

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/21/1084/2015

HYDERABAD, this the 11th day of March, 2022



Hon'ble Mr. Ashish Kalia, Judl. Member

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

Dr V.Siva Kumar, S/o late V. Neelakanta,
aged 61 years, Retd. Chief Medical Superintendent,
South Central Railway, Secunderabad division,
Secunderabad, R/o 'B' Block, B-310, Vertex Prime,
1-2-33/1/VP, Alluri Sitaramaraju Nagar,
Hydernagar, Nizampet Road, Kukatpally,
Hyderabad-500 085.

.... Applicant

(By Advocate: Sri K.R.K.V. Prasad)

Vs.

1. Union of India rep. by the
The Chairman, Ministry of Railways,
Railway Board, Rail Bhavan,
New Delhi.
2. The General Manager,
South Central Railway,
Rail Nilayam, Secunderabad.
3. The Chief Personnel Officer,
South Central Railway,
Rail Nilayam, Secunderabad.
4. The Divisional Railway Manager,
South Central Railway, Sanchalan Bhavan,
Secunderabad division, Secunderabad.

... Respondents

(By Advocate: Smt. B. Gayatri Varma, Sr CGSC)

ORAL ORDER
(Per Hon'ble Mr. Ashish Kalia, Judl. Member)

The present O.A. is filed seeking the following reliefs:



to declare the action of the respondents in paying 1/3rd of Basic as Composite Transfer Grant instead of 100% of the Basic of the applicant even though the distance between the old residence and the changed residence is beyond 20 KMs by road at the time of retirement of the applicant as illegal, arbitrary, unjust and is in violation of extant instructions and direct the respondents to pay an amount of Rs.56,667/- forthwith and pay interest @ 10% p.a., on the said amount from 02.03.2015 to till payment is made and pass such other order or orders as deemed fit and proper in the facts and circumstances of the case and in the interest of justice.

2. The brief facts of the case are that the applicant retired from service on 30.6.2014 after working as Chief Medical Superintendent in SAG. In terms of the policy conveyed vide RBE No.193 r/w RBE No.76 of 2011, after retirement if the residence is situated beyond 20 kms, the entitlement for Composite Transfer Grant is equal to one month's pay last drawn in the prescribed pay band plus the applicable grade pay, which shall be Rs.85,000/- including Grade Pay. In deviation of the said policy, the applicant was paid only 1/3rd of the said emoluments on 2.3.2015. In spite of representations, no action was taken to pay the difference in amount that was made inadmissible. Hence, the O.A.



3. Notices were issued and the respondents have filed reply. They have categorically submitted that as per IREC Chapter-16 Rule 1643 [D-II (Note-2)], the term "Same Station" means area falling within the jurisdiction of the Municipality or Corporation including such of sub-urban Municipality notified area or cantonment as are contiguous to the same Municipality. The said rule is applicable to the applicant as he has shifted his belongings within the same station. Therefore, 1/3rd of his basic pay has been paid as Composite Transfer Grant. Hence, the claim of the applicant for payment of 100% of basic pay as CTG was not considered.

4. Heard the learned counsel for the parties and perused the pleadings on record.

5. The applicant retired on 30.06.2014 on attaining the age of superannuation. Consequent upon his retirement, he has applied for sanction of Composite Transfer Grant for shifting his belongings from Tarnaka, Hyderabad to Hydernagar, Nizampet Road, Kukatpally, Hyderabad . The distance between both places is above 20 kms. However, the change of residence is within the same station. If so, even though the distance is more than 20 kms, 1/3rd of the basic pay shall be paid as Composite Transfer Grant. As the applicant shifted his belongings within the same station, he is entitled for 1/3rd of the basic pay shall be paid as Composite Transfer Grant. In view of the

rule position explained, it is crystal clear that the applicant is not entitled for the relief prayed for in this O.A. We find that the O.A. is devoid of merit and it is dismissed. No order as to costs.



(B.V. SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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