

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/01011/2015

Thursday, this the 2nd day of August, 2018

CORAM:

Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member
Hon'ble Mr. Ashish Kalia, Judicial Member

1. C.Sasidharan Nair, S/o. P.K. Chandrasekharan Nair, aged 59 years, Assistant Accounts Officer, Deposit, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram - 695 001, residing at Thayyil House, Vattappara, Thiruvananthapuram -695 028.
2. M. Sudhakaran, S/o. Late P.S. Madhavan Nair, aged 64 years, Retired Assistant, Accounts Officer, GE-18, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Nalinam, B-53, TC 7/1759(1), Pangode, Thirumala P.O., Thiruvananthapuram - 695 006.
3. Devakumar V., S/o. Vamadevan, aged 64 years, Retired Assistant Accounts Officer, OE (Admn), Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Revathy, Muttappalam, Perunguzhi P.O., Thiruvananthapuram – 695 305.
4. K. Krishnan (No.3), S/o. late R. Kesavan, aged 63 years, Retired Assistant Accounts Officer, IAD, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at House No.67, Vrindavan, Hill Top Gardens, Karakulam P.O., Thiruvananthapuram – 695 564.
5. S. Ajithakumari, D/o. late K.M. Krishnan Nair, aged 55 years, Assistant Accounts Officer, PF 21, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Salima, TC 49/1067(2), Karthikanagar, Manacaud P.O., Thiruvananthapuram – 695 009.
6. M.S. Radhakrishnan, S/o. P. Madhavanpillai, aged 54 years, Assistant Accounts Officer, GE-25, office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Thekkekappil House, TC II/739, Chlakuzhy Lane, Medical College P.O., Thiruvananthapuram - 695 011.
7. N.Suresh Kumar, S/o. late N. Natesan, aged 55 years, Accounts Officer, PF, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 62/210, Sreenikethan, No.37-A, Sree Nagar Association, Manacaud P.O., Thiruvananthapuram – 695 009.

8. C. Vijayakumari, D/o. late V. Kunjukrishna Pillai, aged 56 years, Assistant Accounts Officer, PF 18, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Vipanchika, ANRA C-28, Inasakthinagar, Pongumoodu, Thiruvananthapuram - 695 011.
9. M.M. Jose, S/o. Mathai, aged 59 years, Assistant Accounts Officer, LA Cell (HBA), Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at CRA-110, Murinjapalam, Pattom P.O., Thiruvananthapuram – 695 004.
10. P.Lekshmikutty, D/o. Krishnan Nair, aged 64 years, Retired Assistant Accounts Officer, GE-29, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC/2/1459, Vaisakh, (CRA 27), Nalanda Lane, Pattom P.O., Thiruvananthapuram – 695 004.
11. Ushakumari, D/o. N. Velayudhan Nair, aged 59 years, Assistant Accounts Officer, LA2, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Sreedevi, Kundamonbhagam, Peyad P.O., Thiruvananthapuram – 695 573.
12. G.Gopakumar, S/o. N. Gopalakrishnan Nair, aged 53 years, Assistant Accounts Officer, OE(E&C), Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Neerajam, Rank-43, Nambavankavu, Kodunganoor P.O., Vattiyoorkavu, Thiruvananthapuram-695 013.
13. Sheeba Francis, D/o. T.J. Francis, aged 48 years, Assistant Accounts Officer, Book I, office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Antoin, TC 2/1314, VL-61, Vikas Lane, Thiruvananthapuram – 695 023.
14. N.Kalalekshmi, S/o. P.R. Narayanan Nair, aged 55 years, Assistant Accounts Officer, OE(E&C), Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 10/1866(1), Krishnendu, IAS Colony, Vattiyoorkavu, Thiruvananthapuram – 695 013.
15. V.Natarajan, S/o. S.Velayudhan Achari, aged 54 years, Assistant Accounts Officer, GE 14, Office of the Principal Accountant General (A&E), Kerala, Branch Kottayam – 686 006, residing at Rajamandiram, BOC Road, Perumbavoor P.O., Ernakulam – 683 542.
16. Sunder Raj T.S., S/o. Sreedharan T.K., aged 53 years, Assistant Accounts Officer, General (K) Section, Office of the Principal Accountant General (A&E), Kerala, Branch Office, Kottayam - 686 006, residing at Santhi Bhavan, Thrikkunnappuzha P.O., Alappuzha – 690 515.

