

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.Nos.580/93, 787/93, 877/93
and 1969/93

Thursday this the 27th day of January, 1994

CORAM

The Hon'ble Mr. Justice Chettur Sankaran Nair, Vice Chairman

The Hon'ble Mr. P.V. Venkatakrishnan, Administrative Member

O.A.No.580/93

1. P.Venugopalan, Cooperative Officer(M),
Lakshadweep Office, Cochin.
2. K.P.Bhaskaran Nair, Librarian, MGC Androt.
3. S.Radhakrishna Pillai,
Junior Employment Officer, Kavaratti.
4. K.Haris, BDO, Kavaratti.
5. K.Bhaskaran Nair, ARCS, Kavaratti.
6. P.P.Paily, ARCS, Kavaratti.
7. A.K.Balakrishnan Nambiar, S&M Officer,
Industries Department, Kavaratti.
8. M.N.Damodaran, Supdt. Accts.
Secretariat, Kavaratti.
9. M.Ambujakshy, Language Teacher,
SBS, Kavaratti.
10. V.Padmanabhan, Gr.Assistant,
High School, Kavaratti.
11. P.Chandrasekharan, Supdt.
Secretariat, Kavaratti.
12. K.V.Rarichutty, Stenographer
Pradesh Council, Kavaratti.
13. K.M.Kunhikrishnan, Accountant,
Social Welfare Board, Kavaratti.
14. M.C.Balakrishnan Nambiar, Supdt.
Medical Directorate, Kavaratti.
15. T.K.Viswanathan, Mechanic Gr.A
Fisheries Department, Kavaratti.
16. P.Govindan, Type. Instructor,
GHS, Kavaratti.
17. K.K.Chandran, Sudpt.
Secretariat, Kavaratti.
18. T.V.John, J.E. Fisheries Department, Kavaratti.
19. K.Balan, Mechanic Gr.A, Fisheries Deptt. Kavaratti.
20. P.Ramachandran, Head Clerk, JN College, Kavaratti.
21. T.Nityananda Kurup, Instructor,
Stenography, IIL, Kavaratti.
22. K.V.Unni, Supdt. Dte. of Agriculture, Kavaratti.
23. P.R.Sreedharan, Supdt.Dte. of Edn.Kavaratti.

24. P.A.Raghavan, Asst. Director of Fisheries, Kavaratti.
25. K.K.Vijayaram, Supdt. Pradesh Council, Kavaratti.
26. P.Sukumara Menon, Supt. Dte. of Tourism, Kavaratti.
27. P.V.Kumaran, Supdt. RCS Office, Kavaratti.
28. P.Devadas, Education Officer, Kavaratti.
29. P.RAMU Nair, Driver, Education Deptt. Kavaratti.
30. V.Velayudhan, Gestetner Operator,
Secretariat, Kavaratti.
31. A.P.Unnikrishnan, Sect. Assistant,
Secretariat, Kavaratti.
32. A.Balakrishnan, Supdt. (Accts)
Fisheries Dte. Kavaratti.
33. K.P.Sethumadavan, Supdt. (Accts)
Fisheries Directorate, Kavaratti.
34. P.Narayanan, Agricultural Demonstrator, Kavaratti.
35. K.S.Renthidevan, Research Officer (Agricultural Census)
Dte. of Agriculture, Kavaratti.
36. K.Asokan, Settlement Officer, Sectt. Kavaratti.
37. B.Sreedevi Amma, Asst. Project Officer, DRDA, Kavaratti.
38. K.Ramachandran, Junior Engineer,
PWD, Kavaratti.
39. P.K.Narayanan, Gr. Assistant, HS Kavaratti.
40. C.R.Narayanan Nair, Head Master, SBS, Kavaratti.
41. Cyriac Thomas, Asst. Edn. Officer,
Dte. of Education, Kavaratti.
42. P.V.Ramakrishnan, ARCS, Kochi.
43. K.N.Gopalakrishnan, Sectt. Assistant, Lakshadweep
Office, Kochi.
44. C.R.Jayaprasad, Drawing Teacher, Lakshadweep Office, Kochi.
45. K.C.Mohanan, Accountant, Lakshadweep Office, Kochi.
46. K.K.Krishnan, Finance & Accounts Manager,
Sports, Lakshadweep Office, Kochi.
47. P.Shanmughan, Asst. Director of Fisheries, Kochi.
48. K.V.Prasannakumar, Coir Monopoly Manager,
Lakshadweep Office, Kochi.
49. M.V.Jaganivas, Asst. Engineer (Ele), Lakshadweep
Office, Kochi.
50. P.K.Gopinathan Nair, S&MO, Lakshadweep Office, Kochi.
51. M.Krishnankutty Nair, Jr. Gestetner Operator,
Lakshadweep Census Office, Kochi.
52. K.P.Prakasan, Asst. Engineer (Ele), Androth.
53. A.Krishnankutty, Head Constable, Police Station, Androth.
54. T.Kunhimon, ASI, Police Station, Androth.
55. P.Karunakaran, Typewriting Instructor, HS Androth.
56. A.Kumaran, Cooperative Inspector, Minicoy.
57. P.S.Mony, Head Master, Minicoy.
58. V.K.Balakrishnan, Ice Plant Operator, Gr. II Minicoy.
59. C.H.Chathu, JE (Ele), Minicoy
60. K.K.Othenan, AE Civil, PWD, Minicoy.

