



दक्षिण रेलवे/ **SOUTHERN RAILWAY**

No.P(PC)524/VI-PC/Vol.VI

प्रधानकार्यालय/ Headquarters Office
कार्मिक शाखा/ Personnel Branch
चेन्नै/ Chennai - 600 003
दि./ Dated:23-05-2018

पी बी सी सं/ PBC No: 94 / 2018

All PHODs / DRMs / CWMs / CEWE / CAO / CPM / Dy.CPOs / Sr.DPOs /
DPOs / SPOs / WPOs / APOs of HQ / Divisions / Workshops / other Units,
etc.,

(As per mailing list -'A')

विषय/Sub: Pay fixation methodology to those posts which have been
granted revised GP Rs. 4600/- in the PB-2 and that existed
in the pre-revised scale of Rs. 6500 – 10500 as on 01-01-
2006 and which were earlier granted normal replacement
pay structure of GP Rs. 4200/- in PB-2.

A copy of Railway Board letter No. PCVI/2013/Z/7 dated 18-04-2018 is
enclosed.

The undermentioned letter referred therein are also enclosed for
necessary action and guidance.

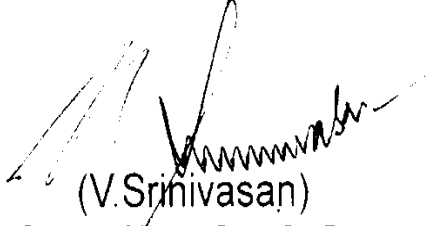
1.Copy of Board's letter No. PC-VI/2013/Z/7 dt. 31-12-2013 addressed
to FA&CAO/North Central Railway, GM(Accounts) W.Rly, & FA&CAO/East
Coast Railway.

2.Board's letter No. PC-VI/2014/Misc/0/4 DT. 22-03-2018.

3.Hon'ble Supreme Court's orders in Civil Appeal No. 1350 of 2018
(arising out of SLP(C) No. 3315 of 218 CC No. 9980 of 2015 dt. 30-01-2018.

Fixation of pay has to be done with respect to "existing basic pay" viz.
the pay actually drawn in pre-revised present scale as defined in RS(RP)
Rules 2008 and not according to the corresponding upgraded pre-revised
scale of pay,

Court cases, similar in nature pertaining to the respective Division / Unit may be dealt accordingly.



(V.Srinivasan)

वरिष्ठ कामिक अधिकारी/नियम

Senior Personnel Officer/Rules

For Principal Chief Personnel Officer

संलग्न/Encl: as above

प्रतिलिपि/Copy to : The Genl Secy / SRMU
The Genl Secy / AISCSTREA
The Genl Secy / AIOBCREA

The Genl Secy / NFIR

GOVERNMENT OF INDIA (भारत सरकार)
MINISTRY OF RAILWAYS (रेल मंत्रालय)
RAILWAY BOARD (रेलवे बोर्ड)

No. PCVI/2013/Z/7

New Delhi, dated: 18/04/2018

General Manager,
Northeast Frontier Railway,
Maligaon, Guwahati.

[Kind attention: Sri. A.K.Sonik, PCPO]

Sub: Pay fixation methodology to those posts which have been granted revised GP Rs. 4600/- in the PB-2 and that existed in the pre-revised scale of Rs. 6500-10,500 as on 01/01/2006 and which were earlier granted normal replacement pay structure of GP Rs. 4200/- in PB-2.

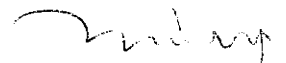
Ref: North East Frontier Railway letter No. E/205/0(C) Pt.XII dated 07/03/2018.

Kindly refer to your letter dated 07/03/2018 wherein Railway Board was requested to communicate its decision on the issue of pay fixation methodology to those posts which have been initially given normal replacement pay structure in the 6th CPC and afterwards the post has been upgraded and has been granted the higher Grade Pay in the revised pay structure.