17. S. Gopalakrishnan, S/o. R. Sreedharan Nair, aged 53 years, Assistant Accounts Officer, PF 36, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Prayag, VP X/990, Kodunganoor, Trivandrum-695 012.
18. V.Seetharaman, S/o S.Vaidyanatha Iyer, aged 52 years, Assistant Accounts Officer, GE 15, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram - 695 001, residing at TC 50/478(4), Kalady Karamana P.O., Thiruvananthapuram - 695 002.
19. K.R. Sheeba, D/o. R.Ramachandran Nair, aged 50 years, Assistant Accounts Officer, PF-I, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Revathy, DDRA-510, Near T.V. Centre, Kudappanaunnu P.O., Thiruvananthapuram – 695 043.
20. Geethadevi G.S., D/o. K. Gopinathan Pillai, aged 55 years, Assistant Accounts Officer, GE 13, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Ampadi, Vencode P.O., Vattappara, Thiruvananthapuram – 695 028.
21. M.Venkatraman, S/o. V.Mahadeva Iyer, aged 52 years, Assistant Accounts Officer, IAD, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 5/2058(C), Mahadeva, PNRA E, 51B Peroor Nagar, Ambalamukku, Kowdiar P.O., Thiruvananthapuram -695 003.
22. K.R. Krishnakumar, S/o. late C.Ramavarma, aged 52 years, Assistant Accounts Officer, I.A.D., office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 3/483(1), Swathi, Kallaramoola, Muttada P.O., Thiruvananthapuram – 695 025.
23. J. Leelamma, D/o. Sri. Damodaran Pillai, aged 63 years, Retired Assistant Accounts Officer, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at T.C. 20/1601, E64, Sastri Nagar, Karamana, Thiruvananthapuram – 695 002.
24. Jayakumar K.P., S/o. late G.Parameswaran Pillai, aged 53 years, Assistant Accounts Officer, VLC(a/cs), Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Flat No. 313, MF4, Vrindavan Gardens, Pattom, Thiruvananthapuram - 695 004.
25. A.P. Sureshkumar, S/o. late A.Padmanabha Pillai, aged 50 years, Assistant Accounts Officer, GE 01, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Naveenam, TC 6/74(3), MVRA-A-43, Panditji Lane, Vattiyoorkavu, Thiruvananthapuram – 695 013.

26. N. Santhakumari, D/o. Narayana Pillai, aged 61 years, Retired Accounts Officer, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Sudarsanam, Kudappanakkunnu P.O., Thiruvananthapuram – 695 043.
27. S.Ganeshkumar, S/o. Sivasubramonia Pillai, aged 58 years, Accounts Officer, PF, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at 10/49, Anuja Bhavan, Fort, Eraniel, Kandan Vilai P.O., Kanayakumari – 629 810.
28. R.Remadevi, D/o. C. Radhakrishnan Nair, aged 52 years, Assistant Accounts Officer, GE 4, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Shivapriya, VRABTO, Vanchiyoor, Thiruvananthapuram – 695 034.
29. C.S. Bharathan, S/o. late C.R.Subrama Iyer, aged 57 years, Assistant Accounts Officer, WAC I Section, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch – 680 022, residing at Flat No. IE, Ramalayam Phase-II, Ramavarma Lane, Chittoor Road, Kochi – 682 011.
30. K.P. Syamkumar, S/o. P. Radhakrishnan, aged 52 years, Assistant Accounts Officer, EDP, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch – 680 022, residing at 13/57, Kunnambath Lane, Ayyanthole, Thrissur – 680 003.
31. K.P. Santhi, D/o. K.P. Sarada, aged 53 years, Assistant Accounts Officer, WAC 4, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch - 680 022 , residing at Thushara, TC VII/II95, Kunduvara, Chembukavu, Thrissur – 680 020.
32. S. Sasidharan, S/o. Late P.V. Sreedhara Warriar, aged 53 years, Assistant Accounts Officer, PF 34, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram - 695 001, residing at Medha, II/94-A, Rangnathandaj Road, Thrissur – 680 306.
33. Nandakumaran, S/o. P.Raman Nair, aged 53 years, Assistant Accounts Officer, GE 31, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch – 680 022, residing at Ambat House, Post Arimbur, Thrissur-680 620.
34. K.M. Sobha, D/o. M.Narayanan Nair, aged 59 years, Accounts Officer,PF, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Shobhanam, Convent Road, Shornnur, Palakkad - 679 121.
35. Latha K. Warriar, D/o. late E.K. Warriar, aged 54 years, Assistant Accounts Officer, GE 28, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch – 680 022, residing at 'Krishna', House No TC 6/2832, Warriem, Kurappath Lane, Thrissur – 680 020.

