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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
HYDERABAD

O.A. NO. 865/95

Between:

Date of Order: 24.7.95.

1. E.S.Satyanarayana Naidu
2. Y.S.Kata
3. A. Atmaram
4. Mohd. Ansar

...Applicants.

And

1. Union of India, represented by its General Manager, South Central Railway, Secunderabad.
2. The Chief Personnel Officer, South Central Railway, Secunderabad.

...Respondents.

Counsel for the Applicants : Mr.V.Krishna Rao

Counsel for the Respondents : Mr.J.R.Gopal Rao, Addl.CGSC.

COURT:

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

contd...

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

Heard learned counsel for both the parties.

2. The prayer of the applicant is for a declaration that they are eligible to the benefit of fixation, arrears and revision of pensionary benefits in terms of Railway Board letter No. PC-111/79/SD-1/UDC of 26.12.90 and to direct the respondents to refix their pay and pension and allow the consequential benefits.

3. All the four applicants were working as Chief Clerks in the Chief Commissioner Superintendent Office, S.C.Railway, Secunderabad and retired on different dates during 1981-84. The applicants were drawing Rs.35/- p.m. towards special pay before their promotion as Head Clerks in Grade Rs.425-700. The Railway Board issued ~~circulars~~ dated 2.8.89 and 26.12.90 to the effect that the pay of those U.D.Cs who was drawing special pay of Rs.35/- p.m. and were promoted to higher grades ~~prior~~ to 1.9.85 and who fulfilled conditions mentioned in letter dated 27.11.87 allowed pay fixation on a notional basis from the date of their promotion by taking special pay of Rs.35/- p.m. into account. Actual benefits were to be allowed only from 1.9.85 without payment of arrears.

4. Similarly situated employees approached the Tribunal in OA.251/92 and 182/93, the said OAs were allowed with certain directions to the respondents. As the applicants herein are similarly situated to those in the afore-stated OAs this OA is also allowed with the following direction

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1. The respondents shall comply with the Railway Board's order dt. 26.12.90 in the matter of notionally refixing the applicants' pay in the higher scale of Rs.425-700.
2. Based on the revised pay of each applicant his pensionary entitlements shall be re-calculated and fixed notionally from the date of the retirement of each applicant.
3. The monetary benefits arising out of the revised pension shall be allowed to each of the applicants w.e.f. 1.7.94. i.e., one year prior to the date of filing this OA.
4. The respondents shall comply with this order and pay the arrears to the applicants within a period of 4 months from the date of receipt of this order.
5. The O.A. is allowed with no order as to costs.

Ans. by A.B. Gorthi
(A.B. GORTHI)
Member (Admn.)

Dated: 24th July, 1995

(Dictated in Open Court)

sd

Ans. by A.B. Gorthi
DEPUTY REGISTRAR (J)

to

1. The General Manager, South Central Railway, Secunderabad.
2. The Chief Personnel Officer, South Central Railway, Secunderabad.
3. One copy to Mr.V.Krishna Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr.J.R.Gopal "ao, Addl.CGSC, CAT, Hyderabad.
5. One copy to Library, CAT, Hyderabad.
6. One spare copy.

YLKR

TYPED BY
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COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE SHRI A.V.HARIASAN: MEMBER (J)

AND

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

DATED 24-7-95

ORDER/JUDGMENT

M.A.NO/R.P.NO./C.P.NO.

in
O.A.NO. 865/95

Admitted and Interim directions issued

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default

Rejected/Ordered.

No order as to costs.

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