

**CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH, AHMEDABAD.**

**OA No.348/2019 with MA No.353/2019**

**This the 17<sup>th</sup> day of October, 2019**

Hiro Khubchand Gidwani  
Aged 82 years  
Working as Superintendent  
Central Excise and Service Tax, Commissionerate  
Daman, Vapi,  
R/o.B-30, Ravipark,  
Behind Old RTO Office,  
Warashia, Vadodara 390 006. .... Applicant.  
**(By Advocate : Shri N.S.Kerial )**

**VERSUS**

1. Union of India  
Notice to be served through  
The Secretary, Ministry of Finance Department  
Department of Expenditure  
North Block, New Delhi 110 001.
2. Central Board of Indirect Taxes & Customs  
Notice to be served through  
The Chairman, CBIC,  
North Block, New Delhi 110 001.
3. Central GST & Excise Department  
Notice to be served through  
The Principal Commissioner of GST & Central Excise,  
Commissionerate-1, GST Bhavan, Race Course,  
Vadodara 390 006.
4. The Principal Commissioner of GST & Central Excise  
Commissionerate, GST Bhavan, Race Course,  
Vadodara 390 006.

5. Pay and Accounts Officer  
Central GST & Central Excise  
Third Floor, GST Bhavan  
Race Course, Vadodara 390 006.
  
6. Pay and Accounts Officer  
Ministry of Finance  
Central Pension Accounting Office, Trikoot-II  
Bhikhaji Cama Palace,  
New Delhi 110 066. .... Respondents

**O R D E R (ORAL)**

**Per : Hon'ble Shri M.C.Verma, Judicial Member**

1. The applicant retired from the post of Superintendent Central Excise on 11.12.1992 with the pay band of Rs.6500-10500 & Grade pay of Rs. 4800/-, from Service Tax Commissionerate, Daman at Vadodara. As reflected by the pleading of the OA, the grievance of the applicant is that pursuant to the recommendation of the 6<sup>th</sup> CPC, he on 07.01.2009 was given Grade pay of Rs. 5400/- in pay band of though he had to be given Grade pay of Rs.5400/- in pay band of of Rs. 7500-12000/- but in PPO dated 04.05.2012 his grade pay has wrongly been fixed as Rs 4200/- in pay band of Rs. 9300-34800/-. That he

agitated the matter and finally when his grievance was not redressed made written request dated 22.03.2013 (Annexure A-6) to the authority but no heed was paid and then he sent another letter dated 18.7.2017 (Annexure A-7) in pursuant to which he was informed, on 31.3.2018 that his pension has been revised and has been sent to the Bank and for further grievance, regarding revision of pension, he may contact the concerned Pay Account Officer as Central Pension Account Office have no mandate to sanction or amend the rates of Pension / Family Pension without it being sanctioned by PAO. That he, through RTI application requested respondent No.5 to supply information called for in his letter dated 22.3.2013 and it was informed, on 10.05.2019 that no sanction yet has received for revision of pension. That he then made representation dated 03.05.2019 (Annexure A-11) but no decision on his said representation has yet been taken by the respondents and hence is this OA, with MA No.353/2019 for condonation of delay has been preferred, for abrogation of

Pension Pay Order dated 04.05.2012 and for further relief  
qua revision of pension and arrear.

2. The OA is at motion hearing stage. Learned counsel, Shri N.S.Kerial Advocate appearing for applicant and pressing the OA urged that under 6<sup>th</sup> CPC applicant was entitled to Grade Pay of Rs.5400/- and Grade Pay of Rs. 4200/-was has wrongly been granted to the applicant. He also urged that applicant is Senior citizen, he has retired in year 1992 and presently he is about 84-85 years of age and that respondents authority are not paying any heed to the request of the applicant and are avoiding decision on his representation, he urged to pass appropriate order.
3. Considered the submissions. Having taken note of entirety, it would be appropriate to dispose of the OA at this stage on motion hearing itself with direction to the respondents to dispose of the pending representation of the applicant within two months from the date of receipt of this order. Ordered accordingly Needless to say decision taken thereon, on representation of the applicant

shall be intimated to the applicant as early as possible, after disposal of representation.

4. With above direction, the OA stands disposed of. In view of disposal of the OA, MA No.353/2019 also stands disposed of.

**(M.C.Verma)  
Member (J)**

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