

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 527 of 2011

Wednesday, this the 28th day of March, 2012

CORAM:

Hon'ble Mr. Justice P.R Raman, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

1. K. Abdul Khader, Overseer,
Lakshadweep Government Press, Kavaratti,
Pin-682 555, (Residing at Kunnam House,
Union Territory of Lakshadweep).
 2. K.P. Thangakoya, Overseer,
Lakshadweep Government Press, Kavaratti,
Pin-682 555, (Residing at Kakkinipura House,
Union Territory of Lakshadweep).
- **Applicants**

(By Advocate – Mr. Joby Cyriac)

V e r s u s

1. The Administrator, Union Territory of
Lakshadweep, Kavaratti, Pin-682 555.
 2. The Union of India, represented by the Secretary,
Ministry of Urban Development, Nirman Bhavan,
New Delhi, Pin – 110 001.
 3. The Secretary to the Government of India,
Ministry of Finance, New Delhi, Pin-110 001.
- **Respondents**

**[By Advocates – Mr. S. Radhakrishnan (R1) &
Mr. Sunil Jacob Jose, SCGSC (R2&3)]**

This application having been heard on 20.03.2012, the Tribunal on
28.03.12 delivered the following:

ORDER

By Hon'ble Mr. K. George Joseph, Administrative Member -


The applicants in this Original Application are presently working as

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Overseers in the Lakshadweep Government press.

2. This Original Application is filed for a declaration that the pay revision recommendations of the Intra Departmental Committee, 1987 which was accepted by Government of India by Annexure A-1 OM No. 36(1)-IC/88, dated 31.10.1989 as applicable to the post of Overseer in the Lakshadweep Government Press also and for a direction to the 2nd respondent to forward Annexures A-9 and A-10 representations to the 2nd respondent and direct the 2nd respondent to consider the same and pass a speaking order.

3. The applicant contended that the denial of extending the applicability of Annexure A-1 OM to them while the same was extended to similarly placed employees of the Central Government press is illegal and discriminatory. They are entitled for revision of scale of pay to Rs. 2000-3200/- from Rs. 1640-2900/- as per ^{the} aforesaid OM with effect from their respective appointment and corresponding revision of pay and consequential benefits arising out of such fixation. The pay scale of Foreman and Section Holder belonging to Lakshadweep Government press is upgraded on par with the pay scale of Foreman and Section Holder in other Central Government press. The same benefit has not been extended to the post of Overseer. This Tribunal had disposed of OAs Nos. 317, 332, 333, 334, 338 and 339 of 2011 directing the respondents to pass appropriate and speaking orders on the representations made by the applicants therein who are employees of the Lakshadweep Government press. The applicants



are also entitled to get the same relief. The first respondent has all along supported the applicants.

4. The 1st respondent in his reply statement submitted that the representations of the applicants have already been forwarded to the Ministry. The Ministry by letter dated 17.6.2011 had stated that the proposal of the 1st respondent could not be compared to other Government of India presses and directed to submit full justification for the proposal. Accordingly, the 1st respondent has submitted justification with comparative statement by letter No. 1/21/2004-LGP-Vol-II/912, dated 26.9.2011. Both the applicants have received the benefits of up-gradation of pay scale of Section Holder, Printing Press Holder and Foreman with effect from 31.10.1989.

5. The 2nd respondent in his reply statement submitted that since up-gradation is being demanded to the post of Technical Officer, the proposal needs examination with reference to the eligibility requirement for similar posts in Government of India presses in the light of information sought for from the Union Territory of Lakshadweep vide letter dated 17.6.2011.

6. We have heard the learned counsel for the parties and perused the records.

7. The representations of the applicants have already been forwarded by the Lakshadweep Administration to the Ministry of Urban Development. Further as directed full justification for the proposal with comparative



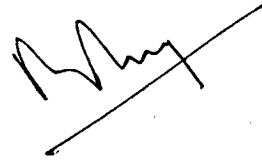
statement has also been sent to the Ministry vide letter dated 26.9.2011. The matter is under examination with the Ministry of Urban Development. The relief sought by the applicants is that the 2nd respondent should be directed to consider and pass a speaking order thereon in the light of Annexure A-1 OM within a time frame and to take consequential actions to grant arrears of salary to them in regard to re-fixation of pay scale to the post of Overseer.

8. In the light of the above the OA is allowed as under:-
The 2nd respondent is directed to consider the representations of the applicants at Annexure A-9 dated 22.11.2010 already forwarded to him by the 1st respondent and pass a speaking order thereon in the light of Annexure A-1 OM dated 31st October, 1989, within a period of three months from the date of receipt of a copy of this order.

9. No order as to costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE P.R. RAMAN)
JUDICIAL MEMBER

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