The detailed methodology regarding manner of pay fixation in upgraded pay scales in 6th CPC has already been explained in Board's letter of even no. dated 31/12/2013 (as Annex. A). In this letter it is indicated that in cases where there has been up-gradation/merger of posts post implementation of 6th CPC, the pay in such cases is to be fixed in the revised pay structure of 6th CPC as per the existing basic pay actually drawn on the fixation date and not according to the corresponding up-graded pre-revised pay scale. Further, Hon'ble CAT Madras Bench in OA No. 310/00173/2014 vide its order dated 07/07/2015 (as Annex. B) and Hon'ble Supreme Court in Civil Appeal No. 1350 of 2018 vide its order dated 30/01/2018 (already circulated vide Board's letter no. PCVI/2014/Misc0/4 dated 22/03/2018) have upheld this methodology of fixation of pay.

Accordingly, in reference to the sought for clarification, the North East Frontier Railway is advised that fixation of pay has to be done with respect to "existing basic pay" viz the pay actually drawn in pre-revised present scale as defined in RS(RP) Rules, 2008 and not according to the corresponding up-graded pre-revised scale of pay.

Incl: As Above



(U.K.Tiwari)
Deputy Director/Pay Commission-VI
Railway Board

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD**

PC-VI/2013/Z/7

New Delhi, Dated 31.12.2013

The FA&CAO North Central Railway, Allahabad.	The General Manager (Accts) Northern Railway, Baroda House, New Delhi.	The FA&CAO (G) East Coast Railway, Bhubaneswar.
---	---	--

Sub: Clarification regarding manner of pay fixation in upgraded and merged pay scales in VI CPC.

Ref: North Central Railway's letter No. NCR/A/Cs/Admn/VIth CPC dated 08.10.2013.

Fixation of pay of Railway employees is governed by the provisions of Railway Services (Revised Pay) Rules, 2008 and subsequent clarifications which are based on Central Civil Services (Revised Pay) Rules, 2008 and subsequent clarifications issued by the nodal Ministry i.e. Ministry of Finance.

2. The principle of fixation of pay consequent upon the recommendations of 6th CPC as accepted by the Govt. of India envisages switch-over from a pre-revised scale to a revised pay scale under revised structure. As per the recommendations of the 6th CPC, the revised pay structure was given effect to from 01.01.2006 but an employee was given an option to elect to come over to the revised structure from a date later than 01.01.2006. Thus the principle for fixation of pay on switch-over to the revised scales is that it is the pre-revised pay/existing pay as actually drawn in the actual pre-revised pay scale as on the cut-off date, either 01.01.2006 or the later date elected by an employee is to be applicable for determining the revised pay in the applicable Pay Band. To the pay in the pay band so arrived at is to be added the grade pay as allowed with reference to the scale allowed.

3. This principle of fixation of pay contained in the RS(RP) Rules, 2008 is elucidated below:

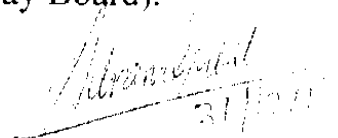
- i) As per RS(RP) Rules, 2008 (**Rule 5**), a Railway servant can elect the revised pay scale either from 01.01.2006 or date of next increment or any subsequent increment in the existing scale or until he vacates his post or ceases to draw pay in that scale. In case an employee has been placed in a higher pay scale between 01.01.2006 and the date of notification of RS(RP) Rules, 2008 (i.e. 04.09.2008) on account of promotion, upgradation of pay scale etc., he may elect to switch over to the revised pay structure from the date of such promotion, upgradation etc. The time limit for exercising option had been prescribed in above rules and subsequent orders issued specifically permitting revision of option after above period by this Ministry.
- ii) In case of those electing to be governed by the revised structure on and from 01.01.2006, Pay in the pay band (revised structure) will be 1.86 times of the

“existing basic pay” as on 01.01.2006. The “existing basic pay” means pay drawn in the prescribed “existing scale of pay” which, in turn, means present scale applicable as on 01.01.2006. **In addition to the pay in the pay band, grade pay corresponding to existing scale will be applicable. (Rule 7 read with definitions in Rule 3).**

