

FORM NO. 4

(See Rule 10)

THE CENTRAL ADMINISTRATIVE TRIBUNAL
FOR THE STATE OF GUJARAT

APPEAL / COMPLAINT
APPLICATION NO. 7 OF 2001

Applicant(s) : Shri D. D. Patel

Respondent(s) : O.I. Govt.

Advocate for Applicant(s) : M. Chanda, N. D. Goswami

Advocate for Respondent(s) : C.R.S.C.

Notes of the Registry : None

Issue notice show cause as to
why the contempt proceedings shall
not be drawn up against the
alleged contemners. List on
12.4.01 for orders.

Member

Vice-Chairman

Mr. J.L. Sarkar, learned Railway
Standing Counsel for the Railways
has entered appearance on behalf of
Respondent No.2. List the matter
after three weeks to enable the
respondents to file reply. List on
4.5.2001 for further orders.

Vice-Chairman

trd

4.5.01

Four weeks time allowed to ena-
ble the respondent to file reply.

List on 22.5.2001 for orders.

Member

Vice-Chairman

15-3-2001
Benzier of Not. issued
to the respondent
D.No. 1007/1008 Dt. 19.3.01

For cause to be shown

① Service report 22.5.01
still executed.

② No Reply has been
asked.

By
3.5.01

12.6.2001

Copy of the order
has been sent to the
Office (Par 100)
The form is not
L/Received (L)
public

105

It has been stated that Mr. ... learned counsel for the respondent that order of the tribunal dated 9.12.99 passed in O.P. No. 96 was duly complied and the monetary payment due to the applicant are all in view of the statement made by Mr. ... the present proceeding stands closed, ... it is open to the applicant to move the tribunal again in the event he felt aggrieved.

Member

Vic

bb

2001
by the respondent
will be submitted

105

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Contempt Petition No. 7/2001

O.A. No. 118 of 1996

In the matter of :

Shri Ardhendu Sekhar Das

....Petitioner

-vs-

Union of India & Ors

....Respondents

-AND-

In the matter of :

An Application under Section 17 of the
Administrative Tribunals Act, 1985 praying
for initiation of a Contempt proceeding
against the alleged contemner for non-
compliance of the judgement and order
dated 09.12.1999 passed in O.A. No. 118/96.

-AND-

In the matter of :

Shri Ardhendu Sekhar Das,

Ex-Chief Commercial Inspector, Grade I,
N.F.Railway,

Son of Late Haran Chandra Das,

P.O. Ulubari, Behind Hotel 'Sheva'
Mukti Jujrah Path,
Guwahati-781007.

Contd....

-versus-

1. Sri T. Rabha, I.R.P.S.

Senior Divisional Personnel Officer,

N.F.Railway, Lumding

P.O. Lumding-782447

Dist. Nowgaon (Assam).

2.

Maligaon

Chief Personnel Officer

N.F.Railway, Maligaon,

Guwahati-781011

....Alleged Contemnors

The humble petition of the abovenamed petitioner

Most Respectfully Sheweth :

1. That your applicant being highly aggrieved due to a forced retirement inflicted on him on the basis of an erroneous date of superannuation and depriving him of his legitimate service tenure by two months, approached this Hon'ble Tribunal praying for correction of his date of superannuation from 28.2.1995 (day inclusive) to 30.4.95 (day inclusive) alongwith consequential financial benefits since his date of birth was 1.5.1937 as per service records. The Hon'ble Tribunal, after hearing the arguments of the parties, was pleased to dispose of the Original Application No. 118/96 on 9.12.1999 with the following direction to the Respondents :

" On hearing the counsel for the parties I dispose of this application with direction to the respondents to take up the matter with the Gauhati University and find out the correct date

Contd...

of birth and if actually the applicant's date of birth as shown in the Matriculation certificate i.e. 1.5.1937 is found correct surely the applicant was entitled to continue upto 30.4.1995. As the period has already elapsed in case date of birth of the applicant is 1.5.1937 in the Matriculation Certificate he entitled only the pecuniary benefits. This must be done as early as possible at any rate within a period of two months from the date of receipt of this order."

From above it is clear that the Hon'ble Tribunal categorically directed the respondents to findout the actual date of birth of the applicant in terms of his Matriculation Certificate from the Gauhati University within the specified period mentioned in the judgement and order dated 9.12.1999 and to completed the exercise within a period of two months from the date of receipt of the order. But in the meantime more than one year has already elapsed but the alleged contemners wilfully have not complied the order of the Hon'ble Tribunal passed in O.A. No. 118/96.

It is relevant to mention that the copy of the aforesaid judgement and order dated 9.1.121999 was however received by the alleged contemners after a lapse of more than two months from the pronouncement of the judgement and order dt. 9.12.1998 and the petitioner received the said judgement thereafter only.

A copy of the judgement and order dated 9.12.1999 passed in O.A. No. 118/96 is annexed hereto and the same is marked as Annexure-1.

2. That your applicant thereafter submitted the order of the Hon'ble Tribunal dated 09.12.1999 and also approached the concerned authorities i.e. the alleged contemners for implementing the valued judgement of the Hon'ble Tribunal and pay him the consequential financial benefits.

3. That the respondent No.2, after a lapse of more than 4 months from the date of the order of the Hon'ble Tribunal, intimated your petitioner vide letter No. ES-332-A(T) dated 19.4.2000 that the date of birth of the applicant which was wrongly recorded in the service sheet as 01.03.37 has since been corrected as 01.05.37 and that the applicant would be entitled to get salary etc. for two months w.e.f. 01.03.95 to 30.04.95 with less pension and pensionery equivalent.

A copy of the letter dated 19.4.2000 is annexed hereto and marked as Annexure-II.

4. That the ~~alleged~~ contemners offered to pay only two months salary for the aforesaid period, your petitioner approached for payment of other consequential benefits also which the respondents ignored. Meanwhile the alleged contemners sent one letter No. ES/332-A(T) dated 28.4.2000 forwarding therewith one blank form without mentioning the amount etc. to the petitioner for his signature and also sent three blank form No. 12 for the signature of the applicant without indicating therin any amount or break up whatsoever, inspite of insistence.

Copy of the letter dated 28.4.2000 is annexed herewith as Annexure III and the reply of the applicant dt. 12.5.2000 as Annexure-IV.

Contd..

