

**CENTRAL ADMINISTRATIVE TRIBUNAL,**  
**ERNAKULAM BENCH**

**Original Application No. 180/01055/2018**  
**Original Application No. 180/00051/2019**  
**Original Application No. 180/00061/2019**  
**Original Application No. 180/00071/2019**  
**Original Application No. 180/00069/2019**  
**Original Application No. 180/00109/2019**  
**Original Application No. 180/00134/2019**  
**Original Application No. 180/00150/2019**  
**Original Application No. 180/00158/2019**  
**Original Application No. 180/00163/2019**  
**Original Application No. 180/00168/2019**  
**Original Application No. 180/00169/2019**  
**Original Application No. 180/00213/2019**  
**Original Application No. 180/00654/2019**

Tuesday, this the 3<sup>rd</sup> day of December, 2019

**CORAM:**

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

1. **Original Application No. 180/01055/2018** -

K. Sreedharan, S/o. Late Kunjucherukkan, aged 70 years,  
Joint Commissioner of Central Excise (Retd.),  
Sreebhavanam, Chirakadavam, Kayamkulam,  
Alapuzha Dist. - 690 502.

..... **Applicant**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary,  
Department of Personnel & Training, North Block,  
New Delhi – 110 001.
2. Central Board of Indirect Taxes & Customs,  
North Block, New Delhi – 110 001.
3. Chief Commissioner of Central Taxes and Customs,  
Central Revenue Building, I.S. Press Road, Cochin – 682 018.
4. Commissioner of Central Taxes and Customs,  
Central Revenue Building, I.S. Press Road, Cochin – 682 018.

5. Chief Accounts Officer, Central Revenue Buildings,  
I.S. Press Road, Cochin – 682 018. .... **Respondents**

**(By Advocate : Mr. N. Anilkumar, SCGSC)**

2. **Original Application No. 180/00051/2019 -**

1. T.M. Sainudeen, S/o. Late T.S. Muhammed, aged 60 years, Retired SAA (UDC), O/o. AGE(I) R&D, Kochi, residing at Thaikudiyil House, Perumattom, Puthupady PO, Muvattupuzha – 686 673.
2. K. Mohanan, S/o. Late Madhavan, aged 61 years, Retired Upholster, O/o. AGE (I) Kannur, Kodambattil House, Kothara Post, Kozhikode – 673 655.
3. K.C. Joseph, S/o. Late Chacko, aged 66 years, Retired Office Superintendent, O/o. CE (NW), Kochi, residing at Kondadiyel House, Maradu PO, Ernakulam – 682 304.
4. John Mathew, aged 66 years, Retired Office Superintendent, O/o. CE (NW), Kochi, residing at Pariyappanal House, Kizhakombu PO, Koothattukulam, Ernakulam – 686 662.
5. G. Sreenivasan, aged 62 years, Retired Office Superintendent, O/o. The, residing at Swathy, Puthiyavila South, Pattoli Market Post, Kandallor, Kayamkulam, Alappuzha-690 531. .... **Applicants**

**(By Advocate : Mr. R. Sreeraj)**

**V e r s u s**

1. Union of India, represented by the Secretary to the Government of India, Ministry of Defence, New Delhi – 110 001.
2. The Engineer-in-Chief, Military Engineer Services, Integrated Defense Headquarters, Kashmeer House, New Delhi- 110 001.
3. The Chief Engineer, Headquarters Southern Command, Military Engineer Services, Pune – 400 001.
4. The Chief Engineer (NW), Military Engineer Services, Kochi – 682 004. .... **Respondents**

**(By Advocate : Mr. N. Anilkumar, SCGSC)**

3. **Original Application No. 180/00061/2019 -**

P.E. Meerza Waheed, S/o. P.M. Ibrahim, aged 68 years,  
Deputy Commissioner of Central Excise (Retd.),  
House No. 44/619, Puthokode, St. Martin Church Road,  
Palarivattom, Cochin – 682 025.

..... **Applicant**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary,  
Department of Personnel & Training, North Block,  
New Delhi – 110 001.
2. Chief Commissioner of Central Taxes and Customs,  
Central Revenue Building, I.S. Press Road, Cochin – 682 018.
3. Commissioner of Customs, Custom House, Willington Island,  
Cochin – 682 009.
4. Pay and Accounts Officer, Customs, Customs House,  
Willington Island, Cochin – 682 009. .... **Respondents**

**(By Advocate : Mr. N. Anilkumar, SCGSC)**

4. **Original Application No. 180/00069/2019-**

P.C. Mathew, S/o. Late Chacko, aged 68 years, Deputy Commissioner of  
Central Excise (Retd.), Polakandathil House, Varanam PO, Cherthala,  
Alapuzha Dist. - 688 555.

