division, Kurnool, A.P.
2. The Postmaster General,
A.P. Southern Region,
Ashok Nagar, Kurnool-5.
3. The Director General,
Dept. of Posts, Dak Bhavan,
Sansad Marg, New Delhi-1.

.. Respondents.

Counsel for the Applicants : Mr. Krishna Devan.

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

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

P.G.

O.A.No.84/95

Date: 23/1/95

JUDGEMENT

¶ As per the Hon'ble Sri R. Rangarajan, Member (A) ¶

Heard Sri Krishna Devan, learned counsel for the applicants and Sri N.R. Devaraj, learned counsel for the respondents.

2. In this application dated 17.1.95 filed U/s 19 of the A.T. Act, 1985, the applicants who are the Short Duty Sorting Assistants (SDSAs)/Reserved Trained Pool Sorting Assistants (RTPSAs) of Kurnool Division prayed for a declaration that they are entitled for the grant of Productivity Linked Bonus at the rates applicable to the regular Postal/Sorting Assistants between the period from January, 1984 to November, 1989 and for a further direction to pay the arrears of bonus to which the applicants are eligible within 3 months from the date of receipt of this order.

3. The details such as joining of duty as Short Duty Sorting Assistants and their regularisation as SA/PA are as under:

Sl.No.	Name of the applicant S/Shri/Smt	Date of Joining as SD/RTP	Regularisation as PA/SA
1.	Y. Srinivasa Reddy	1.5.1984	30.9.1988
2.	B. M. Bai	19.1.84	29.10.88
3.	S. Rama Devi	4.2.1984	17.11.89
4.	V. Gopikrishna	4.2.1984	15.11.89
5.	T. Adilakshmi	4.2.84	23.11.89

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 Sorting Assistants whenever they were engaged intermittently against the vacancies of regular Sorting Assistants. By denying them the benefit of Productivity Linked bonus during the periods mentioned supra when they worked as RTPSA, allowed by the D.G., Dept. of Posts 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.18.6.90 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 judgement was that no distinction can be made between an R.T.P. 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

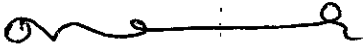
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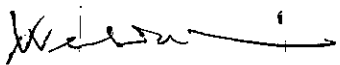
(26)

Ernakulam Bench. Similar orders were also passed by this Tribunal in OA No.484/94, dt.28.4.94 and OA No.611/94, dt.31.5.94 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 judgements 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.

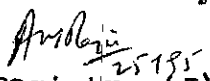
7. The OA is ordered accordingly. No costs./


(R. Rangarajan)
Member (A)


(V. Neeladri Rao)
Vice Chairman

Dated

23/1/95


Deputy Registrar(J)CC

To

1. The Superintendent of Post Offices,
Kurnool Division, Kurnool-A.P.
kmv
2. The Postmaster General, A.P.Southern Region,
Ashoknagar, Kurnool-5.
3. The Director General, Dept.of Posts,
Dak Bhavan, Sansad Marg, New Delhi-1.
4. One copy to Mr.Krishna Devan, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.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

AND

THE HON'BLE MR. R. RANGARAJAN : M(A.B.N.)

DATED: 23-1-1995

ORDER/JUDGMENT:

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

in

O.A.No.

84/95

T.A.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.

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24-1-95

Dvm