4 (A). That your applicant further begs to state that the Divisional Accounts Officer, Lumding vide his letter bearing No. LMG/PEN/TFC/3447 dated 12.5.2000 informed the petitioner that the pension payment order of Shri Ardhendu Sekhar Das revised as per Hon'ble Tribunal's order dated 09.12.1999 and accordingly earlier PPO's is cancelled and revised P.P.O. is now issued under letter dated 2.5.2000 for arranging payment of pension. Surprisingly it is further stated in the said letter dated 12.5.2000 that over payment has been adjusted from his arrear dues except Rs.735/- towards the payment of gratuity and leave salary and the same has to be recovered from his pension and a copy of pension memorandum is enclosed for recovery of over payment. In this connection it is relevant to mention here that the alleged recovery of Rs. 735/- on account of gratuity and leave salary is now sought to be made without any show cause or notices and in total violation of principles of natural justice and also without furnishing the details of the alleged excess payment of Rs. 735/- by the alleged contemners taking ~~into~~ into advantage of arrear salary due to the petitioner following the judgement and order dated 9.12.1999, therefore the alleged recovery is not permissible in the manner indicated in the letter dated 12.5.2000 under the law. It is further submitted that the alleged contemner although stated that the pension order has been revised in terms of order of the Hon'ble Tribunal dated 9.12.99 and arranging payment of pension and arrear dues, however mere payment of arrears salary and revision of pension payment order ^{at best} can be treated as partly implementation of the Hon'ble Tribunal's order dated 9.12.1999 but surprisingly the alleged contemner did not take any steps till date for payment of the consequential benefits which liable to be made to the petitioner by the alleged

contemners which is elaborately indicated in his representation dated 19.5.2000 which is also elaborately stated in para 5 of the Contempt petition but unfortunately no reply from the alleged contemners is received regarding settlement of his other consequential benefit.

5. That your applicant eventually had submitted one application to the respondent No.2 on 19.8.2000 specifying his claims which are as follows :

- a) Two months salary (i.e. from 01.03.95 to 30.4.95) with D.A. IR and Compensatory Allowance.
- b) Gratuity to be re-calculated as on 30.4.95 at the enhanced rate of 97% dearness pay instead of 20%.
- c) For computing Pension amount payable, the salary of ten months should be computed upto 30.4.95 i.e. the actual date of retirement.
- d) Difference of commutation money for the period from 28.2.95 to 30.4.95.
- e) ~~Request~~ Increased amount of the superannuation pension of 50% on the basis of average of 10 months to be reckoned upto 30.4.95.
- f) Family pension @ 20% as on 30.4.95 (10 months average).
- g) Difference of pension from 28.2.95 to 30.4.95 on the basis of increased DA to be continued upto 31.12.95.
- h) All payable amounts to be recalculated taking the total qualifying service as 39 years 1 month, 17 days instead of 38 years 11 months is 01.05.37 and not 01.03.37.

Copy of the applicant's application dated 19.8.2000 is annexed as Annexure-V.

6. That more than six months have elapsed since the applicant has submitted his aforesaid application but the respondents did not show the slightest initiative to settle the accounts till now. Meanwhile the applicant approached time and again for realisation of his legitimate pensionary benefits in terms of the order

passed by this Hon'ble Tribunal but all in vain.

7. That it is stated that the alleged contemners deliberately and wilfully did not take any initiation for implementation of the judgment and order dated 9.12.99 of this Hon'ble Tribunal in its entirety for settling the whole claim which amounts to Contempt of Court. Therefore Hon'ble Tribunal be pleased to initiate a contemp proceeding against the contemners for wilful violation of the order of the Hon'ble Tribunal dated 9.12.99 in O.A. No. 118/96, and further be pleased to impose punishment upon the alleged contemners in accordance with law for wilful disregard to the judgement and order of the Hon'ble Tribunal dated 9.12.1999 in O.A. No. 118/96.

8. That it is a fit case for the Hon'ble Tribunal for initiation of contempt proceeding for deliberate and wilful disregard to the judgement and order dated 9.12.1999 passed in O.A. No. No. 118 of 1996 in the facts and circumstances stated above.

9. That this application is made bonafide and for the ends of justice.

Under the facts and circumstances stated above, the Hon'ble Tribunal be pleased to initiate contempt proceeding against the ~~admeed~~ contemners for wilful noncompliance of the order of the Hon'ble Tribunal dated 9.12.99 passed in O.A. No. 118/96 and further be pleased to to impose punishment in accordance with law.

And for this act of kindness your petitioner as in duty bound shall ever pray.

A F F I D A V I T

I, Shri Ardhendu Sekhar Das, S/o Late Haran Chandra Das, resident of Ulubari, Mukti Jujrah Path, Guwahati-7, Ex-Chief Commercial Inspector Grade I, N.F. Railway do hereby solemnly declare as follows :

1. That I am the petitioner in the above contempt petition and as such I am well acquainted with the facts and circumstances of the case and also competent to sign this affidavit.
2. That the statements made in para 1 to 9 are true to my knowledge and belief and I have not suppressed any material fact.
3. That the affidavit is made for the purpose of filing contempt petition before the Hon'ble Central Administrative Tribunal, Guwahati Bench for non-compliance of the judgement and order of the Hon'ble Tribunal dated 9.12.99 passed in O.A. No. 118/96.

And I sign this Affidavit on this the 2nd day of March 2001, at Guwahati.

Identified by
N. D. Goswami

Advocate

Ardhendu Sekhar Das
Deponent

Solemnly affirm and declare this
Affidavit before me who is identified
by Mrs. N. D. Goswami
Advocate on the 2nd day of March
2001.

McMahon

Advocate
Central Administrative
Tribunal
Guwahati Bench

DRAFT CHARGE

Laid down before the Hon'ble Tribunal for initiating a contempt proceeding against the alleged contemners for wilful disregard to the judgement and order of the Hon'ble Tribunal dated 9.12.1999 passed in O.A. No. 118/96. The alleged contemners have wilfully and deliberately violated the order of the Hon'ble Tribunal and therefore liable for contempt of court proceedings and Hon'ble Tribunal further be pleased to impose ~~sent~~ punishment upon the alleged contemners in accordance with law.

21-
CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Annexure I

Original Application No.118 of 1996.

Date of decision : This the 9th day of December, 1999.

HON'BLE MR. JUSTICE D.N.BARUAH, VICE-CHAIRMAN.

Shri Ardhendu Sekhar Das,
Ex-Chief Commercial Inspector, Grade-I,
N.F.Railway,
Son of late Haran Chandra Das,
P.O. Ulubari, Behind Hotel 'Shiva'
Mukti Jujrah Path,
Guwahati-781007.

Applicant

By Advocate Mr. M.Chanda.

-versus-

1. Union of India
through General Manager,
N.F.Railway,
Maligaon,
Guwahati-781011

Respondents

2. Divisional Railway Manager(P),
N.F.Railway,
P.O. Lumding,
District-Nagaon.
Assam

3. Chief Personnel Officer,
N.F.Railway
Maligaon
Guwahati

Respondents

By Advocate Mr. J.L.Sarkar.

O R D E R

BARUAH J.(V.C.).

