

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00034/2021

Tuesday, this the 2nd day of February, 2021

C O R A M :

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER

1. Kendriya Vidyalaya Non Teaching Staff Association
Represented by its General Secretary, Sandeep Kanta Biswas
aged 49 years,
S/o.Late Sukumar Kanta Biswas
Assistant Section Officer (Group B)
Kendriya Vidyalaya
Keltron Nagar, Kannur, Kerala
Residing at Staff Quarter No.B5
K.V Keltron Nagar, Kannur – 670 567
Mobile No.9883151555
2. B.Ravi, aged 56 years
S/o.K.Balakrishna Pillai
Lab Attender
Kendriya Vidyalaya No.1
Hemambika Nagar, Kallekulangara P.O
Palakkad District
Residing at No.9, Sowparnika
Parthiri Nagar, Near Hemambika Nagar Police Station
Dhoni P.O, Palakkad District
3. P.Sivanandan, aged 49 years
S/o Late P.Bhaskaran
Sub Staff, Kendriya Vidyalaya No.2
Eravathukunnu, Govindapuram P.O
Kozhikkode – 673 016
Residing at Panakkal House, 38/353B
Chettipadi Post – 673 319

...Applicants

(By Advocate Mrs.Shameena Salahudheen)

v e r s u s

1. The Commissioner
Kendriya Vidyalaya Sangathan
18, Institutional Area
Shaheed Jeet Singh Marg
New Delhi – 110 016
 2. The Chairperson
National JCM/Kendriya Vidyalaya Sangathan
Shasthri Bhavan
New Delhi – 110 016
 3. The Joint Commissioner (Pers)
Member Secretary National JCM KVS
18, Institutional Area
Shaheed Jeet Singh Marg
New Delhi – 110 016
 4. The Secretary to Government
Ministry of Education
Department of School Education and Literacy
Shasthri Bhawan
Dr.Rajendra Prasad Road
New Delhi – 110 001
-Respondents

(By Advocate : Mr.C.Rajendran,SCGC)

This application having been heard on 2.2.2021, this Tribunal on the same day delivered the following :

ORDER (ORAL)**HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER**

The 1st applicant herein is the Kendriya Vidyalaya Non Teaching Staff Association and the 2nd and 3rd applicants are members of staff who are aggrieved

persons. The Original Application is filed being aggrieved by the inaction on the part of the respondents in conducting the Joint Consultative Machinery. Hence they approached this Tribunal praying for the following reliefs:

I) Direct the 1st and 2nd respondent to conduct JCM meeting immediately without any further delay.

II) Direct the respondents 1 and 2 to conduct JCM in a span of 4 months as specified in Annexure A5 Rules.

III) Declare that the respondents 1 and 2 are bound to conduct JCM in a span of 4 months.

IV) Direct the 1st and 2nd respondent to initiate action in a time bound manner on the decisions already taken by JCM.

V) Such other reliefs as may be prayed for and this Tribunal may deem fit to grant.

VI) Grant the cost of this Original Application. "

2. When the matter came up for consideration, counsel for the applicant has produced Annexure A-8 representation requesting for convening Joint Consultative Machinery meeting.

3. Counsel for the respondents present and submits that the respondents have no objection for convening a meeting as per the request filed by the Association.

4. In view of the above submission, the respondents are directed to convene the Joint Consultative Machinery Meeting within a period of two months from the date of receipt of a copy of this order. The Original Application is disposed of accordingly. No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER

(P.MADHAVAN)
JUDICIAL MEMBER

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List of Annexures

- Annexure A1 - A true copy of the resolution dated 10.01.2021.
- Annexure A2 - A true copy of the office memorandum no.9/13/2000-JCA dated 12.10.2001.
- Annexure A3 - A true copy of the office memorandum no.3/3/2004 dated 20.1.2004.
- Annexure A4 - A true copy of the Scheme of Joint Consultative Machinery for Kendriya Vidyalaya.
- Annexure A5 - A true copy of the Rules for the Conduct of Business for the Council under the JCM for KVS is produced.
- Annexure A6 - A true copy of the Communication No.F.KEVINTSA/JCM/Inaction/2020 dated 10.8.2020.
- Annexure A7 - A true copy of the Communication No.F.KEVINTSA/JCM/Inaction/2020 dated 25.8.2020.
- Annexure A8 - A true copy of the representation dated 21.1.2021.

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