

**Central Administrative Tribunal  
Madras Bench**

**OA/310/00423/2017**

**Dated Tuesday the 27<sup>th</sup> day of March Two Thousand Eighteen**

**P R E S E N T**

**Hon'ble Mr. R.Ramanujam, Member(A)**

Smt. Jayammal  
W/o late K.Chellan,  
Ex.C&W F?AME(O)  
TNPM, MAS Divn./S.Rly.  
No.56G/90, Theradi Street,  
Minjurpos, Ponneri Taluk,  
Tiruvellore Dist. 601205. .. Applicant

By Advocate **M/s.Ratio Legis**

**Vs.**

1. Union of India, rep by  
The General Manager,  
Southern Railway,  
Park Town,  
Chennai 600 003.
2. The Senior Divisional Personnel Officer,  
Chennai Division, Southern Railway,  
Park Town, Chennai 600 003.
3. The Senior Divisional Finance Manager,  
Chennai Division, Southern Railway,  
Park Town, Chennai 600 003. ... Respondents

By Advocate **Mr.P.Srinivasan**

**ORAL ORDER**

Pronounced by Hon'ble Mr.R.Ramanujam, Member(A)

Heard both sides. The applicant has filed this OA seeking the following relief:-

“to call for the records related to Pension Payment Advice providing family pension to the applicant and the representations 08.08.2016 and further to direct the respondents to add 20% of the basic pension with all the attendant benefits with admissible interest effective from 02.11.2011 and to make further order/orders as this Hon'ble Tribunal may deem fit and proper and thus render justice.”

2. It is submitted that the applicant was born on 21.11.1931 and had accordingly crossed the age of 80 years on 21.11.2011. However, the respondents did not sanction the additional pension consequent thereto and hence this OA.

3. Learned counsel for the respondents would point out that the applicant had not produced any valid document such as Ration Card, Legal Heir ship certificate, Voter ID card, Aadhar card etc., in the absence of which the applicant's age could not presumed to be over 80. The applicant's case could be considered only on production of such documents. It is, however, admitted that the applicant had produced her PAN card.

4. I have perused the OA and the reply by the respondents. It appears that the department of Pension and Pensioners' Welfare by OM dated 28.9.2010 had referred to earlier OMs dated 21.5.2009 and 11.8.2009 wherein it was provided that in case information regarding date of birth/age was not available in the PPO,

certain documents such as PAN Card, Matriculation Certificate etc. could be accepted as proof of date of birth/age for payment of additional pension/family pension on completion of age of 80 years and above. A copy of the same was sent to all Gms/FA&CAOs of all Indian Railways/Production Units by OM dated 11.10.2010 (PC-VI 232 RBE No.150/2010) for 'strict compliance' alongwith the observation that these instructions would apply mutatis mutandis to the Railways also. I am accordingly of the view that the competent authority could consider the PAN Card submitted by the applicant for the purpose of determining her age and accept it unless proof to the contrary is available from other more authentic and more reliable documents. Since it is admitted in para-8 of the reply that the applicant had produced her PAN card, the respondents are directed to consider the matter accordingly and pass a speaking order within a period of two months from the date of receipt of a copy of this order.

5. OA is disposed of with the aforesaid directions. No costs.

(R.Ramanujam)  
Member(A)  
27.03.2018

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