- iii) In case where an employee continues to draw his pay in the existing scale and is brought over to the revised pay structure from a date later than 01.01.2006, his pay from the later date in the revised pay structure will be fixed by adding the basic pay applicable on the later date, dearness pay on that date and the pre-revised DA based on rates applicable as on 01.01.2006. This figure will be rounded off to the next multiple of 10 and will then become the pay in the applicable pay band. **In addition, the grade pay corresponding to the pre-revised pay scale will be payable. (Rule 11)**
- iv) Based on the above formulae for fixation of pay, fitment tables in various Pay Bands and Grade Pays with reference to the pre-revised scales have been given in Annexure ‘E’ of Board’s letter dated 11.09.2008. This letter clearly provides that the fitment tables will be applicable where normal replacement pay scales have been given and in cases of upgradation/ merger of posts, the same will be done as per Note 2A/2B below Rule 7 as per the illustration 4A/4B of the Explanatory Memo of the RS(RP) Rules, 2008. This illustration makes it abundantly clear that pay in the Pay Band is to be fixed with reference to the existing pay as on 01.01.2006 (old pay) and then adding the applicable GP. This has again been reiterated in the Board’s clarificatory letter No. PC-VI/2008/I/RSRP/1 dated 25.09.2008. (Clarification no. 6).
- v) If a Railway employee elects to draw pay in the pre-revised scale and opts to come over to the revised structure from the date of promotion, which is later than 01.01.2006, the method of fixation of pay has been clearly provided for in Board’s letter No. PC-VI/2008/I/RSRP/1 dated 25.09.2008 (Clarification Nos. 2 & 3). It clearly provides that when the pay of a Railway servant is fixed as per Rule 11 on a date subsequent to 01.01.2006, fitment tables annexed with the Board’s letter dated 11.09.2008 will be used as prescribed in the relevant provisions contained in Para 3 of the letter. The pre-revised pay to be reckoned in such cases will be the pay of the Railway servant on the date of such fixation.
- vi) If the Grade pay is such as is corresponding to a higher pre-revised scale, it does not mean that the pay is to be fixed based on the deemed pay in such higher pre-revised scale, the GP appropriate to which has been given from 01.01.2006. For, such higher pre-revised scale was never an actual scale as on the cut-off date nor was pay at any stage therein ever actually drawn on the cut-off date. Grade pay is a concept introduced in the revised structure and its reference to a particular pre-revised scale is merely for gauging the equation between the pre-revised and revised structure as to whether a post has been given a normal replacement scale as reflected in a grade pay or placed on an upgraded scale again reflected by a grade pay. Thus, it does not mean that the higher scale becomes applicable even in the pre-revised scale too, as the upgraded structure, based as it is on the 6th CPC, comes into effect only from 01.01.2006. Any contrary fixation, would

amount to giving effect to the benefit of the 6th CPC even prior to the date of its effect and this will be absurd.

4. As regards the case of Assistants/ PAs of Secretariat Services, the same involved entirely different facts & circumstances. Further, the case of IAAD (Office of C & AG), the same has been decided by the Office of C & AG themselves without consulting Ministry of Finance, i.e., the nodal Ministry. However, the principle adopted by them is not correct and may not be basis for similar incorrect fixation in other cases. Further, various Railway Services posts are governed by the provisions of Railway Services (Revised Pay) Rules, 2008 and subsequent clarifications issued by the Ministry of Railways. Zonal Railways are not authorized to make unilateral decisions/interpretations/relaxations/contrary to the Rules/clarifications issued by the Ministry of Railways (Railway Board).



(Vikram Gulati)

**Director, Pay Commission – II
Railway Board**

2/12

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

PC-VI No. 384

No. PC-VI /2014/Misc0/4

New Delhi, dated 22.3.2018

The General Manager/CAOs,
All Zonal Railways/Production Units
(as per mailing list)

Sub: Sharing of order dated 30.1.2018 of Hon'ble Supreme Court in Civil Appeal No. 1350/2018 arising out of SLP (C) No. 3315/2018 filed by Union of India & Ors Vs K.V.Rama Raju & Ors.

