

OA.No.170/00123/2017/CAT/Bangalore Bench  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00123/2017

DATED THIS THE 22<sup>nd</sup> DAY OF SEPTEMBER, 2017

HON'BLE JUSTICE SHRI HARUN UL RASHID, MEMBER (J)

HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)

Sri.K.Lakshminarayana  
Aged about 72 years  
S/o late K.Gopala Krishnayya  
Farm Superintendent (Retd.)  
ICAR, Directorate of Cashew Research  
Puttur-574 202  
Resident of Sri Sathya Sai Kripa Nivas  
Kodimabady P.O.  
Via Nekkilady  
PUTTUR-574 325. ....Applicant

(By Advocate Shri S.B.Mukkannappa & Associates.)

Vs.

1. The Union of India  
Ministry of Personnel, P.G. & Pensions Welfare  
Lok Nayak Bhavan  
New Delhi-110 003.
2. The Director of Finance (Pension)  
Indian Institute of Agricultural Research (ICAR)  
Krishi Bhavan  
New Delhi-110 001.
3. The Secretary  
Department of Expenditure  
Ministry of Finance  
Central Secretariat  
North Block  
New Delhi-110 001.
4. The Chief Finance and Accounts Officer  
Indian Institute of Horticultural Research  
Hesaraghatta Lake Post  
Bengaluru-560 089. ....Respondents

(By Advocate Sri.B.A.Chandra Shekar for R4)

ORDER (ORAL)

(PER HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (ADMN))

The applicant has filed the present OA seeking the following relief:

*“Direct the respondents to refix the pension of the applicant at Rs.10,596/- in terms of the revised calculation letter dated 22.1.2016 at Annexure-A5 with effect from 1.1.2006 and consequently pay the difference of arrear of pension at Rs.96/- from 1.1.2006 to 4.4.2016 under the facts and circumstances of the case.”*

2. The applicant while working as Farm Superintendent under the respondents took voluntary retirement from service on 31.1.1998. Following the 6<sup>th</sup> Pay Commission recommendation, the employees who have put in more than 20 years of qualifying service are entitled to full pension w.e.f. 1.1.2006. Accordingly, the 4<sup>th</sup> respondent has revised the pension of the applicant at Rs.10,500/- w.e.f. 1.1.2006. Earlier the applicant along with another person has filed OAs.No.1347&1348/2015 and the Tribunal vide order dated 3.3.3016 has observed that the relief has since been granted and the OA has become infructuous. The applicant has filed the present OA saying that his pension was revised to Rs.10,500/- instead of Rs.10,596/- and has claimed the difference of arrears of pension at Rs.96/- pm from 1.1.2006 to 4.4.2016. However, in the OA, he has not indicated as to how there is a difference in the pension claimed to be his entitlement and what has been sanctioned and has not given any calculation or justification as to how his pension should have been fixed at Rs.10,596/-.
3. The respondents, on the other hand, filed a memo saying that the Administrative Officer had earlier intimated that revised pension w.e.f. 1.1.2006 should be at Rs.10,596/-. However, in terms of the fitment table endorsed by the ICAR letter dtd.14.3.2013, the pension is fixed at

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Rs.10,500/-. Hence, the contention of the applicant that he is entitled to the pension at Rs.10,596/- is not correct.

4. During the hearing, the Learned Counsel for the applicant could not specify as to how the pension was fixed wrongly except saying that the applicant's pension should have been fixed at Rs.10,596/-. We note that subsequent to the 7<sup>th</sup> Pay Commission recommendation, the pension will be further re-fixed w.e.f. 1.1.2016. Hence the period for which the applicant claims to a difference is 1.1.2006 to 31.12.2015. Since the difference is very small and no details have been provided as to how the pension calculation is wrong except for depending on a communication of the Administrative Officer, we are of the view that the matter does not need any further consideration. Accordingly, we hold that the OA is devoid of any merit and hence it stands dismissed. No order as to costs.

(P.K.PRADHAN)  
MEMBER (A)

(JUSICE HARUN UL RASHID)  
MEMBER (J)

/ps/

Annexure-A1: Copy of the pension payment order issued by the 3<sup>rd</sup> respondent

Annexure-A2: Copy of the order dtd.21.4.2015 passed by the CAT in Application No.1165/2011

Annexure-A3: Copy of the representation dtd.1.7.2015 filed by the 1<sup>st</sup> applicant before the 4<sup>th</sup> respondent

Annexure-A4: Copy of the letter of the Administrative Officer dtd.22.1.2016 given to the respondent

Annexure-A5: Copy of the letter dtd.11.2.2016 of the 4<sup>th</sup> respondent

Annexure-A6: Copy of the order dtd.3.3.2016 passed by this Hon'ble Tribunal

**Annexures enclosed along with Memo dtd.27.6.17 by the respondents:**

Annexure-1: Copy of the letter dtd.22.1.2016 by ICAR-Directorate of Cashew Research

Annexure-2: Copy of the office proceedings of 4<sup>th</sup> respondent along with pension calculation

**Annexures enclosed along with Memo dtd.23.8.17 by the respondents:**

Annexure-1: Copy of the detailed calculation of pension

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