In this application the applicant has challenged
the date of birth and the date of superannuation as
calculated by the respondents and also the Annexure-3
letter dated 6.2.95 issued by the Divisional Railway
Manager, N.F.Railway, Lumding refusing to alter the date

Contd..

J.W. *[Signature]*

of birth on the appeal submitted by the applicant and seeks other reliefs :

Facts as stated by the applicant are :

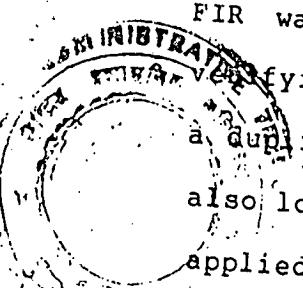
The applicant was initially appointed Junior Clerk through the Railway Service Commission, Allahabad in the month of March 1957. At that time he was matriculate. He passed his matriculation examination in the year 1953. According to him, his date of birth as indicated in the matriculation certificate is 1.5.1937 in as much as the certificate showed that he was 15 years 10 months on the first day of March, 1953. The applicant further states that at the time of making entries in the form he gave the correct date of birth i.e. 1.5.1937. He further submits attested copies of necessary documents including the matriculation certificate. All those were verified at the time of entry into service. Railway authorities also verified all original certificates in the office of the Chief Personnel Officer, Gorakhpur of N.E. Railway and since his joining he had been serving the said Railway and on bifurcation of N.E. Railway he served the N.F. Railways in different capacities. Later on he was promoted to the post of Chief Commercial Inspector Grade-I. The case of the applicant is that as per matriculation certificate his date of birth was 1.5.1937 and accordingly he would reach the age of superannuation on the expiry of 30.4.1995. However Railway Authorities issued notice of retirement asking the applicant to retire on superannuation on the expiry of 28.2.1995 vide impugned Notice dated 8.5/6.94. In this connection the applicant further states that all along he showed his date of birth as per his matriculation certificate. According to the applicant.


Contd...

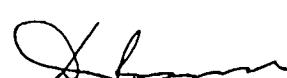
-3-

-3-

asking him to retire on the expiry of 28.2.1995 was without verifying the original records. On receipt of the notice of retirement the applicant submitted representation dated 21.12.1994 with a request for correction of his date of superannuation. He also claimed that he had submitted the original documents. This representation was addressed to the Divisional Railway Mnager(P), Lumding, N.F.Railway. However the N.F. Railway informed him by a letter dated 10.1.1995 asking him to submit all the necessary pension papers. In the meantime he lost his original matriculation certificate issued by the Gauhati University in 1963. An FIR was lodged on 21.3.1963. On such FIR and after verifying other documents the Gauhati University issued a duplicate certificate. This duplicate certificate was also lost on 5.5.1994. Situated thus, the applicant again applied for yet another copy of matriculation certificate. The Gauhati University was pleased to issue another certificate of matriculation. According to the applicant this certificate also showed the correct date of birth i.e. 1.5.1937. Besides in the seniority lists prepared on 1.4.1990, 1.4.1991 and 1.4.1994 also showed the correct date of birth as per matriculation certificate i.e. 1.5.1937. However the authorities wrongly forced the applicant to retire on the expiry of 28.2.1995. The applicant according to his matriculation certificate was entitled to continue his service till the expiry of 30.4.95. The contention of the applicant is that due to arbitrary decision of the respondents on the basis of wrong calculation he was asked to retire prior to reaching of the age of superannuation.



Contd...



2. In due course the respondents have entered appearance and filed written statement. The applicant has also filed rejoinder. In the written statement the respondents have stated that the Chief Commercial Superintendent(Personnel) by his letter dated 18.11.1965 directed the applicant to submit the original matriculation certificate for verification of his date of birth. The applicant however informed the Railway administration that his matriculation certificate had been lost and he approached to the University. He further stated the certificate in question as duplicate of the original would be submitted as soon when received from the University. But for about 29 years he did not submit the same. On 21.12.1994 he submitted a photocopy of a duplicate matriculation certificate. At that time he also stated that his duplicate certificate was also lost. The respondents have denied the averments made by the applicant in the Original Application. Certain documents have been annexed with the written statement. These annexures also show that the applicant was directed to produce original matriculation certificate. In the rejoinder also the applicant reiterated what he has stated in the Original Application. In the case records I see a copy of the duplicate certificate of matriculation.

3. Heard both sides. Mr. Chanda learned counsel appearing on behalf of the applicant submitted before me that a duplicate certificate was issued by the University showing the actual date of birth i.e. 1.5.1937 but the copy of the representation of the applicant is not before this Tribunal. It is not possible for this Tribunal to decide this matter. I feel Gauhati University can help the authorities to come to a

S/B

correct decision. I made endeavour to find out the correct date of birth of the applicant from the Gauhati University also. But I feel the matter require further investigation.

4. On hearing the counsel for the parties I dispose of this application with direction to the respondents to take up the matter with the Gauhati University and find out the correct date of birth and if actually the applicant's date of birth as shown in the matriculation certificate i.e. 1.5.1937 is found correct surely the applicant was entitled to continue upto 30.4.1995. As the period has already elapsed in case date of birth of the applicant is 1.5.1937 in the matriculation certificate he is entitled only the pecuniary benefits. This must be done as early as possible at any rate within a period of two months from the date of receipt of this order.

5. Considering the facts and circumstances of the case, I, however make no order as to costs.

TRUE COPY

Sd/- VICECHAIRMAN

প্রতিক্রিয়া

N. S. (S/S) D/VC

Section Officer

গুৱাহাটী প্রশাসনিক কমিশন

Central Administrative Tribunal

গুৱাহাটী প্রশাসনিক কমিশন

Guwahati Bench, Guwahati

গুৱাহাটী প্রশাসনিক কমিশন

30.4.95

-14-

ANNEXURE-IINORTHEAST FRONTIER RAILWAY.

DRM(P)'s Office/LMG.

OFFICE ORDER.

Dated: 19-04-2000.

In terms of Hon'ble CAT/GHY's Order dated 9-12-99 in OA No. 118/96 and GM(P)/MLG's letter No. E/170/Legal Cell/453/96 dated 10-03-2000, the date of birth of Shri Ardhendu Sekhar Das, Ex-CMI/GHY which was recorded in his service sheet as on 01-03-37, has been corrected as 01-05-37 (at the instance of Hon'ble CAT/GHY's verdict). As such, his date of retirement on superannuation should have been on 30-04-95 (AN) though he has already retired from Railway Service on superannuation on 28-02-95 (AN) based on his date of birth on 01-03-37 (as recorded in his service sheet).

Since the period from 01-03-95 to 30-04-95 has already been elapsed in case of date of birth is 01-05-37, the period from 01-03-95 to 30-04-95 has been treated as on duty and Shri Das is entitled to get salary etc. for those two months w.e.f. 01-03-95 to 30-04-95 with less pension and pensionary equivalent.