..... **Applicant**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary,  
Department of Personnel & Training, North Block,  
New Delhi – 110 001.
2. Chief Commissioner of Central Taxes and Customs,  
Central Revenue Building, I.S. Press Road, Cochin – 682 018.
3. Commissioner of Central Taxes and Customs,  
Central Revenue Building, I.S. Press Road, Cochin – 682 018.
4. Pay and Accounts Officer, Central Excise, Central Revenue Buildings,  
I.S. Press Road, Cochin – 682 018. .... **Respondents**

**(By Advocate : Mr. Thomas Mathew Nellimoottil, Sr. PCGC)**

**5. Original Application No. 180/00071/2019-**

P.V. Sujatha, W/o. N.K. Krishnan, aged 68 years, Administrative Officer (Retd.), Central Excise, Sukrisha, Sreevilasam Road, Valiyapadam, Edapally PO, Cochin – 682 024. .... **Applicant**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary, Department of Personnel & Training, North Block, New Delhi – 110 001.
2. Chief Commissioner of Central Taxes and Customs, Central Revenue Building, I.S. Press Road, Cochin – 682 018.
3. Commissioner of Customs (Preventive), Catholic Centre, Broadway, Cochin – 682 031.
4. Pay and Accounts Officer, Customs, Custom House, Wellington Island, Cochin – 682 0009. .... **Respondents**

**(By Advocate : Mr. S. Ramesh, ACGSC)**

**6. Original Application No. 180/00109/2019-**

C.C. John, S/o. Late Chacko, aged 67 years, Deputy Commissioner of Customs (Retd.), Chiramel House, S.H. Mount PO, Kottayam – 686 006. .... **Applicant**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary, Department of Personnel & Training, North Block, New Delhi – 110 001.
2. Chief Commissioner of Central Taxes and Customs, Central Revenue Building, I.S. Press Road, Cochin – 682 018.
3. Commissioner of Customs, Custom House, Wellington Island, Cochin- 682 009.
4. Pay and Accounts Officer, Customs, Custom House,

Willington Island, Cochin – 682 0009. .... **Respondents**  
**(By Advocate : Mr. N. Anilkumar, SCGSC)**

**7. Original Application No. 180/00134/2019-**

1. K.N. Sicily, W/o. Shri T.K. Sasidharan, aged 65 years, Office Superintendent (Retd.), INS Venduruthy, Anugraha, Changampuzha Nagar PO, Cochin – 682 033.
2. B. Syamakumari, D/o. Late K. Bhaskara Menon, aged 61 years, Office Superintendent (Retd.), INS Garuda, Vishnu Vihar, South Chittoor PO, Cochin – 682 027.
3. B. Valsala, W/o. Shri K.N. Muralidharan, aged 61 years, Office Superintendent (Retd.), INS Garuda, Rohini, Pampaymoola, Near Kannangad Temple Road, Edakochi PO, Cochin – 682 010.
4. N.N. Sathiabhama, W/o. Shri M.V. Nandakumar, aged 60 yeears, Office Superintendent (Retd.), Material Organization, Naval Base, Marattil House, Kadebhagom, Palluruthy PO, Cochin – 682 006.
5. Judit Penson, W/o. Shri K.G. Penson, aged 60 years, Master Craftsman (Retd.), Naval Ship Repair Yard, Kalyanaparambil House, Mundamveli PO, Cochin – 682 507. .... **Applicants**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary, Department of Personnel & Training, North Block, New Delhi – 110 001.
2. Flag Officer Commanding-in-Chief, Southern Naval Command, Cochin – 682 004.
3. Commanding Officer, INS, Venduruthy, Southern Naval Command, Cochin – 682 004.
4. Material Superintendent Material Organization, Southern Naval Command, Cochin – 682 004.
5. Admiral Superintendent, Naval Ship Repair Yard, Cochin – 682 004.
6. Commanding Officer, INS Garuda, Southern Naval Command, Cochin – 682 004.

7. Deputy Controller of Defence Accounts (Navy), Perumanoor PO, Cochin – 682 015.
8. Principal Controller of Defence Accounts (Pension), Draupati Ghat, Allahabad – 211 014. .... **Respondents**

**(By Advocate : Mr. M.T. Muraleedharan, ACGSC)**

**8. Original Application No. 180/00150/2019-**

1. G. Saharajan Nair, S/o. Madhavan Pillai, aged 69 years, Audit Officer (Retd.), Office of the Accountant General (Audit), 30/508/1, Ragamalika, Sree Bhagavathy Apartments, Punkunnam, Thrissur – 680002.
2. P.M. Usha, D/o. Panikkassery Raman Mama, aged 69 years, Audit Officer (Retd.), Office of the Accountant General (Audit), Orayampurath, S.N. Road, Koorkanchery, Thrissur – 680 007.
3. P. Venugopalan, S/o. V.C. Govindan Nair, aged 72 years, Senior Audit Officer (Retd.), Office of the Accountant General (Audit), Pallavi, Ragamalikapuram, Poothole, Thrissur – 680004. .... **Applicants**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary, Department of Personnel & Training, North Block, New Delhi – 110 001.
2. The Accountant General (G&SSA), Kerala, Thiruvananthapuram – 695 001.
3. The Deputy Accountant General (Audit), Kerala, Thrissur Branch, Thrissur – 680020.
4. The Pay and Accounts Officer, Office of the Accountant General, Kerala, Thiruvananthapuram – 695 001. .... **Respondents**