36. Pradeep Kumar K., (No. 1), S/o. K.P. Kunhiraman Nair, aged 59 years, Accounts Officer, WAM, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch – 680 022, residing at Prathibha, Evanoor, Cheroor P.O., Thrissur - 680 008.
37. Achuthanandan M., S/o. C.T.K. Menon, aged 52 years, Accounts Officer, OE, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch – 680 022, residing at No.85, Renjini, Museum Crosslane, Chembukavu, Thrissur - 680 020.
38. Aipu K.P., S/o. Poulose K.C., aged 55 years, Assistant Accounts Officer, PF-10, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch – 680 022, residing at Kizhakkekudy House, University Nagar, K.A.U. P.O., Pin - 680 656.
39. P. Ramakrishnan, S/o. late P. Madhavan Nair, aged 57 years, Assistant Accounts Officer, PF 10, Office of the Principal Principal Accountant General (A&E), Kerala, Thrissur Branch-680 022, residing at TMC 11833, Nandanam, 9th A Cross, Udaya Nagar, Ayyanthole P.O., Thrissur – 680 003.
40. Valsala M. Menon, D/o. late K. Mukundan Menon, aged 52 years, Assistant Accounts Officer, GE 28, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch – 680 022, residing at Lavanyam, TC VIII/1228, R.V. Puram P.O., Thrissur - 680 631.
41. P. Narayanankutty, S/o. late T. Kuttykrishnan Nair, aged 58 years, Assistant Accounts Officer, Treasury Inspection Party, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch-680 022, residing at Quarter No.J4, AG's Office Staff Quarters, Pullazhy P.O., Thrissur – 680 012.
42. N.P. Bhaskaran, S/o. N.P. Sankunni, aged 55 years, Assistant Accounts Officer, PF 25, Office of the Principal Accountant General (A&E), Kerala Thrissur Branch-680 022, residing at Naduparambil House, Koonathara P.O., Kavalappara Via, Palakkad – 679 523.
43. M.P. Divakaran, S/o. late K.A. Nair, aged 62 years, Retired Assistant Accounts Officer, FAC-II, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch – 680 022, residing at III/76(B), Chevoor, Thrissur – 680 027.
44. C.C. Sebastian, S/o. C.P. Chacko, aged 58 years, Assistant Accounts Officer, OE, Office of the Principal Accountant General (A&E), Kerala, Thrissur Branch - 680 022, residing at Chandy House, 17/646, Diabetic Centre Road, Unity Nagar, Irinjalakuda, Thrissur - 680 121.
45. Joy Palayoor, S/o. Thomas Palayoor, aged 52 years, Accounts Officer, GE, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Palayoor House, Thamarayoor P.O., Guruvayoor, Thrissur-680 505.

46. M.D. Syamala, D/o. M.K. Damodaran, aged 58 years, Accounts Officer, Pension, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Thaiparambil House, Near Trinity Convent Gate, Kolazhy P.O., Thrissur-680 010.
47. C.V. Malini, D/o. V. Achutha Menon, aged 55 years, Accounts Officer, PF, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at 19/163/7, Surya Apartments, Poothole, Thrissur – 680 004.
48. R. Ushakumari, D/o. late K. Raman Nair, aged 53 years, Assistant Accounts Officer, PF 23, Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006, residing at 13/1856, Dhanyatha, A.R. Camp Road, P.O. Marikkunnu, Kozhikode - 673 012.
49. Dinesh Kumar Kunnath, S/o. K.T. Sankaran, aged 54 years, Assistant Accounts Officer, DA &E(C) 4, Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006, residing at Rachana, B.C. Road, P.O. Beypore, Kozhikode - 673 015.
50. K. Premarajan, S/o. A. Kunhiraman Nambiar, aged 54 years, Assistant Accounts Officer, PF-19, Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006, residing at Harmony, Breeze Villas, Karaparambu P.O., Kozhikode – 673 010.
51. N. Jacob Francis, S/o. late N.V. Francis, aged 55 years, Assistant Accounts Officer, PF-24, Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006 , residing at 31/870 C (16/1008), Nellissery, Post Mayanad, Kozhikode - 673 008.
52. C.Anil Chandran, S/o. C.V.Chandrasekharan, aged 55 years, Assistant Accounts Officer, General(C), Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006 now on deputation to Guruvayoor Devaswom, Guruvayoor, residing at Chandrodaiyam, Post Mele Pattambi, Palakkad - 679 306.
53. Pradeep Thomas Jacob, S/o. M.J. Thomas, aged 56 years, Assistant Accounts Officer, DAE(C)3, Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006, residing at 4/222, Crowlands, Joseph Road, Kozhikode - 673 032.
54. P.V. Satheesan, S/o. late K.M. Raman Nambiar, aged 56 years, Assistant Accounts Officer, DA &E(C) I, Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006, residing at Panchami, Mundayad P.O., Chovva, Kannur – 670 006.
55. K.K. Sivadasan, S/o. late E.V. Narayana Kurup, aged 52 years, Assistant Accounts Officer, PF 27, Office of the Accountant General (A&E), Kerala, Kozhikode Branch – 673 006, residing at 'Kripa', Nitumbrom, Chokli P.O., Thalassery - 670 672.

