

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No. 67 of 1995

Tuesday, this the 13th day of February, 1996

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. M.P. Kunhibi, W/o Hamsa,  
Health Guide,  
Meppalli House, Kalpeni Island,  
Union Territory of Lakshadweep. .. Applicant

By Advocate M/s Pulikool Abubacker and MK Aboobacker

Versus

1. Director of Medical & Health Services,  
Directorate of Medical & Health Services,  
Kavarathi Island,  
Union Territory of Lakshadweep.
2. The Administrator,  
Union Territory of Lakshadweep,  
Kavarathi.
3. Union of India represented by  
the Secretary,  
Health & Family Welfare Department,  
New Delhi. .. Respondents

By Advocate Mr. MVS Nampoothiry (R1&2)

The application having been heard on 13th February, 1996,  
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant a 'Health Guide' attached to the Primary Health Centre, Kalpeni, seeks a direction to respondents to regularise her services, to grant her minimum wages, and to count the period spent by her as Health Guide for seniority.

2. Respondents oppose the application stating that under the scheme relating to Health Guides "a Health Guide shall not

expect anything by way of remuneration, and that it is an opportunity given to the Health Guide to serve the community" - ofcourse with a honorarium of Rs.50/- per month. This honorarium was fixed long years ago. It is argued that Article 39 of the Constitution obligates the States to secure adequate means of livelihood to citizens - men and women equally, and to provide living wages (Article 42).

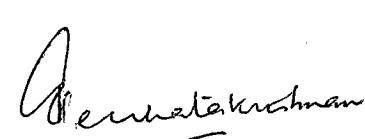
3. We do not propose to direct the respondents to implement the directive policies in Part IV of the Constitution.

But, we are confident that respondent Administrator would consider whether in the prevailing circumstances, the honorarium should not be increased to a reasonable level, considering the spiralling cost of living and other relevant factors.

4. Standing Counsel for respondents submits that a copy of this order will be forwarded to respondent Administrator and that the respondent would take appropriate action in the matter.

5. Application is disposed of as aforesaid. Parties will suffer their costs.

Dated the 13th February, 1996

  
PV VENKATAKRISHNAN

ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR (J)  
VICE CHAIRMAN