**[By Advocates : Mr. K.I. Mayankutty Mather (R2-4) & Mr. Rajagopal L.K., ACGSC (R1)]**

**9. Original Application No. 180/00158/2019 -**

1. G. Mary Thomas, Retired Sub Postmaster, Thankassery PO, Residing at Iynikkal House, No. 19 Gandhiji Road, Chiyyaram,

- Thrissur – 680 026.
2. Radha A. Pillai, Retired Sub Postmaster, Kulasekharapuram PO, Residing at Aravind (Pullethu), Adinad North PO, Karunagapally – 690 542.
  3. S. Habushiya Beevi, Retired Sub Postmaster, Veliyam, Residing at HB Manzil Roadvila, Cheriyaavelinalloor PO, Karingannur – 691 516.
  4. S. Sreekantan Pillai, Retired Sub Postmaster, Uliyacovil PO, Residing at Pandakasala Veedu, Mangad PO, Kollam-691 015.
  5. K.V. Usha, Retired Assistant Postmaster, Karunagapally HO, Residing at Krishnavilasom, Kappilmekku, Krishnapuram PO, 690 533.
  6. K. Muraleedharan Nampiathiri, Retired Postmaster, Adoor HO, Residing at Thencherril Thekke Illam, Panayil PO, Nooranad-690 504.
  7. Achamma Samuel, Retired Sub Postmaster, Mallasserry PO, Residing at Johnson Villa, Mallasserry PO, Pathanamthitta-689 646.
  8. M.C. Varghese, Retired Sub Postmaster, Ettichuvadu PO, Residing at Manjalasseril, Kakkadumon PO, Ranny – Perinad - 689 711. .... **Applicants**

**(By Advocate : Mr. Vishnu S. Chempazhanthiyil)**

**V e r s u s**

1. Union of India, represented by its Secretary & Director General, Department of Posts, Dak Bhavan, New Delhi – 110 001.
2. The Chief Postmaster General, Kerala Circle, Thiruvananthapuram – 695 033.
3. The Senior Superintendent of Post Offices, Kollam Postal Division, Kollam – 691 001.
4. The Superintendent of Post Offices, Pathanamthitta Postal Division, Pathanamthitta – 689 645. .... **Respondents**

**(By Advocate : Mrs. Mini R. Menon, ACGSC)**

10. **Original Application No. 180/00163/2019** -

P. Santhakumari, D/o. Late Gopala Menon, aged 67 years, Accounts Officer (Retd.), Office of the Accountant General (A&E),

Flat No. 60, JM Habitat, Sastri Road, Vaduthala,  
Cochin – 682 023.

..... **Applicant**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary,  
Department of Personnel & Training, North Block,  
New Delhi – 110 001.
2. The Accountant General (A&E), Kerala,  
Thiruvananthapuram – 695 001.
3. The Deputy Accountant General (A&E), Kerala,  
Thrissur Branch, Thrissur – 680020.
4. The Pay and Accounts Officer, Office of the Accountant General,  
Kerala, Thiruvananthapuram – 695 001. .... **Respondents**

**[By Advocate : Mr. K.I. Mayankutty Mather (R2-4)]**

**11. Original Application No. 180/00168/2019 -**

1. P. Sukumaran, S/o. Late Pangi, aged 71 years,  
Senior Accountant (Retd.), Office of the Accountant General (A&E),  
Vaisakh, Anamari PO, Kollengode, Palakkad – 678 506.
2. N. Balakrishnan, S/o. Late K.P. Vasudevan Nair, aged 72 years,  
Senior Accountant, (Retd.), Office of the Accountant General (A&E),  
Priya Nivas, Kinassery PO, via Kannadi,  
Palakkad Dist. - 678701. .... **Applicants**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary,  
Department of Personnel & Training, North Block,  
New Delhi – 110 001.
2. The Accountant General (A&E), Kerala,  
Thiruvananthapuram – 695 001.
3. The Deputy Accountant General (A&E), Kerala,  
Thrissur Branch, Thrissur – 680020.
4. The Pay and Accounts Officer, Office of the Accountant General,



