

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00302/2020

Friday, this the 17th day of July, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member

Hon'ble Mr. K.V. Eapen, Administrative Member

1. Muhammed Ameen M (31 yrs.), S/o. (L) Moideen Mampadan, MATE (Electrician), CERA-441, C/o. GE (Maint) Ezhimala, (PO) Naval Academy, Ezhimala, Payyannur, (Dt) Kannur-670 310, Residing at Mampadam (H), Chembrasserri (PO), (Dt) Malappuram – 676521, 9745025364.
2. Ratheesh P.T (32 yrs), S/o. Thankappan P.S., MATE (Fitter General Mechanic (FGM), CERA – 442, C/o. GE (Maint) Ezhimala, (PO) Naval Academy Ezhimala, Payyannur, (Dt) Kannur – 670 310, Residing at Panjamadam (H), Kuthanoor (PO), Kothamangalam, (Dt) Palakkad – 678 721, 999504592.
3. Sushanth K. (32 yrs), S/o. Suresh V., MATE (Ref Mech.), CERA – 457, C/o. GE (Maint), (PO) Naval Academy, Ezhimala, Payyannur, (Dt) Kannur – 670310, Residing at Shivashylam, Nr. PHC Edakka, (PO) Attadappa, (Dt) Kannur-670 006, 9995911835.
4. Prabhilash K.P. (35 yrs), S/o. Balakrishnan Nair, MATE (Electrician), CERA – 458, C/o. GE (Maint) Ezhimala, (PO) Naval Academy Ezhimala (Dt) Kannur – 670320, Residing at Kareekkumpurath (H), Kunnathena (PO), Ulliyeri, (Dt) Kozhikode – 673 323, 9048060760.
5. Rajesh K., (29 yrs.), S/o. Unnikrishnan K., MATE (FGM), CERA – 511, C/o. GE (Maint) Ezhimala, (PO) Naval Academy, Ezhimala, (Dt) Kannur- 670310, Residing at Karuthath (H), Thiruvazhiyode (PO), (Dt) Palakkad – 679 514, 9605385346.
6. Ranjith M.P., (31 yrs), S/o. Raveendran M.P., MATE (Electrician), CERA – 434, GE (Maint) Ezhimala, (PO) Naval Academy, Ezhimala, (Dt) Kannur – 670 310, Residing at Parappara (H), Nayarkuzhi (PO), (Dt) Kozhikode – 673 607, 8943774893.
7. Sunu S. (30 yrs.), S/o. Sudhakaran S., MATE (FGM), CERA – 450, C/o. GE (Maint), Ezhimala, (PO) Naval Academy, Ezhimala, Payyannur : (Dt), Kannur – 670310, Residing at Puthan Kandathil (H), (PO) Chingoli, (Dt) Alappuzha – 690 532., 9495385993.

8. Rajesh P (34 yrs.), S/o. Raveendran Nair M., MATE (Electrician), CERA – 460, C/o. GE (Maint) Ezhimala, (PO) Naval Academy Ezhimala, Payyannur, (Dt) Kannur – 670310, Residing at Machingal (H), Pantheerankavu (PO), (Dt) Kozhikode – 673 019, 9349347998.
 9. Suneesh P.V. (30 yrs.), S/o. Vishwanathan P.J., MATE (Electrician), CERA – 459, C/o. GE (Maint) Ezhimala, (PO) Naval Academy, Payyannur, (Dt) Kannur – 670310, Residing at Palasseri (H), Chungathara (PO), Manali, (Dt) Malappuram-679 334, 904867769.
 10. Binu K.V (30 yrs.), S/o. Vijayan C.A., MATE (Vehicle Mechanic), CERA – 631, C/o. GE (Project) Ezhimala (PO) Naval Academy, Ezhimala, (Dt) Kannur – 670310, Residing at Kuzhikandathil (H), Nallurnadu (PO), (Dt) Wayanad – 670645, 9605376465.
 11. Jithu T.P. (29 yrs.), S/o. Premadarsan T.P., MATE (Firm), CERA-651, C/o. GE (Project), Ezhimala, Payyannur, (Dt) Kannur – 670310, Residing at Ellakkil (H), Ullanam North (PO), (Dt) Malappuram – 676 303, 8089486324.
 12. Ginse T.R., (34 yrs.), S/o. Ravi T.R., MATE (Ref/Mech), CERA-428, C/o. GE (Project), Ezhimala, (PO) Naval Academy, Ezhimala, (Dt) Kannur – 670 310, Residing at Thattuparambil (H), Mannayathmoola, Edathala North (PO), (Dt) Ernakulam – 683 561, 8281685706.
 13. Vineeth M.M (33 yrs.), S/o. Madhusoodanam M.R., MATE (Ref Mech), C/o. GE (Project) Ezhimala, (PO) Naval Academy, (Dt) Kannur – 670 310, Residing at Mannuchiranyil (H), Perumbadanna, North Paravoor (PO), (Dt) Ernakulam – 683 513., 8281726496.
 14. Syma Kumar K.P., (28 yrs.), S/o. Prakashan K.P., MATE (Electrician), CERA – 619, C/o. GE (Project) Ezhimala, (PO) Naval Academy, (Dt) Kannur – 670 310, Residing at Kannanoor Parambil (H), Ezhuvathiruthy, Ponnani (PO), (Dt) Malappuram-679 577, 9048166627.
 15. Bipin P. (31 yrs.), S/o. (L) Bhaskaran V.V., MATE (Electrician), C/o. GE (Maint), Ezhimala, Payyannur, (Dt) Kannur – 670310, Residing at Padacherry (H), Punchakkad Railway Gate, (PO) Payyannur, (Dt) Kannur – 670 307., 9188351938.
- **Applicants**

