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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD  
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O.A. 362/95.

Dt. of Decision : 24-03-95.

1. B.Satyanarayana Goud
2. Mohd.Ziaur Rahaman
3. S.Venkateswar Rao
4. B.Raju Reddy
5. Ch.Surender Rao
7. D.Sammaiah
8. S.Sravankumar
9. T.Deva Raj
10. T.Buchiramaiah
11. A.N.Sharma
12. K.Shobha Rani
13. D.Rajender Reddy
14. A.Laxminarayana
15. V.Anantha Ramarao
16. D.Prasada Rao
17. B.Prasad
18. D.Seshamma
19. K.Durga Bhavani

.. Applicants.

Vs

1. The Union of India rep. by  
the Secretary, Dept. of Posts,  
Dak Bhavan, New Delhi-110 001.
2. The Postmaster General,  
Hyderabad Region, Hyderabad-1.
3. The Supdt. of Post Offices,  
Karimnagar Division, Karimnagar.
4. The Sr.Supdt. of Post Offices,  
Sec'bad Division, Sec'bad.
5. The Chief Post Master General,  
AP Circle, Hyderabad-1.

.. Respondents.

Counsel for the Applicants : Mr. T.V.V.S. Murthy  
Counsel for the Respondents : Mr. N.V.Raghava Reddy, Addl.CGSC.

CORAM:

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

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

J U D G M E N T

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

Heard Sri T.V.V.S.Murthy, learned Counsel for the applicants and Sri N.V.Raghava Reddy, learned Standing Counsel for the respondents.

.. in this application ..  
of the Administrative Tribunals Act, 1985, the applicants numbering 19 who had worked as Reserve Trained Pool Postal Assistants (RTP PAs for short) in Secunderabad/Karimnagar Division, A.P. prayed for a declaration that they are entitled for the grant of Productivity Linked Bonus at the rates applicable to the regular Postal Assistants for the period they worked as RTPPAs and for a further direction to pay the arrears of bonus to which they are eligible.

3. The applicants herein had joined as Reserve Trained Pool Postal Assistants during the years 1981, 1983 & 1984 and performed the duties as such till they were regularised as Postal Assistants as per the details furnished in Annexure-I filed along with the OA. The details as to the date of joining as RTPPAs, period of their engagement as RTPPAs, date of regularisation in respect of each applicant is furnished in Annexure-I filed with the OA. It is stated for the applicants 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 when they worked as RTPPAs, allowed by the D.G., Department of Posts letter dt. 5.10.1988, they have been subjected to hostile discrimination in violation of Articles 14 & 16 of the Constitution. Hence, this OA has been filed with the above prayer.

4. The OA No. 612/89 of the 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 grantint productivity linked bonus. It was further held in that OA that RTP candidates like Casual Labouters are entitled to productivity linked 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. 28.4.1994 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 No. 458/94 dt. 28.4.1994 and OA No. 611/94 dt. 31.5.1994 and in OA 1423/94 dt. 25.11.1994 of this Bench where the applicants are similarly placed to that of the applicants in OA No. 171/89. As the applicants herein

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are in the same situation as the applicants in OA 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 ~~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 3months from the date of communication of this order.

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

*[Signature]*  
(R.Rangarajan)  
Member (Admn.)

*[Signature]*  
( V.Neeladri Rao )  
Vice Chairman

Dated 24 March, 1995.

Grh.

*[Signature]*  
Deputy Registrar (J)CC

To

1. The Secretary, Dept.of Posts, Union of India, Dak Bhavan, New Delhi-1.
2. The Poastmaster General, Hyderabad Region, Hyderabad-4.
3. The Superintendent of Post Offices, Karimnagar Divn, Karimnagar-
4. The Sr.Superintendent of Post Offices, Sec'bad Divn, Sec'bad.
5. The Chief Postmaster General, A.P.Circle, Hyderabad-1.
6. One copy to Mr.T.V.V.S.Murthy, Advocate, CAT.Hyd.
7. One copy to Mr.N.V.Raghava Reddy, Addl.CGSC.CAT Hyd.
8. One copy to Library, CAT.Hyd.
9. One spare copy.

pvm

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APPROVED BY

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 (ADMN)

DATED - 24-3-1995.

ORDER/JUDGMENT:

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

O. A. No. 362/95<sup>in</sup>

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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