61. P.Kanaran, Chargeman, Electrical Sub Divn.Minicoy.
62. E.P.Chandran, Analyst, Canning Factory, Minicoy.
63. T.Sungandha Lakshmy, P.T.I. HS Minicoy.
64. V.P.Ramachandran Nair, Language Teacher (Hindi) H. S.Minicoy.
65. Shanti P Mani, Assistant H.M, GHS Minicoy.
66. N.Januveidevi, Gr.Assistant, HS Minicoy.
67. M.K.Narayanankutty, ASI, Minicoy.
68. K.C.Balakrishnan Nair, Inspector of Police, Minicoy.
69. K.P.Prathapan, ASI, Minicoy.
70. K.Chekutty, Head Constable, Minicoy.
71. K.Sasidharan, Football Coach, Minicoy.
72. K.Vijayan, Manager, Canning Factory, Minicoy.
73. Smt.Maryomma Cherian, Theatre Trained Nurse Govt. Hospital, Minicoy.
74. K.Chandrasekhara Panicker, Fisheries Officer, MINICOY.
75. E. S.Mohandas, Primary School Teacher, SBS, Minicoy.
76. P.M.Sreedharan, Head Constable, Minicoy.
77. K.P.Rajasekharan Pillai, Dy.Collector, Minicoy.
78. K.P.Madhavan Eradi, Foreman Ele.Department, Minicoy.
79. K.K.Kunhikannan, AE Civil, FWD Kalpeni.
80. V.Raghavan, HM, GHS, Agatti.
81. T.O.Ramachandran, HM, JBS, Agatti.
82. K.Bhaskaran Nambiar, Head Constable, Minicoy.
83. Venugopal P. Chargeman (Power House) Kadamat.
84. N.J.Varghese, Gr.Assistant, HS Kadamat.
85. K.N.P.Namboodiri, Drawing Teacher, HS Kadamat.
86. Godfred Kenneth, Head Master, GHS, Kadamat.
87. P.Ujjal Singh, Coop. Inspector, Lakshadweep Office, Kochi.
88. K.Gangadharan, Supdt.(Accounts), Lakshadweep Office, Kochi.
89. S.Sukumaran Nair, Physical Training Instructor Govt. J.B.School, Amini.
90. K.G.Padmini, Language Teacher, Govt.H. S. Amini.
91. C.S.Parameswara Menon, Language Teacher, SB School Androt.
92. V.Shanmughadasan Pillai, Metre Mechanic, Electricity Department, Androt.
93. K.C.Raghavan, Jr.Engineer (Electricity) Deptt. Kochi.3.
94. K.Sadanandan, Cooperative Inspector, Kilthan.

.... APPLICANTS

(By Advocate Mr.M.R.Rajendran Nair)

Vs.

1. Union of India, represented by Secretary to Govt. Ministry of Home Affairs, Secretariat, N.Delhi.

2. The Administrator, U.T. of Lakshadweep,
Kavaratti. Respondents

(By Advocate Mr. MVS Namboodiri for R.2)

O.A.No.787/1993

1. M. Padmanabhan, Driver, Secretariat, Kavaratti.
2. C. Sreedharan Nair, Jr. Engineer, Electrical Sub Divn. Kavaratti.
3. A. Gopi, Jr. Engineer, Elec. Sub Divn. Kavaratti.
4. M. Chellappan, Supdt. Service Station, Secretariat, Kavaratti.
5. M. G. Narayanan, Asst. Head Master, Govt. HS, Kavaratti.
6. P. Chandrasekharan, Gest. Operator, Pradesh Council Sectt. Kavaratti.
7. C. Achuthan Nair, Head Constable, Vigilance and Anticorruption Unit, Kavaratti.
8. K. Sami, SI of Police, Kavaratti.
9. C. Damodaran Nair, ASI(RT), Kavaratti.
10. V. Krishnankutty, Head Constable, Kavaratti.
11. P. Ramachandran, Head Constable, Kavaratti.
12. P. Chathukutty, Head Constable, Kavaratti.
13. M. Krishnankutty Nair, Head Constable, Kavaratti.
14. V. V. Balaram, Head Constable, Kavaratti.
15. K. K. Kunhikannan, Attender, Office of the Collector, Minicoy.
16. P. V. Bhaskaran, Process Surveyor, Sub Court, Kavaratti.
17. V. K. Prabhakaran, Head Constable, Kavaratti.
18. M. Bhaskaran, SI of Police, Vigilance and Anticorruption Unit, Kavaratti.
19. V. Bharathan, Cargo Supervisor, LPWD Civil Sub Divn. Kavaratti.
20. K. T. Rajagopalan, Oil Engine Mechanic, Dte. of Agricultural, Kavaratti.
21. A. K. Balakrishnan Nair, Attender, Secretariat, Kavaratti.
22. M. V. Johnny, SI of Police, Kavaratti.
23. K. C. Rajendranath, Head Constable, Kalpeni.
24. K. Karunakaran Nair, Head Constable, Kalpeni.
25. T. Somasundaram, SI of Police, Kalpeni.
26. K. Chandran, Head Constable, Kalpeni.
27. T. Sreedharan, Head Constable, Police Station, Androth.
28. V. V. Velayudhan, Head Constable, Androth.
29. K. Gopalakurup, Head Constable, Androth.
30. K. K. Balan, Head Constable, Androth.

