

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

DATE OF DECISION: 06-09-1989

PRESENT

Hon'ble Shri S.P.Mukerji, Vice Chairman  
&  
Hon'ble Shri N.Dharmadan, Judicial Member

ORIGINAL APPLICATION No.524/89

1. K.Sukumaran.  
2. K.I'Anto. ..Applicants

Vs.

1. Union of India represented  
by the Secretary, Ministry of  
Surface Transport, New Delhi.  
2. The Director General of Lighthouses  
and Lightships, Block No.X,  
Level IV and V, R.K.Puram,  
New Delhi. .. Respondents

Counsel for the applicants .. M/s K.Ramakumar and  
Roy Abraham.

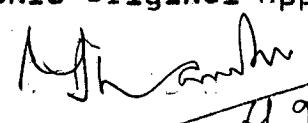
Counsel for the respondents .. Mr.PV Madhavan.Nambiar,  
SCGSC

O R D E R  
(Shri S.P.Mukerji, Vice Chairman)

Heard the learned counsel for both the parties  
on the question of admission of this application in which  
the applicants have prayed for complete parity of pay  
scales of Junior Engineers of Light Houses with those of  
Junior Engineers in the C.P.W.D. Their main contention  
is that on the recommendations of the Third Pay Commission  
the Junior Engineers of Light Houses and the Junior  
Engineers of the CPWD were given the same pay scales  
of Rs. 425-700. However, after the recommendations of  
the Fourth Pay Commission, the respondents allowed 75%  
of Junior Engineers of CPWD the higher scale of Rs.  
1640-2900 and the remaining 25% the pay scale of

Rs. 1400-2300. However, all the Junior Engineers of the Light Houses were given the lower pay scale of Rs. 1400-2300. By this process the latter were completely deprived of the higher pay scale of Rs. 1640-2900. The applicants have also stated that apart from total deprivation of higher scale of Rs. 1640-2900 the Junior Engineers in the Light Houses have suffered by the abolition of the Selection Grade, which was available to them earlier. The learned counsel for the applicants further indicated that the first applicant represented to the respondents (Annexure-B) on 22.9.1988, but there has been no response from the Respondent No.2.

2. Fixation of pay scales being a policy matter, the Tribunal would be reluctant to entertain the application at this stage. The application is, therefore, dismissed under Section 19(3) of the Administrative Tribunals Act with the direction to the respondents dated 22.9.1988 (Ann. B) that the representation filed by the first applicant should be disposed of within a period of three months from the date of communication of this order keeping in view the various averments made by the applicants in this Original Application.

  
(N. Dharmadan)

Judicial Member

  
(S.P. Mukerji)  
Vice Chairman

06-09-1989

Sn.

1.8.90

C.C.P. No. 34/90  
in OA 524/89

Shri VR Ramachandran Nair-for petitioner  
Shri KACherian-ACGSC-for respondents

SPM & AVH

The learned counsel for the respondents seeks some time to reply to the CCP. List for further directions on 22.8.90. No further adjournment for this purpose will be given.

*3 Sd/-*  
1.8.90

22.8.90

SPM & AVH

Mr.TA Rajan-rep. Ramachandran Nair  
Mr.KA Cherian,ACGSC

The learned counsel for the respondents seeks some time to file a reply to the CCP and undertakes to do so within four weeks with a copy to the learned counsel for the petitioner. List for further directions on 20.9.90.

*3 Sd/-*  
22.8.90

NVK & ND

Mr VR Ramachandran Nair f applicant.

Mr KA Cherian, ACGSC f m' respondents

The Respondent have not filed reply to the petition and seeks time for this purpose which is granted.

Call on 4/10/90

*4/10*

20/9/90

4-10-90

SPM & AVH

Mr VR Ramachandran Nair  
Mr KA Cherian

Heard the learned counsel for the parties. The learned counsel for the respondents indicated that the competent authority has since taken a decision on the representation of the applicant dated 22.9.1988 and the

same is under communication to the applicant.

He prays for 2 weeks time for the communication to materialise.

Accordingly, list for further direction on the CCP on 22.10.90.

*Re Sesh*

4-10-90

Statement  
filed by Re-  
spondent on  
4-10-90  
*Re*

22.10.90

SPM & ND

((In'ble v2))

Mr. Ramachandran Nair

Mr. K.A.Cherian -ACGSC rep.through ASHA.PV.

The learned counsel for the applicant appeared before us and indicated that he has received the communication dated 12.10.90 rejecting his representation. Accordingly our judgment has been substantially complied with.

The C.C.P. is closed and the notice is discharged.

*N.Dharmadan*

(N.Dharmadan) 22/X/90

Judicial Member

*S.P.Mukerji*

(S.P.Mukerji) 22.X.90

Vice Chairman

*MOE*