

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH
CIRCUIT SITTING AT RANCHI
OA/051/00031/2018**

Reserved on : 17.12.2019
Pronounced on: 18.12.2019



C O R A M
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER
HON'BLE MR. SWARUP KUMAR MISHRA, JUDICIAL MEMBER

Kauser Ali, S/o Late Abdul Ahmad, aged 64 years, resident of Village-Khutra, P.O.- Pabra, P.S.- Katham Sandi, District- Hazaribagh, Jharkhand.

.... **Applicant.**

By Advocate: - Mr. M.A. Khan

-Versus-

1. Steel Authority of India Ltd. Through the Managing Director Bokaro Steel City, P.O. & P.S.- Bokaro, District- Bokaro- 827001.
2. Chief Engineer (Mechanical), (CEZ), SAIL, Bokaro Steel City, P.O. & P.S.- Bokaro, District- Bokaro-827001.
3. Additional General Manager (AGM), SAIL, Finance & Account Section, Bokaro Steel City, P.O. & P.S.- Bokaro, District- Bokaro- 827001.
4. Additional General Manager (Personnel, Strategic & Planning), SAIL, Bokaro Steel City, P.O. & P.S.- Bokaro, District- Bokaro- 827001.

.... **Respondents.**

By Advocate(s):- Mr. S. Gautam

O R D E R

Per Dinesh Sharma, A.M:- In the instant OA, the applicant has prayed for the following reliefs:-

"(i) To quash the order dated 24.02.2016 (Annexure-6).

- (ii) For direction upon the respondents to give the benefit of 80% DA in the basic pay of the applicant from September, 1998 to December, 2006.
- (iii) For direction upon the respondents to provide 6th pay revision benefit 1.1.2017 to date of superannuation.
- (iv) For direction upon the respondents to release the amount of gratuity after the revision of pay.
- (v) For direction upon the respondents to re-fix the pension after revision of pay and pay the same as arrears with interest and penal interest."



2. The applicant has claimed that he had taken voluntary retirement on 31.08.1998 as per the scheme of the respondents which includes the benefits of pay revision also. The applicant claims that subsequently the benefits as prayed above are still remaining unpaid. The applicant had approached this Tribunal earlier by OA/051/00021/2015 which was disposed of with a direction to pass a speaking order on the applicant's representation. The speaking order has been passed by order dated 24.02.2016 rejecting the applicant's claim for these reliefs and hence, this OA.

3. The respondents have filed a written statement denying the claim of the applicant. They have stated that under the scheme of VR the applicant is not entitled for any wage revision which is effective from a date subsequent to the date of his release under VR Scheme, 1998. They have also denied there being any outstanding dues in respect of gratuity or other retiral benefits. They have prayed for dismissing the OA since it is devoid of merit.

4. No rejoinder has been filed.

5. We have gone through the pleadings and heard the arguments of learned counsels of both the parties. On going through the reasoned order passed by the respondents (Annexure-6) we find that this order gives *prima facie* sufficient and clear reasons as to why the request made by the applicant cannot be granted. The order clearly mentions that after checking with the Accounts Department they have not found any dues remaining outstanding on account of 80% benefit of Basic Pay and DA or on account of payment of gratuity after adjustment of loans and recalculation of retirement benefits. The order also clearly points out that as per point (5) of the benefits under VR Scheme mentioned in the separation order benefits of wage/salary revision implemented from a date prior to that of release under the VR scheme only are to be considered for increase in the monthly payment. He is not eligible for revision benefits for wage revision from 01.01.2007 which is effective from a date subsequent from his date of release. Since the applicant has not produced any document or rule to support his claim that subsequent wage revision which are effective from a date subsequent to his date of release are also to be given to him under the VR Scheme, the prayer of the applicant for grant of such benefits cannot be accepted. His other claims have been clearly checked and found to be incorrect by the respondents and the applicant has not challenged this



reply by filing any rejoinder. In the above circumstances, there is no merit in the application and is, therefore, dismissed.

[Swarup Kumar Mishra]
Judicial Member

[Dinesh Sharma]
Administrative Member

Srk.