56. Abdul Rassak M.T., S/o. late Abdurahiman M.T., aged 52 years, Assistant Accounts Officer, PF 19, Office of the Principal Accountant General (A&E), Kozhikode Branch – 673 006, residing at Meletheruvath House, Punnassery P.O., Narikkuni (Via), Kozhikode - 673 585.
57. P. Anil Kumar, S/o. late P. Sankara Warriar, aged 56 years, Assistant Accountants Officer, EDPPF, Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006, residing at Souparnika, Near Katcherikunnu L.P. School, P.O. Pokunnu, Kozhikode-673 013.
58. P.T. Rajalakshmi, D/o. Late M.C. Kumaran Nair, aged 58 years, Assistant Accounts Officer, PF 33, Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006, residing at 30/1170, Kausthubham P.O., Medical College, Kozhikode – 673 008.
59. T.Sreevalsan, S/o. late V.Padmanabhan Nair, aged 53 years, Assistant Accounts Officer, IAD(C), Office of the Principal Accountant General (A&E), Kerala, Kozhikode Branch – 673 006, residing at Sreegeetham, Breez Villas, Karaparambu, Kozhikode - 673 010.
60. G. Sankaran Nair, S/o. late K. Gopakumaran Nair, aged 53 years, Assistant Accounts Officer, Legal Cell, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at AN 75A, Adarsh Nagar, T.P. Road, Pattom, Thiruvananthapuram – 695 004.
61. K.L. Sherly, D/o. V. Unnikrishnan Nair, aged 56 years, Assistant Accounts Officer, Legal Cell, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Kausthubham, TC V/930-I, Maruthankuzhy, Kanjirampara P.O., Thiruvananthapuram - 695 030.
62. M.S. Sreekala, D/o. late P. Madhavan Pillai, aged 50 years, Assistant Accounts Officer, Pension Group, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 25/3358(2),CRRA-151A, Chirakulam Road, Thiruvananthapuram – 695 001.
63. K. Udayakumar, S/o. K.P. Krishnan, aged 54 years, Assistant Accounts Officer, GE-18, Office of the Principal Accountant General(A&E), Kerala, Thiruvananthapuram – 695 001, residing at Arakkode House, CGRA-14, City Gardens, Kizhakkathil Junction, Anayara, Thiruvananthapuram – 695 029.
64. R. Lathanath, D/o. late N. Ravindranath, aged 56 years, Assistant Accounts Officer, PF-43, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Aanjaneya, KRA/D-20, Attara Lane, Kannamoola, Thiruvananthapuram – 695 011.

65. B.Padmavathyamma, D/o. late N.Krishnapillai, aged 62 years, Retired Assistant Accounts Officer, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Gowrivilasom, Kudappanakunnu, Thiruvananthapuram - 695 043.
66. Thomas K. Prakash, S/o. Thomman Thomas, aged 53 years, Assistant Accounts Officer, PF-7, Office of the Principal Accountant General (A&E), Kerala, at Branch Office Ernakulam – 682 017, residing at Arunima, Kochukavala, Vaikom – 686 141.
67. Johny Varghese, S/o. K.J. Varghese, aged 55 years, Assistant Accounts Officer, DAE-2, Office of the Principal Accountant General (A&E) Kerala, Branch Office Ernakulam – 682 017, residing at Kanattu House, Kusumagiri P.O., Kochi - 682 030.
68. P.C. Biju, S/o. P.N. Chummar, aged 51 years, Assistant Accounts Officer, PF-11, Office of the Accountant General (Audit), Kerala, Thiruvananthapuram – 695 001, residing at 7/B2, B3 Block, Penta Queen Apartment, Padivattom, Edappally P.O., Kochi-682 024.
69. Lola R., D/o. V.S. Ramakrishnan, aged 49 years, DAE(E) 2, Office of the Principal Accountant General (A&E), Kerala, Branch Ernakulam – 682 017, residing at Sreevalsam, Temple Road, Kadvanthra, Kochi - 682 020.
70. K.R.Sreekumar, S/o. Raghavan Nair, aged 52 years, Assistant Accounts Officer, PF 46, Office of the Principal Accountant General (A&E), Kerala, Ernakulam Branch – 682 017, residing at Karavar House, Kuttamassery, Thottumugham P.O., Aluva-683 105.
71. Thomas Varghese A, S/o. late Varkey Kurien, aged 55 years, Assistant Accounts Officer, PF-44, Office of the Principal Accountant General (A&E), Kerala, Ernakulam Branch – 682 017, residing at Arackal House, Kairali Nagar, House No.7, Kusumagiri P.O., Kakkanad, Kochi-682 030.
72. Santha Kumari B, D/o. N.K. Raman Nair, aged 61 years, Retired Assistant Accounts Officer, Office of the Principal Accountant General (A&E), Kerala, Ernakulam Branch – 682 017, residing at Bharathy Bhavan, Karingamthuruth, Kongorppilly P.O., Aluva – 683 594.
73. Sreekumari Amma B, D/o. late N. Padmanabha Pillai, aged 61 years, Retired Assistant Accounts Officer, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 28/2657, Sabri, KRA-A-48, Thodiyil Lane, Chettikulangara, Thiruvananthapuram - 695 001.