Kerala, Thiruvananthapuram – 695 001. .... **Respondents**  
**[By Advocates : Mr. E.N. Hari Menon, ACGSC (R1) and**  
**Mr. K.I. Mayankutty Mather (R2-4)]**

12. **Original Application No. 180/00169/2019-**

Chandrika Varma, W/o. T.R.R. Varma, aged 67 years, Senior Accountant  
 (Retd.), Swati Near Ayyanthole Ground, Ayyanthole PO,  
 Thrissur – 680 003. .... **Applicant**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary,  
 Department of Personnel & Training, North Block,  
 New Delhi – 110 001.
2. The Accountant General (A&E), Kerala,  
 Thiruvananthapuram – 695 001.
3. The Deputy Accountant General (A&E), Kerala,  
 Thrissur Branch, Thrissur – 680020.
4. The Pay and Accounts Officer, Office of the Accountant General,  
 Kerala, Thiruvananthapuram – 695 001. .... **Respondents**

**[By Advocates : Mr. S. Ramesh, ACGSC (R1) &**  
**Mr. K.I. Mayankutty Mather (R2-4)]**

13. **Original Application No. 180/00213/2019-**

Thambi J. Kollanoor, S/o. Late Joseph Kollanoor, aged 72 years,  
 Supervisor (Retd.), Office of the Accountant General (A&E),  
 Upahar, Udaya Nagar, Chembukavu, Mylipadam,  
 Thrissur – 680020. .... **Applicant**

**(By Advocate : Mr. C.S.G. Nair)**

**V e r s u s**

1. Union of India, represented by its Secretary,  
 Department of Personnel & Training, North Block,  
 New Delhi – 110 001.
2. The Accountant General (A&E), Kerala,  
 Thiruvananthapuram – 695 001.
3. The Deputy Accountant General (A&E), Kerala,

- Thrissur Branch, Thrissur – 680020.
4. The Pay and Accounts Officer, Office of the Accountant General, Kerala, Thiruvananthapuram – 695 001. .... **Respondents**

**(By Advocate : Mr. K.I. Mayankutty Mather)**

**14. Original Application No. 180/00654/2019-**

1. P.R. Sreekumar, aged 62 years, S/o. Late R. Raghavan Nair, UDC (retired), Command Transport Workshop, Naval Base, Kochi-4, residing at Sreyas, House No. 26/985, Near Kasaba Theatre, Thevara – 13.
2. K. Muktha Bai, aged 62 years, D/o. Late K. Kesava Shenoi, Office Superintendent (Retired), Material Organization, Naval Base, Kochi-4, residing at House No. 4/869, North Street, North Cherlai, Kochi-2. .... **Applicants**

**(By Advocate : Mr. R. Sreeraj)**

**V e r s u s**

1. Commander, Cdr (CP)-Pay & FP, Directorate of Civilian Personnel, Integrated Headquarters of Ministry of Defence (Navy), New Delhi-110 001.
2. The Flag Officer Commanding in Chief, Headquarters, Southern Naval Command, Kochi- 4.
3. Union of India, represented by the Secretary to the Government of India, Ministry of Defence, New Delhi – 110 001. .... **Respondents**

**(By Advocate : Mr. M.T. Muraleedharan, ACGSC)**

These applications having been heard on 25.11.2019 the Tribunal on 03.12.2019 delivered the following:

**ORDER**

**Hon'ble Mr. Ashish Kalia, Judicial Member –**

OAs Nos. 180-1055-2018, 180-51, 61, 69, 71, 109, 134, 150, 158, 163, 168, 169, 213 and 654 of 2019 have common points of fact and law involved and hence are being disposed of through this common order.

2. For the sake of convenience, the pleadings, documents and records in OA No. 180/213/2019 are referred to in this common order. The relief claimed by the applicant in OA No. 180-213-2019 are as under:

“(i) To declare that the applicant is entitled for one notional increment on 1.7.2006 for his service from 1.1.2006 to 30.6.2006 for the purpose of retirement benefits.

(ii) To direct the respondents to grant one notional increment to the applicant w.e.f. 1.7.2006 and to revise his retirement benefits like pension and gratuity including arrears of leave encashment within a time frame.

(iii) Grant such other relief or reliefs that may be prayed for or that are found to be just and proper in the nature and circumstances of the case.

(iv) Grant cost of this OA.”

3. Almost similar reliefs have been claimed by the applicants in all the OAs.

4. The applicants are aggrieved by the inaction on the part of the respondents in not extending the benefits of the judgment of the Madras High Court dated 15.9.2017 in WP(C) No. 15732 of 2017 – ***P. Ayyamperumal v. The Registrar & Ors.*** confirmed by the Hon'ble apex court vide order dated 23.7.2018 in SLP (Civil) Diary No.(s) 22283/2018.

