

19

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 1099/96.

Dt. of Decision : 11-9-96.

1. D.Sri Hari

2. M.Sambasiva Rao

.. Applicants.

Vs

1. The Sr.Divl.Personnel Officer,
SC Rly, Vijayawada Division,
Vijayawada, Krishna District.

2. The Divl.Railway Manager,
SC Rly, Vijayawada Division,
Vijayawada, Krishna District.

3. The General Manager, SC Rly,
Rail Nilayam, Sec'bad.

.. Respondents.

Counsel for the Applicants : Mr. Jacob for Mr.B.Narasimha Sharma

Counsel for the respondents : Mr. K.Siva Reddy, Addl.CGSC.

CORAM:

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

ORDER

Heard Mr. Jacob for Mr. B.Narasimha Sharma, learned
counsel for the applicants.

2. There are two applicants in this OA. Both of them
joined as Assistant Station Master in the grade of Rs.330-560/-
in Sec'bad Division of SC Railway on 18-6-84 and 8-10-94 respectively
Subsequently they were promoted to the next grade of Rs.1400-2300/-
(RSRP) in the same division. The detailed particulars of the
applicants is at Annexure-I at page-7. The applicants submitted
representations for transferring them to Vijayawada Division as
per extant rules ^{request} ~~for~~ request transfer. That ~~was~~ considered and
they were transferred to Vijayawada division in the scale of pay
of Rs.1200-2040/- (RSRP) by an order No.OP/676/Inter-Divn-Tfr/Optg/
ASM dated 15-6-88 (Annexure-II of the OA). When they joined

Vijayawada Division their last pay drawn in Sec'bad Division was not protected in the pay scale of Rs.1200-2040/-. Hence they submitted representations for protection of pay in terms of Rule 1313 of IREC Vol.II by the representations dated 21-6-95 and 20-6-95 respectively enclosed as Annexure-V and VI of the OA. It is stated that these representations are yet to be disposed of.

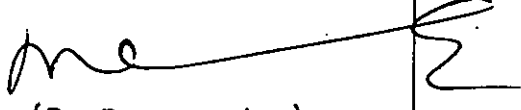
3. This OA is filed praying for a direction to the respondents to protect their pay which they were drawing in Sec'bad division at the time of ^{relief} ~~relieve~~ to carry out the transfer to Vijayawada division on request in terms of Rule 1313 (a)(ii) and (iii) of IREC, Vol.II as directed by this Tribunal in OA.No. 1252/94. As the representations of the applicants are pending with R-2 it is ^{but} proper to direct R-2 to dispose of the representations under the extant rules keeping in mind the directions of this Tribunal in OA.1252/94.

4. In the result, the following direction is given:-

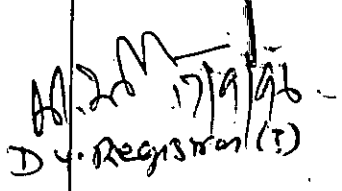
R-2 should dispose of the representations of the applicants dated 21-6-95 and 20-6-95 at Annexure-V and VI of the OA in accordance with rules keeping in mind the directions of this Tribunal in OA.1252/94. If the representations are going to be disposed of favourably the applicants are entitled for arrears, if any, only from one year prior to filing of this OA i.e., w.e.f. 3-9-95 (This OA is filed on 3-9-96).

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

(Registry should send a copy of this OA with enclosures along with the judgement to R-2)


(R. Rangarajan)
Member(Admn.)

Dated : The 11th Sep. 1996.
(Dictated in Open Court)


D. Registrar (T)

OA.1099/96.

Copy to:-

1. The Sr. Divl. Personnel Officer, S.C.Rly, Vijayawada Division, Vijayawada, Krishna Dist.
2. The Divl. Railway Manager, S.C.Rly, Vijayawada Division, Vijayawada, Krishna District.
3. The General Manager, S.C.Rly, Railnilayam, Sec'bad.
4. One copy to Sri. B.Narasimha Sarma, advocate, CAT, Hyd.
5. One copy to Sri. K.Siva Reddy, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

RSM/-

9/10/96

DA-1099/96

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Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 11/9/96

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

D.A. NO.

in
1099/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

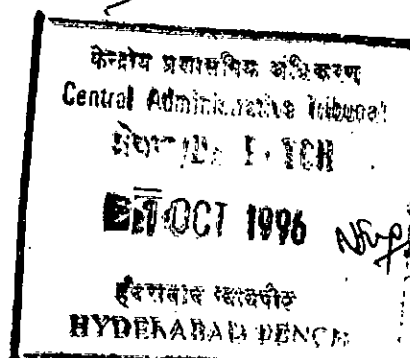
NO ORDER AS TO COSTS.

YLKR

II COURT

No Spare Copy

with
of despatch
Judy along with
copy with enclosure
6-2-2



2/10/96