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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD.

O.A.NO. 509/95

DATE OF JUDGMENT: 24-4-95

BETWEEN:

Mrs.G.Syoti.

.. Applicant.

and

1. The Superintendent of Post Offices,
Adilabad Division, Adilabad.
2. The Secretary to the Department of Posts,
Union of India, New Delhi.
3. The Chief Postmaster General, A.P.Circle,
Hyderabad.
4. The Senior Superintendent of Post Offices,
Secunderabad Division, Secunderabad.

.. Respondents.

COUNSEL FOR THE APPLICANT: SHRI K.Venkateswar Rao,

COUNSEL FOR THE RESPONDENTS: SHRI K.Bhaskar Rao.
Sr./Addl.CGSC

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

CONTD....

O.A.No.509/95.

Date: ~~25~~4-1995.

J U D G M E N T

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

Heard Sri ~~K~~Venkateshwara Rao, learned counsel for the applicant and Sri Kotha Bhaskara Rao, learned Standing Counsel for the respondents.

2. In this OA dt. 17.4.1995 filed under sec.19 of the Administrative Tribunals Act, 1985, the applicant who had ~~worked~~ as Reserved Trained Pool Postal Assistant (RTPPA) during the years 1981 to 1989, prayed for a declaration that she is entitled for grant of Productivity Linked Bonus at the rates applicable to the regular Postal Assistants for the period she had worked as RTPPA and for a further direction to pay arrears of ^obonus to which the applicant is eligible.

3. The applicant herein was absorbed after she had worked as RTP Postal Assistant in the respondents organisation. It is stated that she was selected after tough competition and performed duties quantitatively and qualitatively the work as that of regular Postal Assistants whenever she was engaged intermittently against the vacancy of regular Postal Assistant. By denying her the benefit of productivity linked bonus for the period she had worked as RTPPA, allowed by the D.G., Department of Posts by letter dt. 5.10.1988, she had been subjected to hostile discrimination in violation of Art.14 & 16 of the Constitution. Hence, this OA has been filed with the above prayer.

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4. Sri K.Venkateshwara Rao, learned counsel for the applicant has drawn our attention to the judgment of the Ernakulam Bench in OA 171/89 dt. 18.6.1990. The applicants therein were also similarly situated as the applicant herein. The OA 171/89 on the file of Ernakulam Bench was decided on the basis of the decision in OA 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 granting productivity linked bonus. It was further held in that OA that RTP candidates like Casual Labourers are entitled to productivity linked bonus if they have put in 240 days of service each year ending 31st March for three years or more. It was 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 order was also passed by this Tribunal in OA 611/94 dt. 31.5.1994 and 869/94 dt. 27.7.1994 wherein the applicants were similarly placed to that of the applicant in OA 171/89. As the applicant herein is in the same situation as applicants in OA 171/89 decided by the Ernakulam Bench and in OA 611/94 and 869/94 of this Bench, we see no reason in not extending the same benefit to the applicants in these OAs also.

6. In the result, this OA is allowed with a direction to the respondents to grant the applicants the same benefit as granted by Ernakulam Bench and this Bench of the Tribunal.

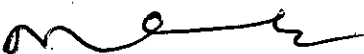
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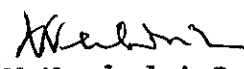
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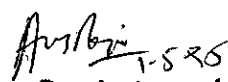
in the aforestated casea as quoted in para-5 above. The x
above direction should be complied within a period of
three months from the date of communication of this order.

7. The OA is ordered accordingly at the admission
stage itself. No costs. /


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice Chairman

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Dated ²⁴ April, 1995.


Deputy Registrar (J) CC

To

1. The Superintendent of Post Offices,
Adilabad Division, Adilabad.
2. The Secretary to the Dept. of Posts,
Union of India, New Delhi.
3. The Chief Postmaster General,
A.P. Circle, Hyderabad.
4. The Senior Superintendent of Post Offices,
Secunderabad Division, Secunderabad.
5. One copy to Mr. K. Venkateswar Rao, Advocate, CAT. Hyd.
6. One copy to Mr. K. Bhaskar Rao, Addl. 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 - 24-5-1995.

ORDER/JUDGMENT:

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

O.A.No.

in

T.A.No.

509/95
(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.

no spare copy

