

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

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Tuesday, this the 14th day of December, 1993.

O.A. No. 549/92

Shri N.Dharmadan, Member (Judicial)

Shri S.Kasipandian, Member (Administrative)

S. M. R.

1. Shri P.Mohan,
SC No. 23607, OCB,
Accounts Division,
PSLV Project,
Valiamala.
2. Smt. D.Indira,
SC No. 22125, OCB,
Accounts Division,
PSLV Project, Valiamala.
3. Bmt. P.N.Kumari Remani,
SC. No. 23028, O.C.B.,
Purchase Section,
PSLV Project,
Valiamala.
4. Smt. N.G. Sarojini,
S.C.No. 26700,
O.C.B. Purchase Section,
PSLV Project,
Valiamala.
5. Shri M. S.Venkata Subramanian,
S.C.No. 28098, O.C.B.,
Stores Section, PSLV Project,
Valiamala.
6. Smt. T.Anandavally Amma,
S.C.No. 20265, O.C.B.,
Stores Section, PSLV Project,
Valiamala.
7. Smt. D.Subhadra Amma,
S.C.No. 26681, OCB, Stores Section,
PSLV Project, Valiamala.
8. Smt. Remla Beevi,
SC No. 25433, OCB,
Stores Section, PSLV Project,
Valiamala.
9. Smt. P.G.Kusumakumari,
S.C.No. 23015, OCB, Stores Section,
ASMG, Valiamala.
10. Smt. Susannamma Devasia,
SC No. 26695, OCB,
EIC Bonded Stores,
PSLV Project, Valiamala.
11. Smt. CC Omana, SC No. 24212,
OCB, ASLV Stores, VSSC.

12. Smt. P.Santhamma, SC.No.26684,
OCB, CED Accounts, VSSC.
13. Smt. Santhakumari Cecil,
SC No. 26682, OCB, Library,
VSSC, Trivandrum.
14. Smt. K.Omana,
SC No. 24213, OCB,
SSTC Stores, VSSC,
Thiruvananthapuram.
15. Smt. S.Santha Devi,
SC No. 26727, OCB,
PSD-STS, VSSC,
Thiruvananthapuram.
16. Smt. S.P.Gomathi,
SC No. 21750, OCB,
PSD-STS, VSSC,
Thiruvananthapuram.
17. Smt. K.K.Premalatha,
SC No. 24532, OCB,
MMS, Purchase, VSSC.
18. Shri Getrude Pappachan,
SC No. 21659, OCB, ASLV
Administration, VSSC,
Thiruvananthapuram.
19. Shri P.K.Damodaran,
SC No. 21207, OCB, CED,
Accounts, VSSC,
Thiruvananthapuram.
20. Smt. Mercy Fernandez K,
SC No. 23491, OCB,
PSD/STS, VSSC.
21. Smt. C.P.Ponnamma,
SC No. 24535, OCB,
PSD/STS, VSSC,
Thiruvananthapuram.
22. Smt. Mariamma Thankachan,
SC No. 23596, MMS,
Stores, VSSC.
23. Shri Sasidharan Pillai,
SC. No. 26505, OCB, SRTG,
TERLS, VSSC, Thiruvananthapuram.
24. Smt. Chandra Devu,
SC No. 21027, OCB, TOMD/Stores,
VSSC, Thiruvananthapuram.
25. Shri Sidharthan R.K.
SC No. 26726, OCB, MMS Stores,
VSSC, Thiruvananthapuram.
26. Shri V.Madhukumar,
SC No. 23623, OCB Purchase &
Stores, VSSC, Thiruvananthapuram.

27. Shri G. Alagesan,
SC No. 20288, OCB,
Main Accounts, VSSC,
Thiruvananthapuram.

28. Shri O. Damodaran,
SC No. 21203, OCB,
Main Accounts, VSSC,
Thiruvananthapuram.

29. Smt. C. V. Sudakshina,
SC No. 26701, OCB, ASLV,
Purchase, VSSC,
Thiruvananthapuram.

30. Smt. P. K. Kuttyamma,
SC No. 23003, OCB, SPPC
Purchase, VSSC,
Thiruvananthapuram.

31. Smt. L. Ushakumari,
SC No. 27732, OCB, IISU
Purchase, VSSC,
Thiruvananthapuram. Applicants

By advocate Shri N. Nandakumara Menon

Versus

1. Union of India, rep. by
Chairman and Secretary,
Department of Space,
Bangalore.

2. The Indian Space Research
Organisation,
rep. by its Chairman,
Bangalore.

3. The Joint Secretary to Govt.
of India,
Department of Space,
Bangalore.

4. The Director, Vikram Sarabai
Space Centre,
Thumba, Thiruvananthapuram.

5. Shri R. Viswanatha Warrier,
OCB, Establishment, PGA,
VSSC, Thiruvananthapuram. Respondents

By Advocate Mr. Karthikeya Panicker, FACCSC

O R D E R

N. Dharmadan, JM

The applicants are at present working as Officer Clerk-B, in the VSSC, Trivandrum. According to them, they are entitled to the scale of Rs 380-12-440-EB-15-560 (pre-revised)

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with effect from the date of their respective promotions. They are claiming this benefit on the basis of the judgement of this Tribunal in L.Joseph Fernandez V. Union of India and others in OAK-150/88 dated 28.8.89. The operative portion of the judgement is extracted below:

"In the instant case before me, I am inclined to feel that the tolerance limit of sub-classification of OCB for awarding to some and denying to others the higher pay scale within the cadre or OCB, has been breached by the cut-off date of promotion. In the circumstance I allow the application and set aside the impugned order dated 20.1.87 (Annex.4) in so far as the applicants are concerned to the extent it denies to them the pay scale of Rs 380-640 merely because they were promoted as OCB after 31.12.84. I direct that the applicants should be allowed the pay scale of Rs 380-640 in the same manner by which those who were promoted before 31.12.84 were given this benefit by that order. Action on the above lines should be completed within a period of three months from the date of communication of this order."

This judgement was followed by this Tribunal in OA 670/92.

2. The learned counsel for applicants submitted that all the persons who were parties in the earlier OA have been granted the benefit/granted to them as per the aforesaid judgement.

According to the applicants, they are similarly situated like the applicants therein and hence they have filed Ann.C to C30 and D to D30 before the 4th respondent. These representations have not been disposed of so far.

3. At the time of the final hearing the learned counsel for applicants submitted that this case can be disposed of with appropriate directions in the light of the earlier judgements of this Tribunal. The learned counsel for respondents submitted that since the representations are pending, the OA can be disposed of accepting the statement of the learned counsel for the applicants.

4. Accordingly, having regard to the statements and the submissions made by the learned counsel appearing in this case,

we are satisfied that justice would be met in this case if we accept the submission made by the learned counsels and dispose of the application on that line.

5. We direct the 4th respondent to consider and dispose of the representations at Annexures-C to C30 and D to D30 bearing in mind the earlier judgements of this Tribunal referred to above. This shall be done within a period of three months from the date of receipt of a copy of this order.

6. Application disposed of as above. No costs.



(S.Kasipandian)
Member (A)



(N.Dharmadan)
Member (J)