

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.484/2002

Tuesday this the 9th day of July, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

K.Muthu, Dance Cum Music Teacher,  
Government High School,  
Agatti, residing at  
Kuttiyam Mukniyoda House,  
Agathy Island,  
Union Territory of Lakshadweep.

...Applicant

(By Advocate Mr.MRR Nair (rep.by Ms.Naseema Beevi)

V.

1. Union of India, represented by  
the Secretary to the Govt. of India,  
Ministry of Human Resources Development  
(Department of Education)  
New Delhi.

2. The Administrator,  
Union Territory of Lakshadweep,  
Kavaratti.

..Respondents

(By Advocate Mr.CB Sreekumar, ACGSC for R.1.  
Mr.PRR Menon (rep) for R.2

The application having been heard on 9.7.2002, the Tribunal  
on the same day delivered the following:

O R D E R

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

The applicant, Dance Cum Music Teacher,  
Government High School, Agatti is aggrieved that as a  
Dance-Cum-Music Teacher he is left in the pay scale of  
Rs.3050-4550 much less than the pay scale of even Primary  
School Teacher. The Director of Education, Administration  
of Union Territory of Lakshadweep had addressed the  
Secretary to Govt. of India, Ministry of Human Resources  
Development (Department of Education) <sup>by which</sup> a recommendation was  
made for enhancement of the pay scale of Dance-Cum-Music

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Teacher to that of Primary School Teacher by communication dated 7.1.99 (A1) but so far no decision in that behalf has been taken with the result the applicant is still being left in a low pay scale which is not commensurate with the nature and quality of work done by him. The applicant has made a representation to the 1st respondent on 22.6.2002 projecting his grievances and stating that even financial upgradation has not been given to him so far. Under these circumstances the applicant has filed this application for a declaration that he is entitled to get pay scale as equal that of Dance Teacher (Classical) and promotional avenues and for a direction to the respondents to grant the applicant the pay scale on par with Dance Teacher (Classical) and senior selection scales etc. He <sup>has</sup> also prayed for a declaration that he is entitled to get financial upgradation in terms of the Assured Career Progression Scheme.

2. When the application came up for hearing, learned counsel on either side agree that the application may be disposed of directing the 1st respondent to consider Annexure.A2 representation of the applicant in the light of the relevant facts, rules and instructions including the recommendation made by the Director of Education, UT of Lakshadweep (Annexure.A1) and to give the applicant an appropriate reply within a reasonable time, even though <sup>in</sup> the A2 representation the address is wrongly shown.

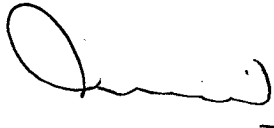
3. In the light of the above submission of the learned counsel on either side, in the interests of justice, the application is disposed of directing the 1st

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respondent to consider Annexure.A2 representation of the applicant in the light of the relevant rules and instructions including the recommendation made by the Director of Education, Union Territory of Lakshadweep and to give the applicant an appropriate reply within a period of four months from the date of receipt of a copy of this order. No order as to costs.

Dated the 9th day of July, 2002



T.N.T. NAYAR  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

(s)

Applicant's annexures:

Annexure.A1: True copy of the letter No.F.18/44/98-Edn. dated 7.1.1999 issued by the Director of Education to the 1st respondent.

Annexure.A2: True copy of the representation dated 22.6.2002 to the Secretary, Governemnt of India, MHRD (Department of Education), New Delhi.

Annexure.A3: True copy of the meritorious certificate awarded to the applicant.

Respondents' Annexures:

NIL

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