5. All the applicants are retired government employees having rendered the necessary qualifying service. On implementation of the recommendations of the VIth CPC, a uniform date of annual increment was formulated as 1<sup>st</sup> July of every year. All the applicants retired from service on the last day of June in different years after 2006. The claim of the applicants is that had the applicants be in service on 1.7.2019 they have got

an increment as they have already completed six months and above as on 30<sup>th</sup> June i.e. the date they have retired from service. In this regard the applicants have relied on the judgment of the Madras High Court dated 15.9.2017 in WP(C) No. 15732 of 2017 – *P. Ayyamperumal v. The Registrar & Ors.* confirmed by the Hon'ble apex court vide order dated 23.7.2018 in SLP (Civil) Diary No.(s) 22283/2018. The applicants made representations for grant of the benefit of the judgment of the Madras High Court but except in OAs Nos. 180-1055-2018, 180-61 & 654-2019, the respondents have not responded to the representations. In OAs Nos. 180-1055-2018, 180-61 & 654-2019 the respondents have rejected the claim of the applicants. Aggrieved the applicants have filed the present OAs claiming the relief as aforesaid.

6. The respondents have entered appearance in the all the cases through the respective SCGSC/ACGSC and Standing counsel. They have filed reply statements in certain cases. In OA No. 180/213/2019 they contend that as per FR 17(1) an officer is entitled to draw the pay and allowances with effect from the date on which he assumes the duty of that post and shall cease to draw them as soon as he ceases to discharge the duty of that post. As per FR 56(a) every Government servant shall retire on the afternoon of the last day of the month in which he attains the age of 60 years and in case wherein the date of birth of the Government servant is the first of the month, he shall retire from the service on the afternoon of the last date of the preceding month on attaining the age of 60 years. As per CCS (Revised Pay) Rules, 2008, annual increment accrues on 1<sup>st</sup> July of every year. As per

this Rule employees completing 6 months and above service in the revised pay structure as on 1<sup>st</sup> July will become eligible for one increment. The applicants retirement benefits were worked out and paid on the basis of the last pay drawn on 30<sup>th</sup> June in terms of Rule 50(5) read with Rule 33 of CCS (Pension) Rules, 1972. The said rules do not allow the respondents to re-fix the pension of an employee by taking into account a date that is after the employees' superannuation from service. The applicants' can only be treated as a retired Government servant and not a Government servant on 1<sup>st</sup> July. The respondents further stated that the applicants are governed by the Central Civil Service Rules and the judgment of the Madras High Court in the matter of *P. Ayyamperumal's* case (supra) is based on a State Government order conferring such benefits to their employees and therefore distinguishable on facts. Respondents pray for dismissing the OA.

7. Heard the learned counsel appearing for the parties at length and perused the record and judgments relied upon on either side.

8. In *P. Ayyamperumal's* case (supra) the Hon'ble Madras High Court held as under:

“4. Heard the learned Senior Panel Counsel appearing for the respondents 2 to 4 on the submissions made by the petitioner and perused the materials available on record.

5. The petitioner retired as Additional Director General, Chennai on 30.06.2013 on attaining the age of superannuation. After the Sixth Pay Commission, the Central Government fixed 1st July as the date of increment for all employees by amending Rule 10 of the Central Civil Services (Revised Pay) Rules, 2008. In view of the said amendment, the petitioner was denied the last increment, though he completed a full one year in service, ie., from 01.07.2012 to 30.06.2013. Hence, the petitioner filed the original application in O.A.No.310/00917/2015 before the Central Administrative Tribunal, Madras Bench, and the same was rejected on the

ground that an incumbent is only entitled to increment on 1st July if he continued in service on that day.

6. In the case on hand, the petitioner got retired on 30.06.2013. As per the Central Civil Services (Revised Pay) Rules, 2008, the increment has to be given only on 01.07.2013, but he had been superannuated on 30.06.2013 itself. The judgment referred to by the petitioner in State of Tamil Nadu, rep.by its [Secretary to Government, Finance Department and others v. M.Balasubramaniam](#), reported in CDJ 2012 MHC 6525, was passed under similar circumstances on 20.09.2012, wherein this Court confirmed the order passed in W.P.No.8440 of 2011 allowing the writ petition filed by the employee, by observing that the employee had completed one full year of service from 01.04.2002 to 31.03.2003, which entitled him to the benefit of increment which accrued to him during that period.

7. The petitioner herein had completed one full year service as on 30.06.2013, but the increment fell due on 01.07.2013, on which date he was not in service. In view of the above judgment of this Court, naturally he has to be treated as having completed one full year of service, though the date of increment falls on the next day of his retirement. Applying the said judgment to the present case, the writ petition is allowed and the impugned order passed by the first respondent-Tribunal dated 21.03.2017 is quashed. The petitioner shall be given one notional increment for the period from 01.07.2012 to 30.06.2013, as he has completed one full year of service, though his increment fell on 01.07.2013, for the purpose of pensionary benefits and not for any other purpose. No costs.”

