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**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00287/2015

Thursday, this the 28th day of February, 2019

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

Remya Krishnan
W/o.Ramesh Vishwanath
GDS MP Udumbanchola
Damodara Vilasam, Udumbanchola P.O
Idukki – 685 554

..... **Applicant**

(By Advocate – Mr.P.Ramakrishnan)

V e r s u s

- 1 Union of India, represented by the Secretary
Department of Posts, New Delhi – 110 001
 2. The Superintendent of Post Offices
Idukki Division
Thodupuzha – 685 584
 3. Office of the Inspector of Posts
Department of Posts
Kattappana Sub Division
Kattappana – 685 508
- **Respondents**

(By Advocate – Mr.Thomas Mathew Nellimoottil)

This Original Application having been heard and reserved for orders on 19.2.2019, the Tribunal on 28.2.2019 delivered the following:

ORDER

Per: Mr.E.K.Bharat Bhushan, Administrative Member

Original Application No.287/2015 is filed by Smt.Remya Krishnan, Gramin Dak Sevak Mail Packer at Udumbanchola Post Office. She is aggrieved by the order at Annexure A-6 issued by 2nd respondent, whereby

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the existing TRCA was reduced with effect from 1.3.2015 reckoning that the workload of the post was only two hours and 49 minutes. She seeks the relief that the TRCA earlier drawn, may be restored to her.

2. Applicant had been appointed as GDS MP in Udumbanchola with effect from 15.6.2009 as per Annexure A-1 order. Copy of the pay slip for the month of January 2015 is produced as Annexure A-5. The Basic Pay and Dearness Allowance of the applicant on the date was Rs.8197/- and after deductions, she had received a sum of Rs.5126/-. While so, the impugned order dated 10.3.2015 at Annexure A-6 was issued revising her existing TRCA which had been fixed at Rs.3635-65-5585, as Rs.2295-45-3695 with effect from 1.3.2015, re-assessing her workload as two hours and 49 minutes. The applicant maintains that her duties required four hours to perform satisfactorily. She has been working from 9.30 a.m to 1.30 p.m and often on more extended time as well and fixing two hours and 49 minutes as duty has been done without proper application of mind. The applicant, stating all these factors, had submitted a representation before respondent nos.2&3 requesting restoration of her earlier TRCA (Annexure A-7). But there has been no action taken on her representation.

3. Reply statement has been filed by the respondents stating that the earlier TRCA estimation has been done on the basis of an erroneous assessment. As a part of implementation of the recommendations of Sri.R.S.Nataraja Murthi Committee, the allowance of the post had been fixed at the lowest slab i.e, Rs.2870-50-4375, which was corresponding slab to

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the pre-revised scale i.e, Rs.1220-20-1600 (Annexure R2(d)). The mistake had occurred at Kattappana H.O and had remained undetected. Finally, on coming across the mistake, respondent no.2 issued Annexure A-6 order duly correcting the same. As the wrong drawal had been made from the date of appointment, the overdrawn amount is huge. Yet, out of sympathy, the 2nd respondent has not ordered recovery and has merely revised the TRCA with effect from March 2015.

4. Heard Shri.Prathap representing Mr.P.Ramakrishnan, learned counsel for the applicant and Mr.Thomas Mathew Nellimoottil, learned counsel for the respondents.

5. Gramin Dak Sevak Mail Packers in remote stations are fulfilling a very important task, so far as delivery of mail articles in rural places are concerned. They are paid relatively small sums and TRCA based on the hours they devote for the task, is an important element of their pay package. The applicant is indeed handicapped by the large reduction made on account of detection of an error for which she is not responsible. The respondents should have considered this aspect before reducing the TRCA *suo-moto*. Having said this, we also recognise that the respondents are bound to follow norms while fixing TRCA.

6. We feel that the Original Application can be disposed of by directing respondent no.2 to further assess the workload in order to ascertain whether there is any merit in the representations filed by the applicant, a copy of

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which is available at Annexure A-7. Accordingly, we direct the 2nd respondent to take a decision in this regard within two months from the date of receipt of a copy of this order. The decision taken in this regard should be communicated to the applicant without delay.

7. The Original Application is disposed of as above. No costs.

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures

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| Annexure A1 | - | True copy of order dated 12.6.2009 issued by the |
| 3 rd respondent | | |
| Annexure A2 | - | True copy of pay slip for the June 2009 issued by |
| the respondents | | |
| Annexure A3 | - | True copy of pay slip for the July 2009 issued by |
| the respondents | | |
| Annexure A4 | - | True copy of pay slip for the November 2009 |
| issued by the respondents | | |
| Annexure A5 | - | True copy of pay slip for the January 2015 issued |
| by the respondents | | |
| Annexure A6 | - | True copy of order dated 10.3.2015 issued by the |
| 2 nd respondent | | |
| Annexure A7 | - | True copy of representation dated 28.3.2015 |
| submitted by the applicant before respondents 2 and 3 | | |
| Annexure R2(a) | - | True copy of the Notification to fill up the post |
| was issued on 28.1.2009 | | |
| Annexure R2(b) | - | True copy of the appointment order |
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| Annexure R2© | - | True copy of the declaration given by the applicant |
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| Annexure R2(d) | - | True copy of letter No.A/GDS revision dated |
| 27.10.2009 issued by the 2 nd respondent | | |
| Annexure R2(e) | - | True copy of the undertaking given by the |
| applicant | | |

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