

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Thursday 23rd day of November Two Thousand And Seventeen

PRESENT:
THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A./310/01800/2017

L. Kuppa Bai,
D/o. Loganathan
Residing at No. 12/16,
Sreenivasan Mudali Street,
Perambur, Cheenai- 600 011.Applicant

(By Advocate : Mr. V. Surender)

VS.

1. Union of India,
Rep. by the Secretary to Government,
Ministry of Defence,
New Delhi-110 001;
2. The Additional Director General of Movements,
Director General of Operational Logistics & SM,
General Staff Branch, Integrated HQ of MoD(Army),
New Delhi- 110 011;
3. The Commandant,
Military Hospital,
Defence Colony Road,
Chennai- 600 032;
4. The Embarkation Commandant,
Embarkation HQ,
Chennnai- 600 009

...Respondents

(By Advocate: Mr. K. Rajendran)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

Heard. This O.A. has been filed by the applicant seeking the following relief:-

"to direct the Respondents to fix the pay of the Applicant in group D posts with effect from 09.08.1990 by granting increments for the period of casual service in terms of DOP&T OM dated 09.05.2008, made applicable to those who were regularized prior to 10.09.1993, by order dated 21.07.2016 in O.A. No. 920/2014 with all other consequential benefits including arrears of pay and allowances."

2. The case of the applicant is that she was initially appointed as Casual Labourer on 1.5.1979 and regularized on 09.08.1990 against a Group D Post. Pursuant to the Grant of Temporary Status and Regularization of Casual Labourers scheme introduced by DOPT by OM dated 10.09.1993, several of the applicant's juniors were granted temporary status and were subsequently regularized in Group D posts. As per DOPT OM dated 29.01.1998, the pay of causal labourers with temporary status would be fixed at the minimum of the pay scale. Subsequently, DOPT OM dated 09.05.2008 was issued regarding the manner of fixation of pay of casual labourers on their regularization. However, the benefit of the said DOPT OM dated 09.05.2008 by which the pay of casual labourers regularized against Group D posts would be fixed after taking into account the increments already earned by them in the Group D pay scale was denied to the applicant on the ground that he was regularized prior to the introduction of the scheme. This Tribunal in OA No. 920/2014 had directed grant of similar benefits to those who were regularized prior to 10.09.1993. Applicant made several representations including the latest representation dated 27.09.2017 seeking grant of the benefit accordingly. As they evoked no response, she has approached the Tribunal seeking the aforesaid relief.

3. Learned counsel for the applicant would submit that the applicant would be satisfied if the respondents were directed to dispose of her Annexure-A/8 representation dated 27.09.2017 with a time frame.

4. Mr. K. Rajendran, Learned Standing counsel takes notices on behalf of the respondents.

5. Keeping in view the limited relief sought, the respondents are directed to consider the latest representation dated 27.09.2017 of the applicant at Annexure-A/8 and pass a reasoned order in accordance with law within a period of six weeks from the date of receipt of copy of this order.

6. O.A. is disposed of accordingly at the admission stage. No costs.