31. M.P.Kumaran, Head constable, Chetlat.
32. N.Kumaran, Head Constable, Chetlat.
33. V.K.Ratnakannan, ASI (Police Wireless) Chetlat.
34. P.P.Narayanan, LDC, Lakshadweep Office, Kochi.
35. S.Krishnan Nair, Supply and Marketing Office, Lakshadweep Fisheries Deptt. Kochi.
36. M.V.Kunhimannan, Attender, Lakshadweep Office. Kochi.
37. N.Yasodaharan, LDC, Office of the Dy. Director, Lakshadweep Office, Kochi.
38. K.Chandrasekharan Nair, Jr. Engineer, LPWD Stores Sub Divn. Kochi.
39. M.Gopalan Nair, Jr. Engineer, LPWD Stores, Kochi.3.
40. N.P.Sadanandan, ASI of Police, Amini Police Station.
41. Babu M, SI of Police, Amini Police Station, Amini Island.
42. Raghavan Nair VP, Head Const able, Police Station, Amini.
43. Madhavan K, Mechanic, Elec.Sub Divn. Amini.
44. Balakrishnan EA, Jr. Engineer, Ele .Sub Divn. Amini.
45. V.Marimuthu, Head Constable of Police, Amini Police Station.

.....Applicants

(By Advocate Mr.MRRajendran Nair)

Vs.

1. Union of India represented by Secretary to Government, Ministry of Home Affairs, Secretariat, New Delhi.
2. The Administrator, UT of Lakshadweep, Kavaratti.

(By Advocate Mr.MVS Namboodiri for R.2)

O.A.877/1998

V.Narayanan Namboothiri, Assistant Head Master Government High School, Androth.

....Applicant

(By Advocate Mr.MR Rajendran Nair)

Vs.

1. Union of India, represented by Secretary to Government, Ministry of Home Affairs, New Delhi.
2. The Administrator, UT of Lakshadweep, Kavaratti.
3. The Director of Education UT of Lakshadweep Kavarathi.

....Respondents

(By Advocate Mr.MVS Namboodiri for R.2&3).

O.A. 1969/1993

P.Nandakumar, Peon,
Secretariat, UT of Lakshadweep,
Kavarathi.

...Applicant

(By Advocate Mr.MR Rajendran Nair)

Vs.

1. Union of India represented by
Secretary to Government,
Ministry of Home Affairs, New Delhi.

2. The Administrator, UT of Lakshadweep
Kavarathi.

....Respondents

(By Advocate Mr.MVS Namboodiri for R.2)

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN.

Applicants in these four applications submit that they are similarly situated as applicants in O.A.896/86 and O.A.1274/91 and pray for benefits as those granted to those. They also submit that the judgment in the cases mentioned is of a declaratory character and binding on respondents. The controversy relates to grant of Island Special Pay and Compensatory Allowance. In O.A.896/86 a Bench of this Tribunal held that benefits contemplated by the Government Order dated 29.9.86 should be granted to applicants therein. Then arose the question as to what such benefits were. It was argued that the expression 'double' occurring in the order of 29.9.86 related to the pre-revised pay and not the revised pay. When something is doubled, related components also get doubled. That is the view which the Tribunal took in O.A.1274/91.

2. There is no dispute that applicants herein are not similarly situated as applicants in O.A.896/86

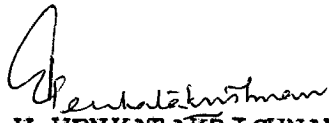
....7

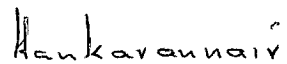
and O.A.1274/91. The only defence put forward by respondents is that there are "SLPs pending". We are not told whether leave has been granted or not. It is nobody's case that there is an order of stay. Thus the judgments in O.A.896/89 and O.A.1274/91 remain in full force.

3. We direct respondents to grant the benefits granted to applicants in O.A.896/86 and O.A.1274/91 to applicants herein also. Amounts if any paid under this head will be adjusted and the remainder will be paid within six months from today. We are granting a long period of six months in the hope that extensions will not be sought for. We alert respondents to adhere to the time schedule strictly.

4. Application is allowed. No costs.

Dated 27th January, 1994.


P.V.VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

ks271.