19/04
for Divisional Rly. Manager (P),
N.E. Railway, Lumding.

No. ES-332-A (T)

Dated: 19-04-2000.

Copy forwarded for information and necessary action to:-

- 1) Shri Ardhendu Sekhar Das, Ex-CMI/GHY
Flat No. 311, Block No. 1, Calcutta-78.
- 2) DCM/GHY & DCM/LMG.
- 3) GM(P)/MLG & APO/Legal Cell/MLG.
- 4) DAO/LMG.
- 5) APO/GHY.
- 6) OS/FS at Office. {Please implement
Court's order immediately.}

19/04
for Divisional Rly. Manager (P),
N.E. Railway, Lumding.

19/04

15/4

15 - By Regd. Post

Ref. to case no-118/95

ANNEXURE - III

NO. ES-332-A(T)

Office of the

DRS. Ry. Major (W.M.)

dt. 28.4.95

To

Sri Ardhendu Shekhar Das.

Encl. copy/AM.

FLAT NO - 311, BLOCK - 1

RAJ VIHAR, DEL - 700078

Sub: Submission of MOP.

A blank mode of payment form is sent herewith for re-submission duly filled in properly with clear signature on the revenue stamp attested by gazetted officer.

Please also indicate the name of bank and A/c No — for payment of pecuniary benefit for the period from 1-3-95 to 30-1-95 as per Court order.

DA - L (me)

DRS. Ry. Major (W.M.)

9 16
N.F.Railway.

Annexure - IV

Office of the
Divisional Accounts Officer
Lumding.

No. LMG/PEO/TFO/3447.

Dated: - 12.5.2000.

To
The Manager,
United Commercial Bank,
Maligaon.

Dear Sir,

Sub:- Review of pension of Shri Ardhendu
Sekhar Das, Ex.CCHT/1/GHY.

The pension payment order of Shri Ardhendu Sekhar Das revised as per Hon'ble CAT/Guahati's order dt. 9.12.99. Hence the earlier PPOs bearing No. LMG/PEO/TFC/3447 dt. 20.2.95, 25.5.95 and 8.2.2000 shall be treated as cancelled and the PPO now issued vide No. LMG/PEO/TFC/3447 dt. 2.5.2000 for arranging payment of pension. Over payment has been adjusted from his arrear dues except Rs. 735.00 towards the payment of Gratuity and leave salary and the same has to be recovered from his relief on pension. A copy of sanction memorandum is enclosed for recovery of overpayment. The amount so recovered may be paid in cheque favouring FA & CAO/N.F.Railway, Maligaon under intimation to this office. Please also note that his date of payment of pension will be 1.5.95 instead of 1.3.95 as per judgement of CAT/Guahati.

Enclo:- Rev. PPOs with
other documents.

Yours faithfully,

Divisional Accounts Officer,
N.F.Railway, Lumding.

Copy to:-

1. DRM(P)/Lumding for information. He is requested to verify whether the recoverable amount shown above is correct as the overpayment of pension w.e.f. 1.3.95 to 30.4.95 has been ordered for recovery vide year his No. ES-332A(T) dt. 24.4.2000 thre. suppl. bill. The amount so recovered may be credited to Pension under Demand No. 13.
2. Shri Ardhendu Sekhar Das,
Qrs. No. 58/A, Hambari Riy.Colony,
P.O. Guahati-11. for information
please.

Divisional Accounts Officer,
N.F.Railway, Lumding.
Review Accounts Office
N.F.Railway, Lumding.

From : Ardhendu Sekhar Das,
Flat No.311 Block -1,
Rail Vihar,
Calcutta -700 078.

To : Divisional Railway Manager(P)
N.F.Railway Lumding,
P.O. Lumding -782447,
Dist : Nowrang ,Assam.

Sub : Implementation of all Pecuniary benifit ordered
by the Honourable Central Administrative Tribunal
Gawati's Case No - 118/96

Ref : Respondents Letter No (1) ES-332 -A(T) dt. 28.4.2000

(2) ES-332-A(T) dt. 26.7.2000

(3) DAO/LMG's letter No-LMG/Pen/
TFC/3447 dt. 17.5.2000 along with
calculation sheet.

(4) DAO/LMG's letter No.LMG/Pen/
TFC/3447 dated 8.2.2000 and
dated 2.5.2000 along with
6.7.2000

Calculation sheet.

रायमा नहीं NOT INSURED

1029

No



Amount of Stamps affixed

Rs 19/-

P

Received a Response

From

Office

Address

Rs 19/-

Signature of Receiving Officer

19/5/2000

Signature of Receiving Officer

The letter at item No-1 was replied by the applicant on 12.5.2000 asking to send breakup of Two months Salary from 1-3-95 to 30-4-95 but no reply received from the respondent.

The respondent again vide item-2 above requesting the applicant sending triplicate copy Form No-12 for permanant address mode of payment and bank Account No. etc duly filled in .

The applicant likes to request the respondent to Spelt out clearly itemwise amount due to applicant i.e.(a) Two months salary with D.A. IR and compensatory allowances is payable. (b) Gratuity to be re-calculated as on 30.4.95 (date of retirement) at the enhance rate of 97% dearness pay instead of 20% (c) upto 30.4.95 monthwise Ten Months Salary to be calculated, hence pension will increase as the date of retirement of applicant is on 30.4.95 (d) Commutation money will increase and difference of commutation from 28.2.95 to 30.4.95 is payable to applicant. (e) Superannuation Pension of 50% will increase on average of 10 months pay as on 30.4.95 (f) The

Respondents letter, No-ES/332-A(T) dt. 27.10.99 in connection with CAT's case No -161/96 is now for cancellation for FRESH LOOK to recust, re-calculation ,Pensionary benifit properly in reference to Tribunals order in case No-118/96 taking into consideration date of retirement on 30.4.95. (g) Family Pension @ 20% as on 30.4.95 (Ten Months average) will also increase up to 31.12.95. (h) The difference of Pension from 28.2.95 to 30.4.95 after correct re-calculation of all Pensionary benifit along with increased D.A. is payable to the applicant and increased difference of Pension will continue upto 31.12.95, (i) The column MODE OF Payment item No-1(a) & (b) of Formet 12 left Blank. It is not at all desireable to put signature in Blank Formet. (j) The applicant request the respondent to send a copy of GM(P)/MLG's letter No-E/170/Legal Cell/463 dt.10.3.2000 (k) The items 3&4 quoted above the respondents & DAO/LMG's Calculation Statement is not correct and truthless, the date of Birth should be now noted correctly 1.5.37 (Not saying instead of, creates confusion) and qualifying Service is 39 years 1 month 17 days instead of 38 months 11 years 17 days and all payable amount should be RE-CALCULATED in details.

contd..p/2

DAO/LMG's letter at item 3 above reveals the Pension distributing Bank is being advised to deduct Rs.735.00 (without any detail Break up) experte. This matter concerned to the CAT/GHY's case No-161/96 only And not relates to this case No-118/96.