(By Advocate : Mr. Kaleeswaram Raj)

V e r s u s

1. Union of India, represented by the Secretary,
Government of India, Ministry of Defence, South Block,
New Delhi – 110 001.
 2. The Director General (Personnel), Engineer-in-Chief's Branch,
Military Engineer Services, Kashmir House, Rajaji Marg,
New Delhi – 110 011.
 3. Engineer in Chief (EIB), Military Engineering,
Kashmir House, Rajaji Marg, New Delhi – 110 011.
 4. Chief Engineer, Southern Command, Rajendrasinhiji Road,
Camp, Pune, Maharashtra – 411 001.
 5. Office of the Controller of Defence Accounts, No. 618,
Anna Salai, Teynampet, Chennai – 600 018.
 6. Commander Works Engineer (NW), Kataribagh, Naval Base
(PO), Kochi – 682 004.
 7. Commander Works Engineer, Ezhimala, Military Engineer
Service, Indian Naval Academy, Ezhimala PO, Kannur-670 310.
 8. GE (MAINT), Ezhimala, Payyannur, (Dt) Kannur-
670310.
- **Respondents**

(By Advocate : Mr. P.G. JayanACGSC)

This application having been heard on 17.07.2020 through video conferencing, the Tribunal on the same day delivered the following:

ORDER (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard Advocate Mr. Kaleeswaram Raj, representing the applicants and Advocate Mr. P.G. Jayan, ACGSC, representing the respondents, through video conferencing.

2. Applicants are working as Mate in the respondent Department. When the 7th Pay Commission orders were issued they were not given the benefits of the said order resulting there occurred a pay anomaly and the juniors to

the applicants who joined the service after one year were paid higher salary than the applicants. Aggrieved they have filed the present OA claiming the following reliefs:

- “i) To declare that the applicants are entitled to get the benefit of 7th Pay Commission Order as provided in Annexure A1;*
- ii) To direct the respondents to take further actions on Annexure A5 within a time frame to be fixed by this Hon’ble Tribunal;*
- iii) To direct the 8th respondent to pass orders re-fixing the salary of the applicants granting the benefit of 7th pay commission order as provided in Annexure A1;*
- iv) To issue any such orders or directions as this Hon’ble Tribunal may deem fit, just and proper in the circumstances of this case.*
- v) To grant the costs of this Original Application.”*

2. When the matter came up for consideration, learned counsel for the applicants submitted that the representation given by the applicants are still pending with respondent No. 6 and no action has been taken. He also stated that the OA is filed by 15 applicants and they would be satisfied if the representations filed by the applicants are considered and a decision is taken on the same.

3. Learned counsel for the respondents has no objection in considering the representations filed by the applicants.

4. Hence, in view of the limited submission made on behalf of the parties, we dispose of this OA by directing the applicants to file individual representations to the competent authority within a period of two weeks from the date of receipt of a copy of this order and the

competent authority will consider the said representations and take a decision in the same in the light of the relevant rules and regulations, within a period of three months from the date of receipt of a copy of this order.

5. Original Application is disposed of as above at the admission stage itself. No costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

Original Application No. 180/00302/2020**APPLICANT'S ANNEXURES**

- Annexure A1** – True copy of the office memorandum issued by the Ministry of Finance and Department of Expenditure dated 3.8.2017.
- Annexure A2** – True copy of the salary slip of the first applicant.
- Annexure A3** – True copy of the salary slip of Mr. Shaji C.P.
- Annexure A4** – True copy of the application submitted by 11th applicant before the 6th respondent.
- Annexure A5** – True copy of the letter dated 23.12.2019 issued by the 5th respondent to 8th respondent.
- Annexure A6** – True copy of the letter dated 3.1.2020 issued by the 5th respondent with respect to one Mr. V.R. Subhas.
- Annexure A7** – True copy of the statement of fixation of pay under Central Civil Service (Revised Pay) Rules, 2016 for Bunching (Revised) pertaining to Mr. V.R. Subhas.
- Annexure A8** – True copy of the statement of pay fixation on account of bunching benefits issued on 12.11.2018 by Garrison Engineer, Pune.

RESPONDENTS' ANNEXURES

Nil

-X-X-X-X-X-X-X-X-