

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

ORIGINAL APPLICATION NO. 180/00564/2014

Thursday this the 14th day of June , 2018

CORAM

HON'BLE MR. U. SARATHCHANDRAN, JUDICIAL MEMBER
HON'BLE MR.E.K. BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

Samuel George, S/o Late P.S. George, aged 72 years,
Retired Personnel Officer, Local Telecom Training Centre under
Principal General Manager, Gtelecom, Ernakulam, residing at
'Palakunnath' House, Elamkulam, Kochi 17. ... **Applicant**

[By Advocate Mr. R.Sreeraj]

V.

1. Union of India,
Represented by Secretary to Government,
Ministry of Communications,
New Delhi 110 001..... .. Deleted vide order dated 3.12.2015
2. The Chief General Manager Telecom, Bharat Sanchar Nigam Ltd.
Kerala Circle, Trivandrum 14.
3. The Principal General Manager Telecom, Bharat Sanchar Nigam Ltd.
Ernakulam – 16.
4. The Accounts Officer, O/o the Principal General Manager Telecom
Bharat Sanchar Nigam Limited, Ernakulam – 16.
5. The Controller of Communication Accounts,
Bharat Sanchar Nigam Ltd. , Kerala Circle,
Trivandrum 14. ... **Respondents**

(By Advocate Mr.V.Santharam for R.2 to R.4 and Mr. K. Kesavankutty, ACGSC for R.5)

This application having been finally heard on 14.06.2018, the Tribunal on the same day delivered the following in the open court.

ORDER (ORAL)

PER: U. SARATHCHANDRAN, JUDICIAL MEMBER:

Applicant is a retired Personnel Officer of Bharat Sanchar Nigam Limited (B.S.N.L.) superannuated with effect from 30.11.2001. He submitted Annexure A.3 representation stating therein that his pay scale in

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B.S.N.L. in the prerevised scale should have been Rs. 11875-300-17275 instead of 8750-245-12245. Being aggrieved by this position and having not received any relief on his representation the applicant has approached this Tribunal seeking relief as under:

“I) To declare that the refusal on the part of the respondents to fix the pay of the applicant in the scale of pay of Rs.11,875-300-17,275/- with effect from 17.7.1995 and in the scale of pay of Rs. 20,600-46,500 with effect from 1.10.2000, to grant him arrears of pay on the basis of the fixation thus made, to revise his pension with effect from 1.11.2001 on the basis of the fixation thus done and average emoluments thus arrived at and to grant him arrears of pension is illegal, arbitrary, unjust, unreasonable, irrational and the same violates Article 14 of the Constitution of India.

II) To direct the respondents to fix the pay of the applicant in the scale of pay of Rs. 11,875-300-17,275 with effect from 17.7.1995 and in the scale of pay of Rs.20,600-46,500 with effect from 1.10.2000, to grant him arrears of pay on the basis of the fixation thus made, to revise his pension with effect from 1.11.2001 on the basis of the fixation thus done and average emoluments thus arrived at and to grant him arrears of pension within a time frame to be prescribed by this Hon'ble Tribunal.

III) Such other relief as may be prayed for and this Tribunal may deem fit to grant.

IV) Grant the cost of this Original Application. “

2. Respondents have filed a detailed reply statement furnishing details of the employment record of the applicant. According to the respondents Annexure A.3 representation was considered on the basis of Annexure R.2 Office Memorandum dated 15.3.2017 which is an O.M. relating to Revision of Pension of pre 2007 Pensioners/Family Pensioners of B.S.N.L. and accordingly R.2 (e) Revised Fixation Memo in IDA Scale on absorption in BSNL was passed in respect of the applicant on 7th November 2013 and amounts as per Annexure R.2(e) Revised Fixation were disbursed vide R2 (f) and as per R.2 (g) bank details showing remittance of leave encashment etc.

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3. After hearing both sides it appears that grievances of the applicant has been settled. We find no merit in the contentions of the applicant.

Accordingly, the O.A. is closed. No order as to costs.

(E.K. BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

(U.SARATHCHANDRAN)
JUDICIAL MEMBER

sj/*

List of Annexures in the O.A.

Annexure A.1 –	True copy of the application under the RTI Act dated 15.03.2014 submitted by the applicant to the PGMT, BSNL Ernakulam.
Annexure A.2 -	True copy of the letter No. DGM(A&OP)/RTI/579/2014/6 dated 08.04.2014 issued by the Deputy General Manager (A&OP) & CPIO, O/o. PGMT, BSNL Ernakulam in reply to Annexure A-1 application.
Annexure A.3.-	True copy of the representation dated 20.09.2012 submitted by the applicant to the Chief General Manager, Kerala Telecom Circle, Trivandrum.
Annexure A.4-	True copy of the Memo No. EII/2/40/SG/35 dated 05.03.2013 addressed to the Communications Accounts Officer (Pension) along with Memo No. Estt/SG/genl/2012-13/13 dated 07.02.2013 and the Revised Pension Calculation Sheet, all issued by the Accounts Officer, O/o. The PGMT, Ernakulam.
Annexure A.5.-	True copy of the Memo No. CCA/KRL/1-3/C-2001-02/824 dated 23.09.2011 issued by the Communication Accounts Officer (Pension), O/o. The CCA, Thiruvananthapuram – 695 033.
Annexure R2(a)-	True copy of the order No.1-5/2004-PAT(BSNL) dated 18.03.2004.
Annexure R2(b)-	True copy of the Pay Fixation Memo in IDA scale on absorption in BSNL.
Annexure R2(c)-	True copy of the office order No. BSNL/26/SR/2002 dated 07.08.2002.
Annexure R2(d)-	True copy of representation dated 20.09.2012 addressed to the 2 nd respondent.
Annexure R2(e)-	True copy of revised fixation memo in I.D.A scale of absorption in BSNL dated 07.02.2013.
Annexure R2(f)-	True copy of Sanction order No. AO(P&A)/SAN/12-13/30 dated 04.03.2013.
Annexure R2(g)-	True copy of statement of account of the respondents.
Annexure R2(h)-	True copy of relevant page of extract of Service Book of the applicant.
Annexure R2(i)-	True copy of the relevant page of the extract of the service

book of the applicant.

- Annexure R2(j)- True copy of the relevant page of the extract of the service book of the applicant.
- Annexure R2(k)- True copy of the pre-revised and revised Pay scale (elevated pay scale).
- Annexure R2(l)- True copy of conversion scale of CDA.
- Annexure R2(m)- True copy of the conversion scale of Rs. 2500-4000.
- Annexure R2(n)- True copy of office order dated 05.03.2009.
- Annexure R2(o)- True copy of office Memorandum dated 15.03.2011.