The Hon'ble apex court vide order dated 23.7.2018 in SLP (Civil) Diary No. (s) 22283/2018 confirmed the judgment passed by the Hon'ble Madras High Court and dismissed the SLP.

9. We find that the Hon'ble Madras High Court had already considered the issue raised by the applicants in the present OAs and we are in full agreement with the judgment passed by the Hon'ble Madras High Court in *P. Ayyamperumal's* case (supra) upheld by the Hon'ble apex court.

10. Therefore, the impugned orders of rejection Annexure A4 in OA No. 180/654/2019 and Annexures A5 in OAs Nos. 180/1055/2018 and 180/61/2019 are quashed and set aside. The applicant in OA No. 180/109/2019 had sought relief to quash Annexure A6 which is only a reply

to the question posed by a Member of Parliament in Lok Sabha. The applicants shall be given one notional increment for the purpose of calculating the pensionary benefits and not for any other purpose as held by the Hon'ble Madras High Court in *P. Ayyamperumal's* case (supra) upheld by the Hon'ble apex court. The respondents shall implement the order of this Tribunal within three months from the date of receipt of a copy of this order. There shall be no order as to costs.

**(ASHISH KALIA)**  
**JUDICIAL MEMBER**

**(E.K. BHARAT BHUSHAN)**  
**ADMINISTRATIVE MEMBER**

**“SA”**

**Original Application No. 180/01055/2018**

**APPLICANT'S ANNEXURES**

- Annexure A1** – True copy of the PPO No. 514080800158.
- Annexure A2** – True copy of the judgment dt. 15.9.2017 in WP.
- Annexure A3** – True copy of the order in SLP Diary No. 22283/2018.
- Annexure A4** – True copy of the representation dt. 22.11.2018.
- Annexure A5** – True copy of the reply C. No. II/39/2/2018 dt. 30.11.2018 issued by the 4<sup>th</sup> respondent.

**RESPONDENTS' ANNEXURES**

Nil

**Original Application No. 180/00051/2019**

**APPLICANTS' ANNEXURES**

- Annexure A1** – True copy of the judgment dated 15.9.2017 in WP 15732/2017 on the file of the Hon'ble High Court of Madras.
- Annexure A2** – True copy of the order dated 23.7.2018 in SLP © Diary No(s) 22283/2018 on the file of the Hon'ble Apex Court.
- Annexure A3** – True copy of the representation dated 4.12.2017 submitted by the 1<sup>st</sup> applicant.
- Annexure A4** – True copy of the representation dated 2.9.2018 submitted by the 2<sup>nd</sup> applicant.
- Annexure A5** – True copy of the representation dated 27.9.2018 submitted by the 3<sup>rd</sup> applicant.
- Annexure A6** – True copy of the representation dated 29.7.2018 submitted by the 4<sup>th</sup> applicant.
- Annexure A7** – True copy of the representation dated 2.7.2018 submitted by the 5<sup>th</sup> applicant.

**RESPONDENTS' ANNEXURES**

Nil



**Original Application No. 180/00061/2019**

**APPLICANT'S ANNEXURES**

- Annexure A1** – True copy of the PPO No. 528531100355.
- Annexure A2** – True copy of the judgment dt. 15.9.2017 in WP No. 15732/2017.
- Annexure A3** – True copy of the order in SLP Diary No. 22283/2018.
- Annexure A4** – True copy of the representation dt. 17.10.2018.
- Annexure A5** – True copy of the letter F. No. S45/76/2010 Estt.Cus dt. 24.12.2018.

**RESPONDENTS' ANNEXURES**

- Annexure R1** – True copy of the judgment of the Hon'ble High Court of Madras in A.V. Thiyagarajan v. The Secretary to Government(WP No. 20732/2012) dated 27.11.2012.
- Annexure R2** – True copy of the judgment of the Hon'ble High Court of Karnataka in Union of India & 3 Others v. Y.N.R. Rao (WP No. 18186/2003).
- Annexure R3** – True copy of the order dated 13.3.2019 in K. Kandasamy's case.

**Original Application No. 180/00069/2019**

**APPLICANT'S ANNEXURES**

- Annexure A1** – True copy of the PPO No. 514081000166.
- Annexure A2** – True copy of the judgment dt. 15.9.2017 in WP No. 15732/2017.
- Annexure A3** – True copy of the order in SLP Diary No. 22283/2018.
- Annexure A4** – True copy of the representation dt. 15.10.2018.
- Annexure A5** – True copy of the reminder dt. 28.11.2018.