74. B. Sarojini Amma, D/o. Late N. Padmanabha Pillai, aged 63 years, Retired Assistant Accounts Officer, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 29/996, Karthika, Palkulangara, Pettah P.O., Trivandrum - 695 024.
75. K. Bagavathy Ammal, D/o. Krishna Pillai, aged 62 years, Retired Assistant Accounts Officer, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Pranavam, TC 6/1570(1), Dr. Pinto Lane, Thuruvaikal P.O., Ulloor, Thiruvananthapuram - 695 031.
76. K.P. Aravindakshan, S/o. V. Balasundaram, aged 54 years, Assistant Accounts Officer, VLC(a/cs), Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 2/1943(5), Diamond Enclave, Gowreesapattom, Pattom P.O., Thiruvananthapuram- 695 004.
77. V. Sethumadhavan Nair, S/o. N.Velukutty Nair, aged 62 years, Retired Assistant Accounts Officer, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Sreepadam, NLRA-118, Neerazhi Lane, Ulloor, Thiruvananthapuram – 695 031.
78. A.Venkitachalam, S/o. late K.V. Ananthanarayanan, aged 63 years, Retired Assistant Accounts Officer, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Gokulam, SRWA-8, Snehapuri, Karumom P.O., Thiruvananthapuram – 695 002.
79. K.P. Prakash Kumar, S/o. late K. Kumaran, aged 58 years, Accounts Officer, Pension, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Theerthapuram, Civil Station, Kannur - 670 002.
80. P. Sivaramakrishnan, S/o. S. Padmanabha Iyer, aged 59 years, Assistant Accounts Officer, Co-Ordination, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 23/680, Valiachalai Street, Thiruvananthapuram - 695 036.
81. Bridget Thomas, D/o. late J.A. Miranda, aged 54 years, TM, Assistant Accounts Officer, Pension 5, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 27/46, Red Cross Road, Pattoor, Thiruvananthapuram – 695 011.
82. Louis K.M., S/o. K.V. Mathai, aged 53 years, Assistant Accounts Officer, General, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001 , residing at MGRA 20, Marappalam Gardens, Pattom Post, Thiruvananthapuram - 695 004.

83. K.N. Krishnan Potty, S/o. N.Narayanaru, aged 56 years, Assistant Accounts Officer, PAO I Section, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at TC 50/1044 SKRA I, Ramnavami, Thaliyal, Karamana P.O., Thiruvananthapuram – 695 002.
84. K.M. Muralidharan, S/o. T.V. Balakrishnan Nair, aged 54 years, Accounts Officer, Pension, Office of the Assistant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at House No 52A M.G Nagar, Peroorkada, Thiruvananthapuram – 695 005.
85. S. Chandramathy Amma, D/o. E.Vasudevan Pillai, aged 58 years, Assistant Accounts Officer, PF-5, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Panayil Veedu, Chencherry, Madathuvilakom P.O., Mannanthala, Thiruvananthapuram – 695 043.
86. A Swarnam, D/o. late K.K. Chandu Nambiar, aged 55 years, Assistant Accounts Officer, PF 30, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at CRA-G21, Pranavam, Charachira, Kowdiar P.O., Thiruvananthapuram – 695 003.
87. John Kuruvila, S/o. K.J. Kuruvila, aged 53 years, Assistant Accounts Officer, GE 3, Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at Kochupurackal, Jyothi Nagar-20, Kesavadasapuram, Thiruvananthapuram – 695 004.
88. T. Suresh Kumar, S/o. A. Thanumalayan, aged 53 years, Assistant Accounts Officer, OE(Admn), Office of the Principal Accountant General (A&E), Kerala, Thiruvananthapuram – 695 001, residing at 33A/18 Sowbhagya, Sakthi Garden, V.N.Colony, Irullappapuram, Nagercoil – 629 002.
89. T.V.Krishnan, S/o. late C. Kannan, aged 53 years, Assistant Accounts Officer, PF 26, Office of the Principal Accountant General (A&E), Kerala, Branch Thrissur – 680 022, residing at Thaivilappil House, Kalpaka Gardens, 5th Street, Kolazhy P.O., Thrissur – 680 010.

..... **Applicants**

(By Advocate : Mr. P. Nandakumar)

V e r s u s

1. Union of India, represented by Secretary to the Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, North Block, New Delhi – 110 001.
2. The Comptroller & Auditor General of India, 9 Deen Dayal Upadhyaya Marg, New Delhi – 110 124.