A number of court cases have been filed by the employees (in the pre-revised scales of Rs. 6500-10500/-/7450-11500) of various Zonal Railways seeking re- fixation of their pay in the upgraded pay scales (in pre-revised scale of Rs. 7450-11500/7500-12000). The issue has been examined by Hon'ble Supreme Court in Civil Appeal No. 1350/2018 arising out of SLP (C) No. 3315/2018 filed by Union of India & Ors Vs K.V.Rama Raju & Ors.and other connected matters & Hon'ble Apex Court has been pleased to pass the following orders:-

It is clear that the pay had to be determined by multiplying the existing basic pay as on 1st January, 2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10 in terms of the rules.

The view taken that the multiplying factor is to be applied to the revised pay-scale is contrary to the above rule.

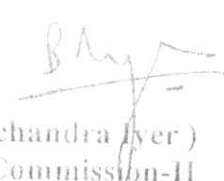
We accordingly hold that under the relevant Rules, the pay-scale is to be determined by multiplying basic pay as on 1st January, 2006 by a factor of 1.86. Thus, the view taken by the Madras Bench of the Central Administrative Tribunal by Order dated 7th July, 2015 in O.A.No. 310/00173/2014, R.Karthikeyan & Ors. V. Union of India & Ors., is upheld. Even though a writ petition against the said order is said to be pending before the High Court of Madras, since the matter has arisen before us and we have considered the issue, we approve the said view. Contrary view on the subject stands set aside.

The appeals are accordingly allowed. No costs."

2. The Railways may bring the above position to the notice of Railway Advocate contesting such other cases and take necessary action to file a copy of above judgement before the respective Tribunals/ court and also to utilize the same during arguments.

3. Receipt of this letter may please be acknowledged.

DA: AS ABOVE


(S.Balachandra Iyer)
Executive Director, Pay Commission-II
Railway Board

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. (s). 1350 OF 2018

(Arising out of SLP(C)No.3315 of 2018 @ CC NO.9986 of 2015)

UNION OF INDIA AND ORS.

Appellant(s)

VERSUS

K.V. RAMA RAJU AND ORS.

Respondent(s)

WITH

C.A. No. 362/2016

C.A. NO.1366 of 2018

(Arising out of SLP(C) No. 34733/2015)

C.A. NO.1357 of 2018

(Arising out of SLP(C) No. 36405/2015

C.A. NO.1353 of 2018

(Arising out of SLP(C) No. 237/2016)

C.A. NO.1351 of 2018

(Arising out of SLP(C) No. 6082/2016)

C.A. NO.1352 of 2018

(Arising out of SLP(C) No. 6012/2016)

C.A. NO.1355 of 2018

(Arising out of SLP(C) No. 5103/2016)

C.A. NO.1358 of 2018

(Arising out of S.L.P. (C)No.3317 of 2018 (CC No. 6463/2016)

C.A. No. 2790/2016

C.A. NO.1354 of 2018

(Arising out of SLP(C) No. 14940/2016)

C.A. NO.1356 of 2018

(Arising out of SLP(C) No. 3587/2017)

C.A. NO.1359 of 2018

(Arising out of SLP(C) NO.3318 of 2018 @ Diary No(s). 40652/2017)

O R D E R

Delay condoned.

Leave granted.

We have heard learned counsel for the parties and perused the record.

The question for consideration is as to how the pay of the respondents was to be fixed after coming into force the 6th Pay Commission. It is not disputed that the matter is governed by Notification dated 29th August, 2008, issued by the Ministry of Finance, Department of Expenditure, which is deemed to have come into force w.e.f. 1st January, 2006.

Rule 7 of the said Notification deals with fixation of initial pay in the revised pay structure which is as follows:

"7. Fixation of initial pay in the revised pay structure:

(1) The initial pay of a Government servant who elects, or is deemed to have elected under sub-rule (s) of rule 6 to be governed by the revised pay structure on and from the 1st day of January, 2006, shall, unless in any case the President by special order otherwise directs, be fixed separately in respect of his substantive pay in the permanent post on which he hold a lien or would have held a lien if it had not been suspended, and in respect of his pay in the officiating post held by him, in the following manner, namely : -

(A) in the case of all employees:-

(i) they pay in the pay band/pay scale will be determined by multiplying the existing basic pay as on 1.1.2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10.

