

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

D.A.No.462/95

Thursday, this the 4th day of January, 1996.

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Dr K Ravindran Thampi,  
Administrative Officer,  
Geological Survey of India,  
Thiruvananthapuram-695 014. - Applicant

By Advocate Mr KMV Pandalai

Vs.

1. Union of India represented by the Secretary, Ministry of Welfare, New Delhi.
2. The Commissioner for Scheduled Caste/ Scheduled Tribe, represented by its Secretary, Lok Nayak Bhavan, New Delhi.
3. Union Public Service Commission, represented by its Secretary, Oholpur House, Shahjahan Road, New Delhi-110 011.
4. The Secretary, Ministry of Home Affairs, Government of India, New Delhi.
5. The Executive Officer, Department of Internal Security (Rehabilitation Division), Dandakaranya Subcell, Mansingh Road, New Delhi-110 011.
6. Deputy Secretary, Department of Personnel Training, Ministry of Personnel & Public Grievances, 6th Floor, Nirvachan Sadan, New Delhi. - Respondents

7. The Director General,  
Geological Survey of India,  
27, Jawahar Nehru Road,  
Calcutta-700 016.

- Respondents

By Advocate Mr James Kurian, Additional Central Government  
Standing Counsel

The application having been heard on 4.1.96 the Tribunal  
on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(3), VICE CHAIRMAN

Applicant seeks a declaration that he is entitled to  
get his pay fixed in the post of Assistant Director in the  
scale of Rs.700-1300(pre-revised). A request in that behalf  
was rejected by A17, and that has brought applicant to this  
Tribunal. He commenced service in the Dandakaranya  
Project which was wound up some time in 1986. As a surplus  
hand he was appointed as Assistant Director under the Commi-  
ssioner for Scheduled Caste/Scheduled Tribe(A2). According  
to applicant, he joined the post and A6 and A7 joining reports  
would prove this. Thereafter, by virtue of A9 he joined the  
office of the Geological Survey of India, Trivandrum. He  
seeks fixation of pay on the basis that he had worked under  
the Commissioner for Scheduled Caste/Scheduled Tribe. A6 and  
A7 would indicate that he had worked as averred.

2. The pleadings stand uncontested. Six adjournments  
were granted to respondents to file a reply statement and they  
had eight months time at their disposal. Ordinarily, an

application is expected to be disposed of finally in six months and the delay had been agitating several agencies at the national level. Respondents Government of India have forwarded us Parliament questions relating to tardy disposal of cases. The defence of respondents were struck off.

3. On the uncontroverted pleadings, the contentions of applicant based on A6 and A7 that he was in continuous employment and had worked under second respondent-Commissioner for Scheduled Caste/Scheduled Tribe has to be accepted. He will therefore carry the scale with him to the post he accepted under A9. A17 is quashed. We direct respondents 2 and 7 to refix the pay of applicant in the scale of Rs.2200-4000 (pre-revised Rs.700-1300) with reference to the dates on which he commenced service under the respective respondents. This will be done within three months from today.

4. Application is allowed as aforesaid. No costs.

Dated, the 4th day of January, 1996.

  
PV VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR (J)  
VICE CHAIRMAN

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