(1) The calculation sheet for Revision of Pre-96 up-dated family Pension @ 30% etc. sent to applicant requires correction in all paras and points. The family pension of 30% will be effective as and when all payments noted above Paras a,b,c,d,e,f,g,h,i,g & k's are cleared and paid by the respondent.

(m) Any exparte decision on the part of the respondent without giving full details of the payable amount with proper satisfaction to the applicant by transferring any amount to BANK deducting cause further Adjudication and refusal by the applicant.

The Judgement in the CAT/GHY's case No-161/96 & 118/96 were given by the Honourable Tribunal on 26.7.99 and 9.12.99 respectively the respondent fails to comply with the orders and consuming time unnecessary. For non-satisfaction of the Hon'ble Tribunals orders in both the cases the applicant will bring to the notice of the facts stated in both the cases and will demand further 18% interest cumulative for non-satisfaction of the orders again before the Hon'ble Tribunal within short-time.

(ARDHENDU SEKHAR DAS)

Copy to : Sri M. Chanda (Advocate- Guwahati for information and necessary action please to apprise the Hon'ble Tribunal for non-payment of due amount/non-satisfaction of orders by the respondent in both cases of 161/96 & 118/96 deserves contempt proceedings.

(ARDHENDU SEKHAR DAS)

Dated : Calcutta
August 19th, 2000.

18 JUL 2001

গুৱাহাটী ন্যায়পোট Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH GUWAHATI

CP No. 7 of 2001
of
OA 118/96

Shri Ardhendu Sekhar Das •

VS.

Shri T. Rabha and others.

S. P. V. M. - 1 Office
સુરોગત કાર્યકારો
નાનાંગ - 1
ફોર્માન, અમદાવાદ
N. S. R. L. - 1

The humble written statement by the respondent (alleged contemner)

Most respectfully begs to state:-

- 1) That the respondent has gone through the contempt application filed by the applicant and understood the contents therein.
- 2) That the respondent admits only those things which are borne on records and deny all the statements which are not specifically admitted.
- 3) That in reference to the Statement made in paragraphs 1,2,3 and 4 of contempt Application, it is submitted that on receipt of the Hon'ble CAT/ GHY's order dtd: 9/12/99 on the OA No.118/1996 the respondent took up the matter of date of birth with the Guwahati University within the time as stipulated by the Hon'ble Tribunal. After being confirmed with the Guwahati University authority his date of superannuation is found to be 30/4/95. Accordingly the respondent issued the Office order No. ES-32 -A (T) dtd : 19/4/2000 where by it was notified that the period from 1-3-95 to 30/4/95 has been treated as on duty and the

applicant is entitled to get salary for those 2 (two) months with less pension and pensionary equivalent already drawn. A copy of the Office order was also sent to applicant. Accordingly by a registered post the respondent sent a letter of this office (letter No. ES/332-A(T) dtd:28/4/2000) along with a blank Mode of payment Form for re-submission to the respondents office duly filled in properly with clear signature on the revenue stamp attested by a Gazetted Officer for the payment of two months pecuniary benefit for the period from 1-3-95 to 30-4-95. He was also requested to indicate the name of the Bank and A/C number for the purpose but he remained silent and did not respond the above letter. As for want of the Mode of Payment his two month pecuniary benefit was not being released ,the respondent by registered Post sent a letter No.ES/332-A(T) dtd; 26/7/2000 enclosing 3(three) blank Form of Mode of Payment and requested him to submit the same duly filled in properly with clear signature,to the respondents Office for further action. Here this time also the applicant remained silent and did not bother to respond. As a result the pecuniary benefits for the above two months could not be released and paid to the applicant in time as per Hon'ble Tribunal's order despite the respondent's sincere effort to comply with the Hon'ble CAT's order.

As to the demand of the applicant for indication of amount or break up(as sought by the applicant here in this paragraph) has no ground at all, where the order of this Tribunal on OA No.118/96 was very much clear.

The intention of the applicant was always to create hindrances and non co-operation in the way of implementation of this Hon'ble Tribunal's order. Moreover the pecuniary benefits for the above two months was required to be paid through cheque being a retired person. As such if he was not satisfied with the payments of the two months pecuniary benefits, there was scope lying before him to raise the issue in the proper forum. But instead he did not co-operate with the respondents in the implementation of this Hon'ble Tribunal's order.

Photo copies of the letters dated 19/4/2000 and dtd : 28/4/2000 are annexed with the contempt Application . The letter dated 26/7/2000 is annexed herewith and marked as annexure- R/1

4) That in reference to the paragraph 4(a) of the contempt Application it is stated that the allegation put forwarded by the applicant here in this paragraph are denied. It may be mentioned here that the applicant filed a case No. OA/ 161/96 before this Hon'ble Tribunal seeking order inter-alia the correct fixation of pension, DCRG , Honorarium, packing allowance and 18% interest on the total amount of DCRG. The Hon'ble Tribunal was pleased to Pass its order on 28/5/99 inter-alia that the applicant may also file a fresh representation giving details of his grievances and the Rly. respondents shall also dispose of the application representation of the applicant, if filed within a period of two months from the date of receipt of this order. The order further said that if the applicant was still aggrieved by the decision of the Railway Administration he may also approach the appropriate Authority. However, the applicant did not submit any representation and the Railway respondents examined the whole issues of settlement dues in compliance with the Hon'ble Tribunal's order and accordingly the matter was disposed of by reasoned order and by a registered post letter the same was communicated to the applicant vide Divisional Railway Manager (P)/Lumding's letter No. ES/332 -A(T) dtd: 1-11-99 with a comparative statement both indicating head-wise recoverable amount . It was inter-alia specifically indicated therein that Rs. 735/- i.e:

(a) Difference gratuity	Rs. 495/-
(b) Difference of leave salary	Rs. 240/-

Total Rs. 735/-
("now recoverable")

As such the allegation of the applicant that the recovery of Rs. 735/- was sought to be made without any show cause, or notice is totally baseless.