3. The Principal Accountant General (A&E), Kerala,
Thiruvananthapuram – 695 033. **Respondents**

(By Advocate : Mr. K.I. Mayankutty Mather)

This application having been heard on 27.07.2018 the Tribunal on 02.08.2018 delivered the following:

ORDER

Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member –

Applicants are aggrieved by the refusal on the part of the respondents to extend them the benefit of 3rd financial upgradation in PB-2 with Grade Pay of Rs. 5,400/- under the Modified Assured Career Progression Scheme (in short MACP). Many of their juniors were granted the benefit and they are now drawing pay in the higher Grade Pay than the applicants and also enjoying higher privileges. They are further aggrieved by paragraph 20 of Annexure I of the MACP scheme as per which financial upgradation under the MACPs shall be purely personal to the employees and shall have no relevance to the seniority position. As such there shall be no additional financial upgradation for the senior employees on the ground that the junior employee in the grade has got higher pay/Grade Pay under the MACPs.

2. The brief facts of the case are that applicants herein except applicants 2 to 4, 7, 10, 23, 26, 27, 34, 36, 37, 43, 45 to 47, 65, 72 to 75, 77 to 79 and 84 are Assistant Accounts Officer [(in short AAO) gazetted officers in PB-2 of Rs. 9,300-34,800/- with Grade Pay of Rs.4,800/-] working under respondent No. 3. Applicants 2 to 4, 10, 23, 43, 65, 72 to 75, 77 and 78 are retired AAO who had worked under respondent No.3. Applicants 7, 27, 34, 36, 37, 45 to 47, 79 and 84 are promoted Accounts Officer in PB-2 of Rs.

9,300-34,800/- with GP of Rs. 5,400/- working under respondent No. 3. They submit that paragraph 20 of Annexure I of MACP scheme militates against the well settled principle that a senior cannot be paid less pay than his junior as laid down by the apex court in various decisions like *Union of India & Ors. v. P. Jagadish & Ors.* - (1997) 3 SCC 176, *Gurcharan Singh Grewal & Anr. v. Punjab State Electricity Board and Ors.* - (2003) 3 SCC 94 and *Union of India v. T.M. Somarajan & Ors.* - (2010) 1 SCC 129. The applicants submitted representations requesting that they may be given 3rd financial upgradation under the MACP scheme. They contend that the 3rd financial upgradation has been denied to them on the ground that they have already enjoyed three fixations by way of promotions.

3. They further submit that the Chennai Bench of the Tribunal had considered the similar issue in OA No. 966 and 967 of 2009 dated 29.12.2010. The Tribunal directed the respondents to extend the benefit of MACP scheme to the applicants therein, by fixing their Grade Pay at Rs. 5,400/- from the date on which the said benefit was extended to the private respondents and to disburse the accrued arrears. Against the said judgment the respondents filed WP Nos. 18611 and 18612 of 2011 before the High Court of Madras. The Writ Petitions were dismissed vide common order dated 19.3.2014. Later the common order was challenged before the Hon'ble Supreme Court. However, the Special Leave Petition was dismissed as per order dated 19.8.2014. The respondents implemented the judgment passed by the Madras High Court vide per order dated 27.8.2014. Thus, the action of the respondents in not granting the benefit of 3rd financial upgradation in PB-2 with Grade Pay of Rs.5,400/- to similarly placed

applicants in the present OA is highly illegal, arbitrary, unjust, unreasonable and irrational. The same violates Articles 14 & 16 of the Constitution of India.

4. The applicants seek the following relief:

- “(i) To call for the records leading to Annexure A-26, A-27 and A-28 and quash the same.
- (ii) To declare that Para 20 of Annexure A-1 Modified Assured Career Progression Scheme is illegal, arbitrary and unconstitutional
- (iii) To direct the respondents to grant the applicants the benefit of 3rd financial upgradation on Pay Band 2 with Grade Pay 5400 under the Modified Assured Career Progression Scheme including arrears with effect from the date their juniors were given.
- (iv) To issue such other orders, or directions as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.”

5. The respondents contest the claim of the applicants and submit that the applicants are not eligible for 3rd financial upgradation under MACP scheme as they have already enjoyed three promotions. As per the MACP scheme three financial upgradations are counted from the direct entry grade on completion of 10, 20 and 30 years of service respectively. The scheme is not applicable to those officials who have already enjoyed three promotions. Further the scheme clearly states that MACP shall be purely personal to the employee and shall have no relevance to his or her seniority position and as such there shall be no additional financial upgradation for the senior employee on the ground that the junior employee in the grade has got higher pay/Grade Pay under the scheme.

