

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No.20/976/2019

Date of Order: 07.11.2019

Between:

Gollapalli Padmavathi,
W/o. G. Sivashankariah,
Aged about 52 years, Occ: Household,
R/o. H. No. 5/78-F.8, Porter Lane,
Guntakal, Ananthapur Dist.,
Andhra Pradesh – 515815.

... Applicant

And

1. Union of India,
Represented by the General Manager,
South Central Railway,
Rail Nilayam, Secunderabad.
2. The Divisional Railway Manager,
South Central Railway,
Guntakal Division, Guntakal,
Ananthapur Dist., A.P.
3. The Senior Divisional Personnel Officer
South Central Railway, Guntakal Division,
Guntakal, Ananthapur Dist., A.P.

... Respondents

Counsel for the Applicant ... Mr. M.C. Jacob

Counsel for the Respondents ... Mrs. Vijaya Sagi, SC for Rlys

CORAM:

Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORAL ORDER
{As per B.V. Sudhakar, Member (Admn.)}

2. OA has been filed challenging the inaction in sanctioning family pension to the applicant under Railway Service (Pension) Rules, 1993.
3. Brief facts of the case are that the son of the applicant Sri G. Chandrakant joined as Technician in the respondent organization on 23.12.2005. The said Sri Chandrakant expired on 03.11.2013 while in service leaving behind the applicant and other family members. Respondents settled his death benefits as per NPS without granting family pension to the applicant.
4. The contention of the applicant is that OM dt. 05.05.2009 issued by the Department of Pension and Pensioners' Welfare provides for extending family pension under CCS (Pension) Rules for employees covered under NPS due to death or disability of the Government servant. Further, Department of Financial Services, Ministry of Finance issued OM dated 21.05.2014 which provides for an option to the family in regard to the family pension. Railway Board vide its letter dt. 08.09.2014 forwarded the clarification given by the Pension Fund Regulatory and Development Authority (PFRDA) on 22.08.2014 in regard to the subject in question. Respondents have also formulated a Joint Procedural order to extend the benefit to the employees covered under NPS on 20.11.2014. Citing the above, applicant made a representation on 28.11.2018 along with an Undertaking claiming family pension. According to the applicant, the respondents have not acted on

the said representation nor did they grant family pension. Hence, the OA.

5. Heard both the counsel and perused the material on record.

6. Learned counsel for the applicant submitted that the respondents may be directed to dispose of the representation at the earliest since the applicant is going through extreme financial distress. As seen from the records, the Department of Pension & Pensioners' Welfare; Department of Financial Services and the Railway Board have given clear cut direction in regard to processing cases for family pension, as in the case of the applicant. In fact, respondents themselves have issued a Joint Procedural Order on additional benefits on death/ disability of Government servant covered by National Pension System, on 20.11.2014. However, even after lapse of one year from the date of representation, no action is said to have been taken by the respondents.

7. Therefore, keeping the above orders in view, respondents are directed to dispose of the representation of the applicant dt. 28.11.2018 in regard to grant of family pension to her, by issuing a speaking and well reasoned order, within a period of 8 weeks from the date of receipt of this order. OA is accordingly disposed of, at the admission stage itself, with no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

Dated, the 7th day of November, 2019

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