

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.62/06

Friday this the 18th day of January, 2008.

CORAM:

**HON'BLE DR.K.B.S.RAJAN, JUDICIAL MEMBER
HON'BLE MRS. O.P.SOSAMMA, ADMINISTRATIVE MEMBER**

R.Ayyappan, S/o Late Raghavan,
Operator, Ice Plant (retired),
Integrated Fisheries Project.
Kochi-16, residing at Sree Nilayam,
Junior Janatha Road, Vyttila, Kochi-19.

Applicant

(By Advocate M/s Santhosh & Rajan)

Vs.

1. Union of India, represented by
the Secretary to Government of India,
Ministry of Agriculture,
Department of Animal Husbandry,
Dairying and Fisheries, Krishi Bhavan, New Delhi.
2. Secretary, Government of India,
Ministry of Finance, New Delhi.
3. The Director, Integrated Fisheries Project.
Kochi-16. Respondents

(By Advocate Shri .TPM Ibrahim Khan, SCGSC)

The application having been heard on 18th January, 2008,
the Tribunal on the same day delivered the following.

ORDER

HON'BLE DR.K.B.S.RAJAN, JUDICIAL MEMBER

The applicant seeks the following reliefs:

- a) Declare that the applicant is entitled to the pay scale of Rs.1640-2900/- with effect from 3.8.93 and Rs.5500-9000/- with effect from 1.1.96, on par with the scale of foreman (Workshop), and foreman (Slip Way).
- b) To direct the respondents to re-fix the pay of the applicant in the pay scale of Rs.1640-2900 with effect from 3.8.93 and in the pay scale of Rs.5500-9000 with effect from with effect from 1.1.96 and also direct to grant the consequential benefits at the earliest.
- c) To direct the respondents to re-fix the pension of the applicant on the basis of his pay in scale of Rs.1640-2900/5500-9000/- and also direct to grant the consequential arrears at the earliest.

- d) Direct the 1st respondent to consider Annexure A-1 and similar other representations submitted by the applicant without further delay.
- e) Award costs of and incidental to this application.
- f) Grant such other relief, which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

2. The respondents vide para 9 of their counter has stated that the matter has been forwarded to the Ministry and the same is still pending. According to the counsel for applicant the department is in his favour as is evident from Annexures R1 to R-4. The department has recommended certain higher pay scale, but not the same which the applicant has claimed. Nevertheless, the counsel for applicant submits that, if a conscious decision is arrived at by the Ministry within a stipulated time, his grievance will be substantially redressed. The applicant has already been superannuated as early as on 30.11.2002.

3. In view of the above submission, this O.A. is disposed of with a direction to the 1st respondent viz., Ministry Agriculture, Krishi Bhavan to give priority to this matter and arrive at a judicious decision in regard to the revision of pay scale to the post of Ice Plant Operator which the applicant was holding at the time of retirement. A decision may be taken within a period of three months from the date of communication of this order. It is needless to mention that the Ministry shall take into account the due recommendations made by the department vide Annexure R-1 to R-4. No costs.

Dated the 18th January, 2008.


O.P. SOSAMMA
ADMINISTRATIVE MEMBER


DR. K.B.S. RAJAN
JUDICIAL MEMBER