6. The applicants fall under two categories and the first category of officials got promotion as Accountants followed by their promotion as

Senior Accountants. On passing the SOGE examination they were promoted as AAO. The second category consists of officials who got promotion as Accountants and Sr. Accountants. On passing the SOGE examination they were appointed as Section Officer on *ad hoc* basis and they became AAO not by promotion but by unification of scales of pay of Section Officers and AAO with effect from 1.1.2006.

7. The respondents further contend that as per the revised pay structure with effect from 1.1.2006 the posts of Section Officer and AAO have been merged and placed in PB-2 9,300-34,800/- with Grade Pay of Rs. 4,800/- and re-designated as AAO. They further submit that although the officials who had entered service as Accountant and promoted as Sr. Accountant, Section Officer and Asst. Accounts Officer enjoyed three levels of promotion with fixation benefit thereof, 3rd financial upgradation under MACP with GP of Rs. 5,400/- in PB-2 9300-34,800/- was granted to them due to the fact that the scales of pay of SO and AAO were unified and the posts re-designated as AAO with effect from 1.1.2006 in conformity with paragraph 5 of the MACP scheme according to which promotions earned/upgradation granted under the ACP scheme in the past to those grades which now carry the same Grade Pay due to merger of pay scales/upgradations of posts recommended by VIth CPC shall be ignored for the purpose of granting upgradations under MACPs. They rely on the judgment of the Full Bench of this Tribunal in OA No. 1103/2013 wherein the order passed by the Chennai Bench has been examined holding that the order of Chennai Bench is *per incuriam*. The above position of the Full Bench was affirmed by the High Court of Kerala in OP (CAT) No. 58/2015.

Later the Chennai Bench in a subsequent order dated 31.10.2014 while referring to the claim of the applicants observed that the order in OA No. 966/2010 and 967/2010 relied on by the applicants is *per incuriam*. The Principal Bench of the Tribunal also in OA No. 436/2015 has considered the similar issue and after examining the various orders pronounced by different benches observed that the claim of the applicants therein is completely misplaced, relying on wrong principles which would result in double benefit because they would get the benefit of promotion as well as upgradation which was never the spirit of MACP scheme and dismissed the OA.

8. Heard the learned counsel appearing for the applicant and the learned counsel appearing for the respondents. Perused all records. The challenge in this O.A is on two counts. The applicants lay claim to the Grade Pay of Rs.5400/- in PB-2 on the ground that their juniors were granted benefits such as higher Grade Pay. Secondly they are aggrieved by para 20 of Annexure A-1 MACP Scheme which reads as follows :

Financial upgradation under MACP Scheme shall be purely personal to the employee and shall have no relevance to his seniority position. As such there shall be no additional financial upgradation for the senior employees on the ground that junior employees in the grade has got higher pay/grade pay under the MACP Scheme.

9. Applicants called to their assistance the decision of the Chennai Bench of this Tribunal in O.A.Nos.966/2007 and 967/2007 wherein the applicants in that case had got the benefit of Grade Pay of Rs.5400/- from the date on which the said benefit was extended to the juniors who are impleaded in the case. The respondents had implemented the judgment vide order dated 27.8.2014. The applicants contention is that, being similarly

placed, they too ought to get the same benefit. Secondly, they have challenged a feature of the MACP Scheme that has already been mentioned. MACP Scheme is an anti stagnation relief measure which envisages three financial upgradations counted from the entry grade on completion of 10, 20 and 30 years of service respectively. The Scheme is not applicable to those officials who have already enjoyed three promotions. The scheme in para 20 already referred to states clearly that the benefit under the Scheme was purely personal to the employee and shall have no relevance to his/her seniority position and no financial upgradation is to be allowed for a senior employee on the ground that junior employee in the grade has got higher pay/grade pay under the Scheme.

10. We have examined the details of service of the applicants. The first group has got three promotions while in service and the second group got two, plus benefit of unification of scales of Section Officer and AAO whereby they were placed in PB-2 Rs.9300-34800 with Grade Pay of Rs.4800/- while being redesignated as AAO. Having been benefited thrice as above they do not appear to have a case as made out in the O.A. Further the applicants set store by the judgment of the Chennai Bench. However, the Full Bench of this Tribunal in O.A.No.1103/2013 had examined the said judgment and held that the order of Chennai Bench is *per incuriam*. This has been upheld by the Hon'ble High Court of Kerala as well.

11. The challenge against MACP Scheme is that para 20 militates against the general principle that senior should not be paid less than the junior. However, MACP Scheme is a specific scheme meant to alleviate the

difficulties of personnel who stagnate at a certain level during the service without promotion. In order to ensure relief to them they are to be sanctioned three financial upgradations at 10, 20 and 30 years interval in the service if they fail to be promoted. As an integral feature of the said scheme, it has been laid down that while bequeathing benefits under the scheme, the ground that a junior is getting higher pay/grade pay cannot be a reason for a senior to seek still further benefits. We feel that this condition is included in the scheme in order to ensure uniformity and a general principle should not be utilized to erode the essence of the scheme.