(ii) if the minimum of the revised pay band/pay scale is more than the amount arrived at as per (I) above, the pay shall be fixed at the minimum of the revised pay band/pay scale;

Provided further that:-

Where, in the fixation of pay, the pay of Government servants drawing pay at two or more consecutive stages in an existing scale gets bunched, that is to say, gets fixed in the revised pay structure at the same stage in the pay band, then, for every two stages so bunched, benefit of one increment shall be given so as to avoid bunching of more than two stages in the revised running pay bands. For this purpose, the increment will be calculated on the pay in the pay band. Grade pay would not be taken into account for the purpose of granting increments to alleviate bunching.

In the case of pay scales in higher administrative grade (HAG) in pay band PB-4, benefit of increments due to bunching shall be given taking into account all the stages in different pay scales in this grade. In the case of HAG+ scale, benefit of one increment for every two stages in the pre-revised scale will be granted in the revised pay scale.

In by stepping up of the pay as above, the pay of a Government servant gets fixed at a stage in the revised pay band/pay scale (where applicable) which is higher than the stage in the revised pay band at which the pay of a Government servant who was drawing pay at the next higher stage or stages in the same existing scale is fixed, the pay of the latter shall also be stepped up only to the extent by which it falls short on that of the former.

(iii) The pay in the pay band will be determined in the above manner. In addition to the pay in the pay band, grade pay corresponding to the existing scale will be payable.

Note - Illustration 1 on the above is provided in the Explanatory Memorandum to these Rules.

(B) In the case of employees who are in receipt of special pay/allowance in addition to pay in the existing scale which has been recommended for replacement by a pay band and grade pay without any special pay/allowance, pay shall be fixed in the revised pay structure in accordance with the provisions of clause (A) above.

(C) In the case of employees who are in receipt of special pay component with any other nomenclature in addition to pay in the existing scales, such as personal pay for promoting small family norms, special pay to Parliament Assistants, Central (Deputation on Tenure) Allowance, etc. and in whose case the same has been replaced in the revised pay structure with corresponding allowance/pay at the same rate or at a different rate, the pay in the revised pay structure shall be fixed in accordance with the provisions of clause (A) above. In such case, the allowance at the new rate as recommended shall be drawn in addition to pay in the revised pay structure from the date specified in the individual notifications related to these allowances.

(D) In the case of medical officers who are in receipt of non-practising allowance, the pay in the revised pay structure shall be fixed in accordance with the provisions of clause (A) above except that, in such cases, the pre-revised dearness allowance appropriate to the non-practising allowance admissible at index average 536 (1982 = 100) shall be added while fixing the pay in the revised pay band, and in such cases, non-practising allowance at the new rates shall be drawn with effect from 1.1.2006 or the date of option for revised pay structure, in addition to the pay so fixed in the revised pay structure. Illustration 2 in this regard is at in the Explanatory Memorandum to these Rules.

Note 1 - (a) In the case of Group D employees, the pay in the revised pay structure will be fixed initially in the - 1S pay band as per Clause (A) above with appropriate grade pay and arrears paid accordingly. Thereafter, pay of such of those Group D employees who already possess the revised minimum qualifications recommended by the Commission prescribed for entry into PB-1 with grade pay of Rs. 1800.

(b) Such of those existing Group D employees who do not possess the revised minimum qualifications for entry into PB- 1 would be retrained by the concerned Department preferably within a period of six months so the payment of arrears on account upgradation are not delayed. After re-training, these Group D staff will also be placed in the Pay Band PB - 1 with the grade pay of Rs. 1800 with effect from 1.1.2006 and arrears drawn accordingly. Once placed in the PB

- 1 Pay Band, this category of Group D staff will regain their seniority vis-a-vis the other category of Group D staff that already possessed the minimum qualifications and were, therefore, placed in the PB -1 Pay Band as on 1.1.2006. Inter-se seniority of all the employees in erstwhile Group D will be fully maintained with Group D employee in a higher pre-revised pay scale being placed higher vis-a-vis an employee in a lower pay scale. Within the same pre-revised pay scale, seniority which existed prior to revision would continue.

