

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.570/2002

Monday this the 2nd day of September, 2002

CORAM

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

1. N.K.Krishnankutty,
Assistant Foreman (Engine & Equipments)
Integrated Fisheries Project.
Kochi.16.
2. Augustine Joseph, -do-
3. K.R.Kuttappan,
Assistant Foreman (Structural)
Integrated Fisheries Project,
Kochi.16.
4. K.Chandran Louis, -do-
5. K.K.Gopi,
Assistant foreman (Machine Shop)
Integrated Fisheries Project,
Kochi.16.

..Applicants

(By Advocate Mr. TA Rajan)

V.

1. Union of India, represented by the
Secretary, Ministry of Agriculture,
Department of Animal Husbandary & Dairying,
Krishi Bhavan, New Delhi.1.
2. The Director,
Integrated Fisheries Project,
Kochi.16.

...Respondents

(By Advocate Mr. M.Rajendra Kumar, ACGSC)

The application having been heard on 2.9.2002, the
Tribunal on the same day delivered the following:

O R D E R

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

Applicants who are working as Assistant Foreman
in the Integrated Fisheries Project are aggrieved that
they are not being granted the relevant pay scale Rs.
5000-8000 based on Annexure.A2 although the said pay
scale has been granted to grades which are similar to
that of the applicants. The applicants' representation
in that behalf though forwarded by the second respondent

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to the first respondent is still pending. The first applicant was informed by Annexure.A4 letter dated 22.6.2001 that the matter is pending with the Ministry of Finance and is being ~~*****~~ followed up by the 1st respondent. However, a final decision has not been taken in the matter. Therefore, the applicants have jointly filed this application for a declaration that the applicants are entitled to the pay scale of Rs. 5000-8000 based on Annexure.A2 order with effect from 1.1.96 and for a direction to the respondents to pay to the applicants the arrears resulting therefrom with interest at the rate of 12 percent per annum.

2. When the application came up for admission, learned counsel on either side agree that the application may be disposed of directing the 1st respondent to take a final decision on the claim of the applicants for the scale of pay of Rs. 5000-8000 with effect from 1.1.96 with the concurrence of the Ministry of Finance within a reasonable time.

3. In the light of the submission of the learned counsel on either side, the application is disposed of with a direction to the 1st respondent to take an appropriate decision on the claim of the applicants for being placed in the scale of pay Rs. 5000-8000 with effect from 1.1.96 in consultation with the Ministry of Finance within a period of four months from the date of receipt of the copy of this order and communicate the same to the applicants. No costs.

Dated the 2nd day of September, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER

(s)


A.V. HARIDASAN
VICE CHAIRMAN

A P P E N D I X

Applicant's Annexures:

1. A-1: True relevant portion of the Report of the 5th Central Pay Commission.
2. A-2: True copy of Part B of the 1st Schedule of the Central Civil Services (Revised Pay) Rules, 1997.
3. A-3: True copy of the order dated 20.9.1993 in OA No.1323/92 of the Central Administrative Tribunal, Ernakulam.
4. A-4: True copy of letter No.A1/1-3/97/Part VI/272 dated 22.6.01 of the Accounts Officer, Integrated Fisheries Project, Kochi.
5. A-5: True copy of representation dated 27.11.2001 of the 1st applicant to the 1st respondent.

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