**RESPONDENTS' ANNEXURES**

Nil

**Original Application No. 180/00071/2019**

**APPLICANT'S ANNEXURES**

- Annexure A1** – True copy of the PPO No. 528531000109.
- Annexure A2** – True copy of the pay fixation dt. 27.5.2011 issued by the 2<sup>nd</sup> respondent.
- Annexure A3** – True copy of the pension calculation sheet issued in C. No. II/25/01/2010/Accts. CCP.
- Annexure A4** – True copy of the judgment dt. 15.9.2017 in WP No. 15732/2017.
- Annexure A5** - True copy of the order in SLP Diary No. 22283/2018.
- Annexure A6** - True copy of the representation dt. 20.10.2018.

**RESPONDENTS' ANNEXURES**

- Annexure R1** - True copy of Loksabha Unstarred question No. 427 and Answer dated 12.12.2018.

**Original Application No. 180/00109/2019**

**APPLICANT'S ANNEXURES**

- Annexure A1** – True copy of the Office Order No. 51/2011 dt. 30.6.2011 issued by the 3<sup>rd</sup> respondent.
- Annexure A2** – True copy of the PPO No. 528531100346.
- Annexure A3** – True copy of the judgment dt. 15.9.2017 in WP No. 15732/2017.
- Annexure A4** – True copy of the order in SLP Diary No. 22283/2018.
- Annexure A5** - True copy of the representation dt. 20.10.2018.
- Annexure A6** - True copy of the unstarred question No. 427 and answer dt. 12.12.2018 issued by the Ministry of Personnel, Public Grievances and Pensions – Lok Sabha.

**RESPONDENTS' ANNEXURES**

- Annexure R1** – True copy of the judgment of the Hon'ble High Court of Madras in A.V. Thiyagarajan v. The Secretary to Government(WP No. 20732/2012) dated 27.11.2012.

**Annexure R2** – True copy of the judgment of the Hon'ble High Court of Karnataka in Union of India & 3 Others v. Y.N.R. Rao (WP No. 18186/2003).

**Annexure R3** – True copy of the order dated 13.3.2019 in K. Kandasamy's case.

**Original Application No. 180/00134/2019**

**APPLICANTS' ANNEXURES**

**Annexure A1** – True copy of the judgment dt. 15.9.2017 in WP No. 15732/2017.

**Annexure A2** – True copy of the order in SLP Diary No. 22283/2018.

**Annexure A3** – True copy of the letter No. Pay/Tech/Corr. dt. 29.11.2018 issued by the 7<sup>th</sup> respondent.

**Annexure A4** – True copy of the representation dt. 23.10.2018 submitted by 2<sup>nd</sup> applicant.

**Annexure A5** - True copy of the representation dt. 23.10.2018.

**Annexure A6** - True copy of the representation dt. 23.10.2018 submitted by the 5<sup>th</sup> applicant.

**RESPONDENTS' ANNEXURES**

Nil

**Original Application No. 180/00150/2019**

**APPLICANTS' ANNEXURES**

**Annexure A1** – True copy of the PPO No. 626991000786.

**Annexure A2** – True copy of the Revision Authority issued on 11.6.2018.

**Annexure A3** – True copy of the PPO No. 626991000715.

**Annexure A4** – True copy of the letter No. PAO/3/Pen.Rev./MACP/160/000110 dt. 13.4.2018 issued by the 4<sup>th</sup> respondent.

**Annexure A5** - True copy of the PPO No. 626990600635.

**Annexure A6** - True copy of the revision authority issued on 18.7.2009.

- Annexure A7** – True copy of the revision authority issued on 22.9.2017.
- Annexure A8** – True copy of the judgment d. 15.9.2017 in WP No. 15732/2017.
- Annexure A9** – True copy of the order in SLP Diary No. 22283/2018.
- Annexure A10** – True copy of the representation dt. 28.9.2018.
- Annexure A11** - True copy of the representation dt. 23.10.2018.
- Annexure A12** - True copy of the representation dt. 4.10.2018.
- Annexure A13** - True copy of the Hon'ble Minister for Personnel, Public Grievances and Pensions has stated in the Lok Sabha on 12.12.2018 in answer to Un-stared question No. 427.

#### **RESPONDENTS' ANNEXURES**

Nil

#### **Original Application No. 180/00158/2019**

#### **APPLICANTS' ANNEXURES**

- Annexure A1** – True copy of the judgment dated 15.9.2017 in WP(C) No. 15732/2017 of the Hon'ble High Court of Madras Bench.
- Annexure A2** – True copy of the order dated 23.7.2018 in Special Leave Petition (Civil) Diary No. 22283 of 2018 of the Hon'ble Supreme Court of India.
- Annexure A3** – True copy of representation dated 13.12.2018 sent by the 1<sup>st</sup> applicant to the 3<sup>rd</sup> respondent.
- Annexure A4** – True copy of the representation dated 28.12.2018 sent by the 2<sup>nd</sup> applicant to the 3<sup>rd</sup> respondent.
- Annexure A5** - True copy of the representation dated 31.12.2018 sent by the 3<sup>rd</sup> applicant to the 3<sup>rd</sup> respondent.
- Annexure A6** - True copy of representation dated 27.12.2018 sent by the 4<sup>th</sup> applicant to the 3<sup>rd</sup> respondent.
- Annexure A7** – True copy of the representation dated 28.12.2018 submitted by the 5<sup>th</sup> applicant to 3<sup>rd</sup> respondent.
- Annexure A8** – True copy of the representation dated 8.12.2018