(c) Arrears shall be payable with effect from 1.1.2016 in both the cases i.e. to those Group D employees who possess the qualifications and are placed in PB-1 straight away and those Group D employees who do not possess the qualifications and are placed after re-training.

Illustration 3 in regard to fixation of pay for Group D staff is in the Explanatory Memorandum to these Rules.

Note 2 - Where a post has been upgraded as a result of the recommendations of the Sixth CPC as indicated in Part B or Part C of the First Schedule to these Rules, the fixation of pay in the applicable pay band will be done in the manner prescribed in accordance with Clause (A) (I) and (ii) of Rule 7 by multiplying the the existing basic pay as on 1.1.2006 by a factor of 1.86 and rounding the resultant figure to the next multiple of ten. The grade pay corresponding to the upgraded scale as indicated in Column 6 of Part B or C will be payable in addition. Illustration 4 in this regard is in the Explanatory Memorandum to these Rules.

Note 3 - A government servant who is on leave on the 1st day of January, 2006 and is entitled to leave salary shall become entitled to pay in the revised pay structure from 1.1.2006 or the date of option for the revised pay structure. Similarly, where a government servant is on study leave on the first day of January, 2006 he will be entitled to the benefits under these Rules from 1.1.2006 or the date of option.

Note 4- A Government servant under suspension, shall continue to draw subsistence allowance based on existing scale of pay and his pay in the revised pay structure will be subject to the final

order on the pending disciplinary proceedings.

Note 5 - Where a Government servant is holding a permanent post and is officiating in a higher post on a regular basis and the scales applicable to these two posts are merged into one scale, the pay shall be fixed under this sub-rule with reference to the officiating post only, and the pay so fixed shall be treated as substantive pay.

The provisions of this Note shall apply mutatis mutandis, to Government servants holding in an officiating capacity, posts on different existing scales which have been replaced by the revised pay structure.

Note 6 - Where the 'existing emoluments' exceed the revised emoluments in the case of any Government servant, the difference shall be allowed as personal pay to be absorbed in future increases in pay.

Note 7 - Where in the fixation of pay under sub-rule(1), the pay of a Government servant, who, in the existing scale was drawing immediately before the 1st day of January, 2006 more pay than another Government servant junior to him in the same cadre, gets fixed in the revised pay band at a stage lower than that of such junior, his pay shall be stepped upto the same stage in the revised pay band as that of the junior.

Note 8 - Where a Government servant is in receipt of personal pay on the 1st day of January, 2006, which together with his existing emoluments exceeds the revised emoluments, then, the difference representing such excess shall be allowed to such Government servant as personal pay to be absorbed in future increases in pay.

Note 9- In the case of employees who are in receipt of personal pay for passing Hindi Pragya, Hindi Typewriting, Hindi Shorthand and such other examinations under the "Hindi Teaching Scheme", or on successfully undergoing training in cash and accounts matters prior to the 1st day of January, 2006, while the personal pay shall not be taken into account for purposes of fixation of initial pay in the revised pay structure, they would continue to draw personal pay after fixation of their pay in the revised pay structure on and from

the 1st day of January, 2006 or subsequently for the period for which they would have drawn it but for the fixation of their pay in the revised pay structure. The quantum of such personal pay would be paid at the appropriate rate of increment in the revised pay structure from the date of fixation of pay for the period for which the employee would have continued to draw it.

Explanation - For the purpose of this Note, "appropriate rate of increment in the revised pay structure" means 3% of the sum of the pay in the pay band and the grade pay at the stage at which the pay of the employee is fixed in the revised pay structure.

