

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT COURT SITTINGS:INDORE

Original Application No.587 of 2003

Indore, this the 17th day of October, 2005

Hon'ble Shri M.P.Singh - Vice Chairman
Hon'ble Shri Madan Mohan - Judicial Member

Mool Raj Kamra, Retd.D.C.I.T/FZR,
R/o CH-269, C 74 Scheme, Indore MP

- Applicant

(By Advocate - Shri A.N.Bhatt)

Versus

1. Union of India through Secretary,
Ministry of Railway, New Delhi.
2. General Manager, Northern Railway,
Baroda House, New Delhi.
3. Divisional Rail Manager, Northern Railway,
Firozpur (Punjab).
4. Senior Divisional Accounts Officer,
Northern Railway, Firozpur (Punjab)

- Respondents

(By Advocate - Shri Anand Pathak)

O R D E R (Oral)

By M.P.Singh, Vice Chairman.-

By filing this Original Application, the applicant has claimed the following main reliefs:-

"1....to revise the pension of the applicant in the revised pay scale of Rs.6500-10500 w.e.f. 1/1/96 and pay difference amount of pension alongwith interest @ 18% p.a. on the delayed difference amount of pension from 1/1/96 till the date of its realisation as also to continue to pay the applicant the revised pay scale."

2. The brief facts of the case are that the applicant who was working with the respondent-railways had retired from service w.e.f.31.7.1982. He was entitled for pension w.e.f.1.8.1982. At the time of retirement, the pay of the applicant was at Rs.2375/- in the pay scale of Rs.2000-3200. It is stated by the applicant that letter dated 1.11.1998 was addressed by the Senior DAO, Northern Railway, Firozpur to State Bank of India, Bangalore, in which it has been stated that the net pay of the applicant in the pay scale of Rs.2000-3200 was Rs.2375/- and the applicant was sanctioned the revised monthly pension @ Rs.3592/-w.e.f. 1.1.1996.

Another letter was issued in November, 1999 in which the revised pay scale of the applicant was shown as Rs.6500-10500 and the applicant was sanctioned revised monthly pension at the rate of Rs.3592/- w.e.f.1.1.1996. The total arrears payable came to Rs.7815/- plus restoration of commutation amount of Rs.740/- i.e. total Rs.8555/-. This amount was paid to the applicant on 18.12.1998. According to the applicant, the amount of pension, fixed at Rs.3592/- in the grade of Rs.2000-3200, and the same amount was shown as pension even in the revised pay scale, whereas there should have been again revision of pay scale taking Rs.6500/- as basic pay. However, this has not been done. Hence this OA.

3. The respondents in their reply have stated that the applicant who served in the Northern Railway from 26.12.1944 retired as Divisional Chief Inspector Tickets on 31.7.1982 on attaining the age of superannuation. At the time of his retirement, he was drawing basic pay of Rs.795/- in the pay scale of Rs.700-900 and his pension was fixed at Rs.556/- per month. On revision of pay scale w.e.f. 1.1.1986, the revision pension of the applicant was fixed with basic pay Rs.795/-, DA Rs.1196.50, IR Rs.150/- Total Rs.2141.50p + 20% increase of basic pay i.e. Rs.159/- and the total notional basic pension came to Rs.2300.50p. As the pay scale of the post was revised to Rs.2000-3200, his pension was fixed at the next stage at Rs.2375/-. On revision of pay scale w.e.f.1.1.1996, the Railway Board issued a circular dated 15.1.1998, according to which the pension of all pensioners irrespective of their date of retirement shall not be less than 50% of the minimum pay in the revised scale of pay introduced w.e.f.1.1.1996 of the post last held by the pensioner. The pension of the applicant was revised from Rs.2375/- to Rs.3592/-, which is more than 50% of the minimum of the revised pay scale of Rs.6500-10500. According to the respondents, the pension of the applicant was correctly revised with basic pension of Rs.3592/- w.e.f.1.1.1996 and the plea of the applicant that




his revised pension should be Rs.6500/- as basic is misconceived and the OA is, therefore, without any merit and may be dismissed.

4. Heard the learned counsel of parties. We have also given careful consideration to the rival contentions.

5. We find that the applicant in his rejoinder to sub-paras 6(i) to (vi), has submitted that "it is correct that the Respondent has revised basic pension of pay Rs.6500/- - 50% but has not submitted revised PPO till the date of ascertaining the correctness of pension". In other words, the applicant has admitted the fact that his pension has been correctly fixed in the revised pay scale of Rs.6500-10500 w.e.f.1.1.1996. The only grievance of the applicant is that his Pension Payment Order and other related papers have not been received by him, so as to enable him to draw his pension regularly. In the circumstances we are of the considered view that ends of justice will be met if we direct the respondent no.3 i.e. the DRM, Northern Railway Firozpur to get the PPO issued to the applicant immediately so that all his arrears of pension are paid to him by the Bank as expeditiously as possible. ^{We do so accordingly.} This exercise should be completed within a period of three months, from the date of communication of this order.

6. In the result, the OA is disposed of in the above terms. No costs.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman

rkv.

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Bank
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Received
20/10/96