**Annexure A9** – submitted by the 6<sup>th</sup> applicant to 4<sup>th</sup> respondent.  
True copy of the representation dated 8.12.2018  
submitted by the 7<sup>th</sup> applicant to 4<sup>th</sup> respondent.

**Annexure A10** – True copy of the representation dated 17.1.2019  
submitted by the 8<sup>th</sup> applicant to 4<sup>th</sup> respondent.

**RESPONDENTS' ANNEXURES**

Nil

**Original Application No. 180/00163/2019**

**APPLICANTS' ANNEXURES**

**Annexure A1** – True copy of the PPO No. 626991100680.

**Annexure A2** – True copy of the Special Seal Authority dt. 13.6.2011.

**Annexure A3** – True copy of the judgment dt. 15.9.2017 in WP No.  
15732/2017.

**Annexure A4** – True copy of the order in SLP Dairy No. 22283/2018.

**Annexure A5** - True copy of the representation dt. 1.9.2018.

**Annexure A6** - True copy of the Hon'ble Minister for Personnel Public  
Grievances and Pensions has stated in the Lok Sabha on  
12.12.2018 in answer to Un-stared question No. 427.

**RESPONDENTS' ANNEXURES**

Nil

**Original Application No. 180/00168/2019**

**APPLICANTS' ANNEXURES**

**Annexure A1** – True copy of the 626990700865.

**Annexure A2** – True copy of the PPO No. 626990600657

**Annexure A3** – True copy of the judgment dt. 15.9.2017 in WP No.  
15732/2017.

**Annexure A4** – True copy of the order in SLP Dairy No. 22283/2018.

**Annexure A5** - True copy of the representation dt. 5.10.2018.

- Annexure A6** - True copy of the representation dt. 8.10.2018.  
**Annexure A7** - True copy of the Hon'ble Minister for Personnel Public Grievances and Pensions has stated in the Lok Sabha on 12.12.2018 in answer to un-stared question No. 427.

**RESPONDENTS' ANNEXURES**

Nil

**Original Application No. 180/00169/2019**

**APPLICANT'S ANNEXURES**

- Annexure A1** – True copy of the PPO No. 626991100699.  
**Annexure A2** – True copy of the judgment dt. 15.9.2017 in WP No. 15732/2017.  
**Annexure A3** – True copy of the order in SLP diary No. 22283/2018.  
**Annexure A4** – True copy of the representation dt. 5.9.2018.  
**Annexure A5** - True copy of the Hon'ble Minister for Personnel, Public Grievances and Pensions has stated in the Lok Sabha on 12.12.2018 in answer to un-stared question No. 427.

**RESPONDENTS' ANNEXURES**

Nil

**Original Application No. 180/00213/2019**

**APPLICANT'S ANNEXURES**

- Annexure A1** – True copy of the sectional order No. 62 dt. 5.6.2006 issued by the 3<sup>rd</sup> respondent.  
**Annexure A2** – True copy of the judgment dt. 15.9.2017 in WP No. 15732/2017.  
**Annexure A3** – True copy of the order in SLP diary No. 22283/2018.  
**Annexure A4** – True copy of the representation dt. 6.10.2018.  
**Annexure A5** - True copy of the Hon'ble Minister for Personnel, Public Grievances and Pensions has stated in the Lok Sabha on 12.12.2018 in answer to un-stared question No. 427.

**RESPONDENTS' ANNEXURES**

Nil

**Original Application No. 180/00654/2019**

**APPLICANTS' ANNEXURES**

- Annexure A1** – True copy of the judgment dated 15.9.2017 in WP 15732/2017 on the file of the Hon'ble High Court of Madras.
- Annexure A2** – True copy of the order dated 23.7.2018 in SLP(C) Diary No(s) 22283/2018 on the file of the Hon'ble Apex Court.
- Annexure A3** – True copy of the representation dated Jan 2019 submitted by the 1<sup>st</sup> applicant to the 2<sup>nd</sup> respondent.
- Annexure A4** – True copy of the letter No. CP(P)2080/Court Case dated 26.4.2019.
- Annexure A5** - True copy of the representation dated 29.3.2019 submitted by the 2<sup>nd</sup> applicant.

**RESPONDENTS' ANNEXURES**

Nil

-x-x-x-x-x-x-x-