Photo copies of the letter dated 1/11/99
alongwith the comparative calculation sheet
as annexered-R/2

5) That in reference to the paragraph 5 of the contempt Application, it is submitted

- That the applicant's two months salary stands to be Rs. 12,458/- but after deducting the basic pension and relief thereon amounting to Rs. 5,886/- which the applicant had already drew during that period , net amount now payable is Rs. 6,572/- which has been paid by cheque No. 029283 dated 20/4/2001.
- That vide Divisional Railway Manager (Personnel)/ Luming's letter No. ES/332-A(T) dtd: 20/4/2001 an amount of Rs. 33,986/- as difference of gratuity calculated at the enhanced rate of 97% dearness pay instead of 20% has been paid to the applicant vide cheque No. 029285 dtd : 24-4-2001.
- For computation of average emoluments of proceeding 10 months from the date of retirement on 30/4/95, was taken into account and the pension so arrived at is shown as passed vide PPO No. LMG/Per/Tfc/3447 dtd; 25.2.2000.
- That the difference of commutation of pension money for the period from 1-3-95 to 30-4-95 stands to be Rs.502/- and the same was passed vide PPO No/ as mentioned at Para (c) above.
- Increased amount of superannuation pension @ 50% on the basis of average of 10 months was reckoned upto 30/4/95 at Rs. 1334/- which has been consolidated at Rs. 4027/- wef. 1-1-96 and the same has been reflected in the PPO quoted in para (c) above.
- Family pension @ 20% of basicpay as on 30/4/95 which has been revised @ 30% of minimum Pay of the revised scale of Rs. 7450/- comes to Rs. 2235/- . The same has also been shown in the PPO quoted at para (c) above.

(g) That for the period 1-3-95 to 30-4-95 he has been paid salary by cheque No: 029283 dtd: 20-4-2001 as mentioned in Para 5(a) above. As such the claim of the pension for this period does not arise.

(h) That all the settlement dues have been paid to the ~~xxx~~ applicant treating the date of superannuation/ (retirement) as on 30/4/95.

Photo copies of the cancellation sheet for two month's salary and PPO dtd: 2-5-2000 are annexed herewith and marked as -R/3 & R/4.

6) That it is submitted in reference to the paragraphs 6,7,& 8 that after receiving the Hon'ble Tribunal's order dated 9/12/99 the Railway respondents confirmed the date of birth of the applicant with the Guwahati University and being confirmed as to the date of birth and date of retirement, issued the office order dtd: 19/4/2000 with a copy of the same to the applicant whereby it was notified that the applicant was entitled to get the salary etc, for the period from 1-3-95 to 30-4-95. It shows that the respondents sincerely to implement the Hon'ble Tribunal's order. But so far the payment is concerned, the same could not be done due to the non-co-operation of the applicant as stated in the preceding paragraphs. It is further stated that the applicant has not yet submitted the prescribed Mode of Payment, yet the payment has been made as per address available on a Post card which is not the prescribed procedure for Mode of Payment. The respondents wanted to go for prescribed procedure for Mode of Payment as is the case for other retired persons. Moreover, it may be pointed out that the revised pension case which had been sent to the UCO Bank Guwahati as per his earlier Mode of payment, was returned by the said Bank as the applicant transferred his pension account, therefrom that too without giving any information to the respondents. Under the above circumstance the Mode of Payment was urgently needed.

As such the delay in releasing the settlement dues as per Hon'ble Tribunal's, is an unfortunate matter and it is submitted with due respect that the delay was not an intentional or whimsical act of the respondents.

Photo copy of the Post card is enclosed herewith and marked as-R/5.

7) That the Office order dtd: 19/4/2000 entitling the applicant for pecuniary benefits for two months, would not have been issued by the respondents had there been any ~~willful~~ willful disregard of this Hon'ble Tribunal's order dtd. 19/4/2000. The respondents therefore, prays that these facts may kindly be considered sympathetically and dismiss the application. And for this act of kindness the respondents as in duty bound shall ever pray.

VERIFICATION

I, Shri Trikalagya Rabha Senior Divisional Personnel Officer, N.C.Rly. Luming do hereby solemnly affirm and verify that the contents of paragraphs 1 to 6 of the written statement are true to my knowledge and belief as borne on records and the rest is my humble submission before this Hon'ble Tribunal.

And I sign this verification on this day of
April 2001 at Luming.



कर्मचारी कीमती
S. Div. Personnel Office
प्रमाणित
N. D. Rely, L.D. din

By Regd Post

Annexure - R/1

28

N. F. Railway.

Office of the
Divl. Railway Manager (P)
Lumding.

NO.ES/332 - A(T).

Dated 26 -7-2000.

TO

Sri Ardhendu Sekhar Das,
Ex. CCMI/GHY.
Flat No.311, Block-1, Rail Vihar,
Calcutta-78.

Sub :- Submission of Bank A/C No. and
name of Bank.

This is to inform you that in terms of Hon'ble
CAT/GHY's order dated 9-12-99 in O.A.No.118/96 and GM(P)/
MLG's letter No.E/170/Legal Cell/463/96 Dt.10-3-2000 the
revised pension case has already been released and sub-
mitted to A/Cs. Accordingly DAO/LMG has been passed and
forwarded to Link Bank i.e. UCO Bank/GHY. But the said
PPO have been returned by UCO Bank/GHY stating that you
have transferred your pension disbursing bank, Account
from UCO Bank/GHY.

As such, 3(three) copies blank M.O.P. are sent and
herewith duly filled in properly with clear signatures to
submit to this office for further necessary action please.

DAO: As above.

for Divl. Railway Manager (P)
N. F. Railway, Lumding.

Copy to :-

DAO/PEN/Lumding for information in ref: to his
letter No. LMG/PEN/TFC/3447 Dt. 19-7-2000.

for Divl. Railway Manager (P)
N. F. Railway, Lumding.

.....

26/7/00 26/7/00
Khy 3-27-7

dbf/2572000

Revd
26/7/00
3-27-7

Office of the
Divl. Railway Manager (P)
Lumding.

No. ES/332-A(T).

Dated 01-11-99.

TO

Sri Ardhendu Sekhar Das,
Ex. CCMI/GHY.
Flat No. 311, Block-1, Rail Vihar, Cal-78.

Sub :- Implementation of the CAT/GHY's order
dt. 28th day of May '99 in original applica-
tion No. 161/96 before the CAT/GHY, as was
received by this office on 2-9-99.

1) The initial pension calculation @ Rs.1308/- P.M. as was
intimated to Sri A. S. Das, Ex. CCMI/GHY vide P.P.O. No. LMG/PEN/
Tfc/3447 dt. 23-2-95 without taking the personal pay (Steri-
lisation operation) into consideration was rightly done in
terms of RB's L/No. PC-IV/89/6/2 dt. 8-1-90. As such the revised
pension calculation vide P.P.O. No. LMG/PEN/Tfc/3447 dt. 2-6-95
taking the personal pay (Sterilisation operation) was wrong
upon which you are being paid till now @ Rs.1322/- P.M.. Thus
an amount of Rs. 14/- is being paid to you in excess - which is
recoverable by the Rly. Admn.

