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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. 366/95.

Dt. of Decision : 24-03-95.

1. B.Vijayalakshmi
2. N.Sivannarayana
3. N.Sambasiva Rao
4. V.V.Prasada Rao

.. Applicants.

Vs

1. The Union of India rep. by
the Secretary, Dept. of Posts,
Oak Bhavan, New Delhi-110 001.
2. The Postmaster General,
Vijayawada Region,
Vijayawada-520 002.
3. The Supdt. of Post Offices,
Khammam Division, Khammam.
4. The Chief Postmaster General,
AP Circle, Hyderabad-500 001

Respondents.

Counsel for the Applicants : Mr. T.V.V.S.Murthy
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.)

(14)

O.A.No.366/95

Dt. of decision: W-3-1995.

JUDGEMENT

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

Heard.

2. In this application dt. 10.3.95 filed U/s 19 of the A.P. Act. 1985 the applicants numbering 4 who had joined as Reserve Trained Pool/Short Duty Postal Assistants during the years 1982 to 1989 in Khammam 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 for the period they worked as RTPPAs/SDPAs and for a further direction to pay the arrears of bonus to which the applicants are eligible.

3. The applicants herein initially joined as RTPPAs/SDPAs during the years 1982 to 1989 in Khammam Division. Details of regularisation, place of working etc. are furnished in Annexure-A1 filed with the Original Application. 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 Sorting/Postal Assistants whenever they were engaged intermittently against the vacancies of regular PAS/SAs. By denying them the

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benefit of P.L. bonus during the periods when they worked as RTPPAs, allowed by the DG, Dept. of Posts letter dt.5.10.88, they have been subjected to hostile discrimination in violation of Art. 14 & 16 of the Constitution. Hence, this OA has been filed with the above prayer.

4. The OA 171/89 dt.18.6.90 on the file of Ernakulam Bench ~~the decision in OA~~ 612/89 on the file of the same Bench. The ratio in that judgement was that no distinction can be made between an RTP worker and a casual labourer in granting P.L. 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 ~~year~~ ending 31st March for 3 years or more. It is further held in that OA that amount of P.L. 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 111/94~~ dt.31.5.94 and OA 1423/94 dt. 15.11.94 of this Bench where the applicants are similarly placed to that of the applicants in OA No.171/89. As the applicants herein

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are in the same situation as the applicants in OA No.171/89 decided by the Ernakulam Bench, and in OAs 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

Dt. 24th March, 1995

Deputy Registrar(J)CC

To

1. The Secretary, Dept. of Posts,
Union of India, Dak Bhavan, New Delhi-1.
2. The Postmaster General, Vijayawada Region,
Vijayawada-2.
3. The Superintendent of Post Officer,
Khammam Division, Khammam.
4. The Chief Postmaster General, A.P. Circle, Hyderabad-1.
5. One copy to Mr. T.V.V.S. Murthy, Advocate, CAT. Hyd.
6. One copy to Mr. N.R. Devraj, Sr. CGSC. CAT Hyd.
7. One copy to Library, CAT. Hyd.
8. 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(ADMN)

DATED - 24-3-1995.

~~ORDER~~/JUDGMENT:

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

O.A.No.

T.A.No.

in

366/95
(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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