

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.444/97

Friday this the 11th day of April, 1997.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. V.Santhakumari, working as Staff Nurse  
at Beedi Workers' Welfare Fund Dispensary  
(Government of India, Ministry of  
Labour, PO, Nileshtar, Kasargod District).
  2. G.Ammi, working as Staff Nurse  
Beedi Workers' Welfare Fund Dispensary,  
PO. Thana, Kannur District.
  3. Kathrinamma, Sebastian,  
working as Staff Nurse,  
Beedi Workers' Welfare Fund Dispensary,  
PO. Palayad, Tellichery.
  4. B.Sylaja, working as Staff Nurse  
Beedi Workers' Welfare Fund Dispensary  
PO. Kondotty, Malappuram Dist.
  5. K.U. Kameela, working as Staff Nurse  
Beedi Workers' Welfare Fund Dispensary,  
PO. Alathur, Palakkad District.
- .... Applicants

(By Advocate Mr. V.V.Surendran)

Vs.

1. The welfare Commissioner, Labour Welfare  
Organisation, Ministry of Labour,  
Government of India, No.75, Basaveswara Road,  
Bangalore-52.
  2. The Director General (LW)  
Government of India,  
Ministry of Labour, Jaisalmer House,  
Mansingh Road, New Delhi.11.
  3. The Secretary,  
Ministry of Labour, Government of India,  
Nirman Bhavan,  
New Delhi.
- ... Respondents

(By Advocate Mr. MHJ David for TRR Nair, ACGSC)

The application having been heard on 11.4.1997, the  
Tribunal on the same day delivered the following:

contd...

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The grievance of the applicants five in number who are working as Staff Nurses under the Labour Welfare Organisation is that they were not being paid the Nursing Allowance for the period between 1.1.86 to 16.8.93. Finding no definite reply to the repeated representations made by them, they filed this application praying for the following reliefs:-

- "(a) Directing respondents No.1 and 2 to pay nursing allowance to the applicants from 1.1.86 to 16.8.93.
- (b)directing respondents to pay the interest for the amount withheld by them to the applicants.
- (c)passing any other appropriate order and direction as this Hon'ble Tribunal may deem fit to grant in the circumstances of the case."

2. When the matter came up for hearing, learned counsel for the applicants invited our attention to A-5 a copy of the communication dated 29.11.96 addressed to Shri P.Mohanan, General Secretary-in-charge, C.L.W.S.A. BWWF, Kondotty by the Staff Grievance Officer wherein it is stated that the matter is being vigouresly pursued with the Ministry. The counsel stated that the applicants will be satisfied if the respondents are directed to take a final decision in the matter within a reasonable time frame and to give to the applicants the benefit if a positive decision is taken.

3. Learned counsel for the respondents have no objection if the matter is being disposed of as suggested

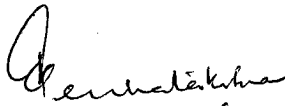
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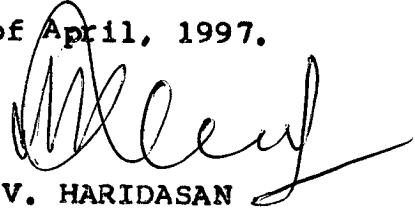


by the learned counsel for the applicants.

4. In the light of the above submission of the learned counsel at the Bar, we admit and dispose of the application with a direction to the respondents to consider the claim of the applicants for Nursing Allowance for the period in question in accordance with law and instructions on the subject, to take a final decision within a period of two months from the date of receipt of a copy of this order and if on such consideration it is found that the applicants are entitled to the arrears as claimed by them to make available to them the monetary benefits flowing therefrom within a period of one month from the date of the decision. There is no order as to costs.

Dated the 11th day of April, 1997.

  
P.V. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

ks.

LIST OF ANNEXURE

Annexure A-5 : True copy of the letter No.2(56)25/  
A5/93/SGO dated 29-11-96 of the Staff  
Grievance Officer to the Central  
Labour Welfare Staff Association.

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