12. Considering all aspects we do not see any merit in the O.A. Accordingly, the O.A is dismissed. No costs.

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K. BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

“SA”

Original Application No. 180/01011/2015
APPLICANTS' ANNEXURES

Annexure A1: True copy of Office Memorandum No. 35034/3/2008-Estt. (D) dated 19.05.2009

Annexure A2 : True copy of an illustration which would demonstrate the anomaly of the junior drawing more pay than senior by virtue of the former getting the 3rd financial up gradation under the MACPS

Annexure A3 : True copy of the representation dated 04.08.2009 submitted by one of the applicants, Shri. T. Sureshkumar to the Accountant General (A&E), Kerala, Thiruvananthapuram

Annexure A4 - True copy of An illustration which would demonstrate an Assistant Accounts Officer who entered service as Accountant enjoying the 3rd financial up gradation under the MACPS despite 3 promotions

Annexure A5- True copy of An illustration demonstrating the disparity in entitlements such as Grade Pay, Travelling Allowance, Allowances associated with tour etc of an Assistant Accounts Officer vis- a-vis a Senior Accountant

Annexure A6 : True copy of the representation dated 29.09.2010 submitted by the Secretary, SAS Association

Annexure A7 : True copy of the final order dated 29.12.2010 in O.A. 966 and 967 of 2009 on the file of the Chennai Bench of this Hon'ble Tribunal

Annexure A8 : True copy of the representation dated 28.01.2011 submitted by the Secretary, SAS Association

Annexure A9 : True copy of the relevant portion of the clarifications issued by the Head Quarters Office to the query from the office of the Principal accountant General (A&E), Kerala, Thiruvananthapuram

Annexure A10 : A true copy of memorandum No. AdmnII/ MACPS/ 09-10/ 263 dated 02.12.2009

Annexure A11 : True copy of the decision of the Bombay Bench of this Hon'ble Tribunal in A.N. Pant & Others Vs. Union of India

Annexure A12 : True copy of Order dated 22.03.2013 in O.A.No. 1103 of 2011

Annexure A 13 : True copy of letter No. Admn II/ MACPS. Corres. II/13-14/ Tr 94 dated 17.10.2013

Annexure A 14: True copy of Letter dated 07.11.2013 of the Secretary, SAS Association to the 2nd respondent.

Annexure A 15: True copy of communication dated 11.04.2014 of the Principal Legal Advisor & CPIO

Annexure A16 : True copy of Common Order dated 19.03.2014 in W.P.Nos 18611 and 18612 of 2011 before the High Court of Madras

Annexure A17 : True copy of order in SLP (C) No. 11103/2014 dated 19.08.2014

Annexure A18 : True copy of Letter No. 1195/Staff(Entt-1) / 210-2014 dated 27.08.2014

Annexure A19 : True copy of representation dated 05.09.2014 submitted by secretary SAS Association to the 2nd respondent

Annexure A20 : True copy of the judgment dated 02.06.2015 in O.P. (CAT) No. 58 of 2015 of the Hon'ble High Court of Kerala

Annexure A21 : True copy of Order in O.A./020/00413/2014 dated 22.09.2014 of the Hyderabad Bench

Annexure A22 : True copy of Order in O.A.Nos. 540/2011 to 543/2011 dated 17.11.2014 of the Bombay Bench

Annexure A23 : True copy of Order in O.A. 040/00008 of 2014 dated 25.02.2015 of the Guwahati Bench

Annexure A24 : True copy of Order in O.A.No.1994/2015 dated 29.05.2015 of the Principal Bench

Annexure A25 : True copy of Order in O.A. No. 060/00376/2015 dated 14.09.2015 of Chandigarh Bench

Annexure A-26: True copy of Memorandum No. Admn II/MACPS.Corres/III/14-15/269 dated 06.10.2015

Annexure A-27: True copy of Head Quarters Office Letter No. 1/82 Vol.III/2015 dated 28.08.2015

Annexure A-28: True copy of Letter No. 833-LC/48-2012 dated 03.09.2015.

RESPONDENTS' ANNEXURES

Annexure R3(a) – True copy of the letter No. 1502-6 PC/GE-II/92-2009 issued by the 2nd respondent.

Annexure R3(b) – True copy of the order dated 31.10.2014 of CAT, Chennai Bench.

Annexure R3(c) – True copy of the order in OA No. 436/2015 of the Principal Bench of this Hon'ble Tribunal.

Annexure R3(d) – True copy of the letter No. 1716-Staff Estt.I/242-2014 issued by the 2nd respondent.

Annexure R3(e) – True copy of the reply letter No.6.10.2015 furnished to one of the applicants by the 2nd respondent.