2) Accordingly the initial commutation of pay Rs.54727/-
which was paid vide P.P.O. No. LMG/PEN/Tfc/3447 dt. 23-2-95 was
done correctly and the revised commutation of pension for the
amount of Rs.55229/- vide P.P.O. No. LMG/PEN/Tfc/3447 dt. 2-6-95
was wrong which you actually received. Thus an amount of
Rs.502/- is being paid to you in excess which is recoverable
by the Rly. Admn.

3) DCRG amount should be Rs.52965/- instead of the drawn
amount of Rs.53460/-. Apparently an excess amount of Rs.495/-
was paid in excess which is recoverable by the Rly. Admn.

The following are the item-wise amount recovered from the
DCRG amount of Rs.53460/- which was not proper calculation
stating above.

- a) Final Elect. Bill. ... Rs. 526.50
- b) Store debit. ... Rs. 411.36
- c) Overpayment of leave ... Rs. 272.00
salary.
- d) Normal rent w.e.f. ... Rs. 276.00
(1-3-95 to 30-6-95)
- e) Damage rent w.e.f. ... Rs. 5765.64
(1.7.95 to 30.10.95)
- f) Amount withheld for ... Rs. 3000.00
arrear elect bill.

Total :- Rs.10,251.50

Contd. on P/No. 2

R/2
700

4) In the context of para-3(B) above, Rs.411.36 was recovered from DCRG for non return of the brief case being the cost of the same, but on scrutiny an amount of Rs.370.36 after deduction of Rs.41/- from Rs.411.36 was refunded to you vide Pay order No.008282/8 dt. 11-11-97.

In the context of the para (1) above, leave salary amount should be Rs.45800/- instead of Rs.46312/-. Thus an amount of Rs.512/- was required to be deducted. But only Rs.272/- was recovered from your DCRG leaving Rs.240/- to be recoverable now.

The damage rent amounting to Rs.5765.64 was recovered from DCRG amount as per Rly.Bd's L/No.E/G/85/Or-1/9 dt.15-1-90.

Rs.3000/- was withheld from DCRG for arrear elect.bill, but later on Rs.2383.15 was released from the withheld amount of Rs.3000/- deducting Rs.616.85 for arrear electricity bill for the period from 31-7-92 to Nov/94 vide CO7 No.6 LPN dt.10-12-97.

5) So far the packing allowance is concern it is admissible upto one year from the date of your retirement but you did not submit any application for the same. As such it is not payable to you.

6) You have retired from Rly.service on the (AN) of 28.2.95 and you have submitted the documents to this office on 13.12.95 that you have vacated Rly.Ors. on 30.10.95. Accordingly your DCRG was passed on 22.2.96 under cheque No. E 759463 of dt. 27-2-96 by keeping withheld Rs.3000/- for arrear electricity bill for the period from 31-7-92 to Nov/94 which was duly acknowledged by you on 21.3.96 and thereafter Rs.2383.15 was released by deducting of Rs.616.85 from Rs.3000/- for arrear electricity bill on 10.2.97.

The above position clearly shows that there was no delay and inaccuracy on the part of the respondents to release the DCRG amount which was paid to you by issuing a cheque on 27-2-96. The delay was not caused by the respondents, but by you due to late submission of requisite document by you. As such the question of payment of interest for late payment of DCRG does not arises.

Comparative calculation in respect of Para-1,2,3 & 4 above are furnished in Annexure-'A' is enclosed herewith.

for Divl.Railway Manager(P)
N.F.Railway, Lumding.

copy to :-

- 1) GM/LAW/MIG. for information please.
- 2) APO/Legal Cell/MIG. for information please.
- 3) CLA at office/LMG for information pl. in refit to his letter No.

for Divl.Railway Manager(P)
N.F.Railway, Lumding.

3/10/97

3/10/97

9/1

Re: 10/97

10/97

Comparative statement for calculation of pensionary benefits of
Sri Ardhendu Sekhar Das, Ex. OCM/GRV.

D.O.S. = 1/3/37, D.O.A. = 13/3/57, DOR = 28/2/95, Q.S. = (38 yrs. 11 mths. 17 days)

Already drawn calculation.

Period	Pay	PP	Pay	Day/Mth	Total
3.5.94 to 31.5.94.	Rs. 2450.00 + 30.00	= Rs. 2480.00 x	29 days = Rs. 2397.33	3.5.94 to 31.5.94.	Rs. 2450.00 x 29 days = Rs. 2368.33
1.6.94 to 30.6.94.	Rs. 2450.00 + PP 30.00	= Rs. 2480.00 x 1 month	Rs. 2480.00	1.6.94 to 30.6.94.	Rs. 2450.00 x 1 month = Rs. 2450.00
1.7.94 to 15.7.94.	Rs. 2525.00 + PP 30.00	= Rs. 2555.00 x 16 days	Rs. 31318.70	1.7.94 to 15.7.94.	Rs. 2525.00 x 16 days = Rs. 31303.22
17.7.94 to 31.7.94.	Rs. 2675.00 + PP 30.00	= Rs. 2705.00 x 15 days	Rs. 1308.87	17.7.94 to 31.7.94.	Rs. 2675.00 x 15 days = Rs. 1294.35
1.8.94 to 28.2.95.	Rs. 2675.00 + PP 30.00	= Rs. 2705.00 x 7 months	Rs. 18935.00	1.8.94 to 28.2.95.	Rs. 2675.00 x 7 months = Rs. 18725.00

Total :- 10 Mths = Rs. 26439.90

Average emoluments Rs. 26439.90 \div 10 = Rs. 2643.99

- 1) Superannuation pension 50% of Rs. 2643.99
= Rs. 1321.99 i.e., Rs. 1322.00.
- 2) Commutation 1/3 rd of Pension 1322.00 = Rs. 440.66
Rs. 440.00 x 125.52 = Rs. 55228.80 i.e., Rs. 55229.00.
- 3) Gratuity of Rs. Pay 2675.00 + 30.00 PP + DP Rs. 535.00
= Rs. 3240.00.
Rs. 3240.00 x 16.5 = Rs. 53460.00.
- 4) Family pension 20% of Rs. 2705.00 = Rs. 541.00
Enhance rate of Rs. 1082.00 upto 28.2.2002 and thereafter
Rs. 541.00 till her death or remarriage whichever
is earlier.
- 5) Leave salary Rs. 46312.00.

Should have been drawn calculation.

