

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A. 370/95.

Dt. of Decision : 24-03-95.

1. T. Rama Mohan Rao  
2. Syed Abdul Rahaman  
3. Gulam Ahmed

.. Applicants.

VS

1. Union of India rep. by  
Secretary, Dept. of Posts,  
New Delhi-110 001.  
2. The Chief Postmaster General  
AP Circle, Hyderabad.  
3. The Supdt. RMS "Z" Division,

.. Respondents.

Counsel for the Applicants : Mr. B.S.A. Satyanarayana

Counsel for the Respondents : Mr. N.V. Ramana, Addl. CGSC.

CORAM:

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

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

JUDGMENT

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

Heard Sri B.S.A.Satyanarayana, learned counsel for the applicants and Sri N.V.Ramana learned Standing Counsel for the respondents.

2. In this application dated 14.3.95 filed U/s 19 of the A.T. ACT, 1985, the applicants numbering 3 who had joined as Reserve Trained Pool/RMS Sorting Assistants in RMS 'Z' Division, Hyderabad during the period from 1982 and 1989 under the control of respondents, prayed for a declaration that they are entitled for the grant of Productivity Linked Bonus at the rates applicable to the regular Sorting Assistants for the period they worked as RTP/RMS Sorting Assistants, and for a further direction to pay the

3. The applicants herein had joined as Reserve Trained Pool/RMS Sorting Assistants during the period from 1982 and 1989 and performed the duties as such till they were regularised as Sorting Assistants. The details as to their date of joining as RTPS/SD Assistants, date of regularisation etc. are furnished in Annexure-3 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 Postal/Sorting Assistants whenever they were engaged intermittently against the vacancies of them regular Postal Assistants/Sorting Assistants. By denying/the

(13)

benefit of productivity linked bonus during the periods when they worked as RTP Sorting Assistants, allowed by the D.G., Department of Posts letter dt. 5.10.88, they have been subjected to hostile discrimination in violation of Article 14 and 16 of the Constitution. 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 the judgement in 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 each 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.

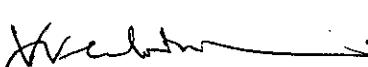
5. Similar orders were also passed by this Tribunal in OA 458/94 dt.28.4.94 where the applicants are similarly situated to that of the applicants in OA 171/89 of the Ernakulam Bench. Similar orders were also passed by this Tribunal in OA No.458/94, dt. 28.4.94 and OA No.611/94 dt. 31.5.94 and in OA 1423/94 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 171/89 decided by the Ernakulam Bench,

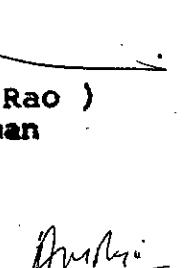
and in OA Nos. 458/94, 611/94 and 1423/94 of this Bench, we see no reason in not extending the same benefit to the applicants in this OA also. Learned counsel for the respondents also fairly submitted that this case is covered by judgements quoted above.

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 case 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. 24 March, 1995.

  
Deputy Registrar (J) CC

To

1. The Secretary, Union of India,  
Dept. of Posts, New Delhi-1.
2. The Chief Postmaster General,  
A.P. Circle, Hyderabad.
3. The Superintendent RMS 'Z' Division,  
Hyderabad.
4. One copy to Mr. B.S.A. Satyanarayana, Advocate, CAT.Hyd.
5. One copy to Mr. N.V. Ramana, Addl. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

pvm

TYPED BY

CHECKED BY

COMPARED BY

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 - 26-3 1995.

ORDER/JUDGMENT:

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

O. A. No. 370 in 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.

Not Stamped