Note 10 - In cases where a senior Government servant promoted to a higher post before the 1st day of January, 2006 draws less pay in the revised pay structure than his junior who is promoted to the higher post on or after the first day of January, 2006, the pay in the pay band of the senior Government servant should be stepped up to an amount equal to the pay in the pay band as fixed for his junior in that higher post. The stepping up should be done with effect from the date of promotion of the junior Government servant subject to the fulfillment of the following conditions, namely:-

- (a) both the junior and the senior Government servants should belong to the same cadre and the posts in which they have been promoted should be identical in the same cadre.
- (b) the pre-revised scale of pay and the revised grade pay of the lower and higher posts in which they are entitled to draw pay should be identical.
- (c) the senior Government servants at the time of promotion should have been drawing equal or more pay than the junior.
- (d) the anomaly should be directly as a result of the application of the provisions of Fundamental Rule 22 or any other rule or order regulating pay fixation on such promotion in the revised pay structure. If even in the lower post, the junior officer was drawing more pay in the pre-revised scale than the senior by virtue of any advance increments granted to him, provision of this Note need not be invoked to step up the pay

of the senior officer.

(2) Subject to the provisions of rule 5, if the pay as fixed in the officiating post under sub-rule(1) is lower than the pay fixed in the substantive post, the former shall be fixed at the stage next above the substantive pay."

It is clear that the pay had to be determined by multiplying the existing basic pay as on 1st January, 2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10 in terms of the rule.

The view taken that the multiplying factor is to be applied to the revised pay-scale is contrary to the above rule.

We accordingly hold that under the relevant Rules, the pay-scale is to be determined by multiplying basic pay as on 1st January, 2006 by a factor of 1.86. Thus, the view taken by the Madras Bench of the Central Administrative Tribunal by Order dated 7th July, 2015 in O.A. NO.310/00173/2014, R. Karthikeyan & Ors. v. Union of India & Ors., is upheld. Even though a writ petition against the said order is said to be pending before the High Court of Madras, since the matter has arisen before us and we have considered the issue, we approve the said view. Contrary view on the subject stands set aside.

The appeals are accordingly allowed. No costs.

.....J.
(ADARSH KUMAR GOEL)

.....J.
(UDAY UMESH LALIT)

New Delhi,
January 30, 2018.

ITEM NO.12

COURT NO.11

SECTION XII-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C)..... of 2018
CC No(s). 9986/2015

(Arising out of impugned final judgment and order dated 16-10-2014
in WP No. 16002/2014 passed by the High Court Of Andhra Pradesh At
Hyderabad)

UNION OF INDIA AND ORS.

Petitioner(s)

VERSUS

K.V. RAMA RAJU AND ORS.

Respondent(s)

WITH C.A. No. 362/2016 (XIV)

SLP(C) No. 34733/2015 (XIV)

SLP(C) No. 36405/2015 (IV-B)

SLP(C) No. 237/2016 (XVI)

SLP(C) No. 6082/2016 (XII-A)

SLP(C) No. 6012/2016 (XII-A)

SLP(C) No. 5103/2016 (XVI)

S.L.P. (C).....of 2018 (CC No. 6463/2016) (IV-B)

C.A. No. 2790/2016 (IV-A)

SLP(C) No. 14940/2016 (XVI)

SLP(C) No. 3587/2017 (XVI)

Diary No(s). 40652/2017 (XI)

(With Interim Relief and IA No.4283/2018-CONDONATION OF DELAY IN
FILING)

Date : 30-01-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. R. Balasubramanian, Adv.
Ms. Binu Tamta, Adv.

Mr. Mukul Singh, Adv.
Mr. Abhinav D., Adv.
Ms. Arunima Dwivedi, Adv.
Mr. Mukesh Kumar Maroria, AOR

For Respondent(s) Mr. C. K. Rai, AOR
Mr. Umesh Prasad, Adv.
Mr. Mohit Rai, Adv.

Ms. Krishna Parkhani, Adv.
Ms. Kawaljit Kochar, Adv.
Ms. Vasundhra Singh, Adv.
Mr. Kusum Chaudhary, AOR

Ms. Reshmi Rea Sinha, AOR

Mr. Hitendra Nath Rath, AOR

Mr. Y. Raja Gopala Rao, AOR

UPON hearing the counsel the Court made the following
ORDER

Delay condoned.

Leave granted.

In terms of the signed order, the appeals are allowed.

Pending applications, if any, shall also stand disposed of.

(MAHABIR SINGH)
COURT MASTER

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER

(Signed order is placed on the file)