Period	Pay	Day/Mth	Total
3.5.94 to 31.5.94.	Rs. 2450.00 x	29 days	= Rs. 2368.33
1.6.94 to 30.6.94.	Rs. 2450.00 x 1 month		= Rs. 2450.00
1.7.94 to 15.7.94.	Rs. 2525.00 x 16 days		= Rs. 31303.22
17.7.94 to 31.7.94.	Rs. 2675.00 x 15 days		= Rs. 1294.35
1.8.94 to 28.2.95.	Rs. 2675.00 x 7 months		= Rs. 18725.00

10 Mths. = Rs. 26140.90

Average emoluments Rs. 26140.90 \div 10 = Rs. 2614.09

- 1) Superannuation pension 50% of Rs. 2614.09
= Rs. 1307.04 i.e., Rs. 1308.00.
- 2) Commutation 1/3rd of Rs. 1308.00 = Rs. 436.00
Rs. 436.00 x 125.52 = Rs. 54726.72 i.e., Rs. 54727.00
- 3) Gratuity of Rs. 2675.00 + DP Rs. 535.00 = Rs. 3210.00
Rs. 3210.00 x 16.5 = Rs. 52965.00.
- 4) Family pension 20% of Rs. 2675.00 = Rs. 535.00 P.M.
Enhance rate of Rs. 1070.00 upto 28.2.2002 and thereafter
Rs. 535.00 till her death or remarriage whichever is
earlier.
- 5) Leave salary Rs. 45,800.00.

S U M M A R Y :-

Item No.1 Difference of S. Pension Rs. 1322.00 - 1308.00 = Rs. 14.00 P.M. (Now recoverable from you).

Item No.2 -do- of Commutation. Rs. 55229.00 - 54727.00 = Rs. 502.00 -do-

Item No.3 -do- of Gratuity Rs. 53460.00 - 52965.00 = Rs. 495.00 -do-

Item No.4 -do- of F/Pension } Rs. 541.00 - 535.00 = Rs. 6.00) It will not be effective till the employee is alive.
-do- of Enhance } Rs. 1082.00 - 1070.00 = Rs. 12.00)

Item No.5 -do- of Leave salary. Rs. 46312.00 - 45800.00 = Rs. 512.00 (Out of which Rs. 272/- has already been recovered.
Balance Rs. 240/- now recoverable from you)

COPY

32 ✓ SUPPL./Salary bill for the period from 1.3.95 to 30.4.95 Annexure R/3
of Shri Ardhander Singh Das ex CEM/Guy RFD on 30.4.95.

Month	Pay	P.P.	DA	SEA	IR	Gross	Recovery		Net Deduction
							Basic pension	Leave	
MAR '95	Rs 2675/-	30/-	3344/-	80/-	100/-	6223/-	1308/-	1635/-	2943/- 3286/-
APR '95	" 2675/-	30/-	3344/-	80/-	100/-	6223/-	1308/-	1635/-	2943/- 3286/-
	535/-	60/-	6688/-	160/-	200/-	12448/-	263/-	327/-	5886/- 6572/-

Net Payable Rs 6572/-

Rs. 6572/- payable by Cheque through RBL/Godrej
against Cheque no. 029283 dt 20.4.2001.

Ar. DMR (By/long)

Annexure R/4
12
Q1)

OFFICE OF THE
DIVISIONAL ACCOUNTS OFFICER
N. F. Railway, Lumding

Revised Pension Payment Order for Pre- 1986
Pensioner/Family Pensioner in terms of Railway Board's
letter No, F (E) III/PN/2 dated 10-03-1998.

DISBURSER'S/PENSIONER'S

P. P. O. No. LMG/Pen/TF/3447

Dated 02-05-2000

Debitable : As Per Original P. P. O.

1. Untill further instructions and on expiration of every month please pay to Shri/Smt. Pratibha Sankar Datta the revised pension/family pension and reliefs as per details given below w.e.f. 01-01-96.

2. Name of Paying Bank/

Treasury/Post office UCO Bank / Maligaon Branch

3. Savings Bank Account No. 452/P/1517

4. Pension/Family Pension : Rs - 1334/- w.e.f. 01-05-95 to 31-12-95

A) Pension (Super)

Rs 402/- w.e.f. 01-01-96

B) Family Pension

Rs Enhanced Rate for 3503/- Upto - 30-04-2002
and thereafter Rs - 2235/-

C) Relief :

i) 01-01-1996 - Nil

N.B. Regarding payment of difference of
committed value please follow Annexure
A.

ii) @ 4% w.e.f. 1-7-1996

iii) @ 8% w.e.f. 1-1-1997

iv) @ 13% w.e.f. 1-7-1997

v) @ 16% w.e.f. 1-1-1998

5. Arrears to be paid w.e.f. 1-1-1996

NB : Relief as increased from time to time is also admissible on the Revised Pension/Family Pension as the case may be.

Counter Signed

Designated FA & CAO/Pension
N. F. Railway/Maligaon

Signature b/16
Designation _____
(Special Seal of PPO issuing Authority)

To.

The Manager/(Link Bank)
Director of Accounts/(Postal)
Accounts General

UCO Bank / Guwahati

afc
8
02-05-2000

35/2000

Pin Code: _____

R/4

351

No.IMG/Pen/IEC/3447 Dt: 02-05-2000

Annexure - 'A'

Note:-

An amount of Rs. 502.00 (Rs. Five hundred. Two only) only being the commuted value of Rs. 444/- (Rs. Four only) only shall also be credited to his/her S.B.Account. His/Her monthly pension shall be reduced by Rs. 444/- w.e.f. the date of payment of commuted value and the total amount of pension, personal pension with relief payable after commutation Rs. _____ (i.e. pension Rs. _____ (+) Personal pension Rs. _____ (+) Relief Rs. _____

Application for commutation is attached herewith.


for DAO/N.F.RLY./LUMPING.

al
02-5-2000 2/3/2000

Annexure R/5
QS

From:- Ardhendu SARKAR DAS. Ex-ccm
Flat No- 311, Block-1 QS CITY
TO:- RAIL VIHAR CALCUTTA-78
DRM (P) N.F.Rly. Lumding, Assam.

Dear Sir,

Mallick
27/8/99

Sub:- Payment of Due D.R.G.
Ref:- Central Administrative Tribunal
Case No- CA - 161/98 &
Judgement No- CAT/Utility/543/2679
dt 27-8-99.

The above Hope that you have received
Judgment of the Hon'ble C.A.T.
My address has changed as above.

38

Any correspondence
may please be ~~mailed~~
to my address given
above.

25

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

5

Any Payment may be made
Please be a/c payee ~~my~~ ^{ARD} ~~to~~
Cheque/DD to ~~Reconvenor~~ ^{W.M.} D.R.M (PENSION)
(Reconvenor) No-1039 (S/B)
N.F. RAILWAY

I.O. B.I.F.B. Extension LUMDING

Branch Calcutta-78

Dist- NOWGAON
Assam.

RT PIN

--	--	--	--	--	--

Thanking you
yours faithfully

Dhrubendu Sikkhanda

30/9/99