

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

• ORIGINAL-APPLICATION-NO.610-OF-1997

DATE OF ORDER: 9th May, 1997

BETWEEN:

S.K.PISOLKAR



AND

.. APPLICANT

1. The General Manager (repg. Union of India),
South Central Railway, Secunderabad,
2. The Chief Personnel Officer,
S.C. Railway, Secunderabad,
3. The Chief Security Commissioner,
Railway Protection Force,
S.C. Railway, Secunderabad.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr. S. RAMAKRISHNA RAO

COUNSEL FOR THE RESPONDENTS: Mr. V. BHIMANNA, Addl. CGSC

CORAM: --

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

ORDER

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

Heard Mr. S. Ramakrishna Rao, learned counsel for the applicant and Mr. V. Bhimanna, learned standing counsel for the respondents.

2. The applicant in this OA was initially appointed as Sub Inspector (Prosecution) in the Railway Protection Force (RPF), South Central Railway. He was later promoted upto the grade of Inspector Grade-I. He was spared on deputation in Group-B Gazetted category to work in Central Bureau of Investigations at Delhi for a period of four years. The Central Bureau of Investigations further

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requested the Railway authorities to absorb him as Senior Public Prosecutor in CBI on permanent basis and accordingly the Director (Security), Railway Board, New Delhi communicated no objection by the letter dated 8.7.92. After the deputation period of the applicant was completed by 24.12.92, he was absorbed in CBI permanently as Senior Public Prosecutor.

3. The applicant had completed 21 years of regular service in Railways before his absorption in CBI. Hence the applicant requests for issue of post retirement passes to him treating his relief from Railways as on voluntary basis. As he had put in 21 years of service, the applicant submits that as per Schedule IV, Rule 8(2) of Post Retirement Complimentary Pass Rules, the officials who have put in 20 years of service and above but less than 25 years in Railways are eligible for post retirement complimentary passes to the extent of two sets for self, wife/husband and children subject to the conditions as applicable to the Railway servants in service. It is stated that the applicant represented for grant of post retirement complimentary passes as above. No reply has been received by him in this connection.


4. This OA is filed for granting him the post retirement complimentary passes in accordance with the rules treating him as a voluntarily retired Railway servant.

5. The applicant has brought to my notice the letter of R-2 addressed to R-3 (Annexure IV to the OA) wherein R-2

had advised R-3 to dispose of the case of the applicant herein as if he had voluntarily retired from service. The applicant on that basis submits that he is entitled for passes as stated above.

6. The learned counsel for the respondents submits that the applicant worked in Railway Protection Force and hence this Tribunal has no jurisdiction to deal with this case. There is no doubt that the applicant worked in Railway Protection Force. But the present OA is not for any seniority dispute or any of the disputes of the existing RPF officials. The applicant having been treated as voluntarily retired servant, he becomes an ex-Railway servant and hence he has every right to approach this Tribunal for redressal of his grievances which arose after his voluntary retirement is accepted. Especially in this case, the applicant requests for post retirement complimentary passes. This has no nexus with the duties assigned to him as Inspector in RPF. Hence I have no doubt in my mind that this Tribunal has jurisdiction to deal with this case.

7. R-2 had already advised R-3 to dispose of his case as per his letter dated 19.12.95. The case is still pending before R-3 for disposal. Hence, R-3 is directed to dispose of the representation of the applicant for grant of post retirement complimentary passes in accordance with the rules taking due note of the advice given by R-2 in this connection. Time for compliance is three months from the date of receipt of a copy of this order.



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