

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.121/1998

Tuesday this the 23rd day of January, 2001
CORAM

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

Applicants

1. C.K.Azeez, S/o.K.I.Koya, aged 29 years, residing at Cheriyakunnakulam, Kalpeni, Fireman, Lakshadweep Fire Service, Police Station, Kavarathi.
2. K.Aboobacker, S/o.M.K.Pookoya, aged 30 years, Kuli House, Agatti Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
3. K.Abdulkadar, S/o.Shaik B.P., aged 31 years, Kulapu House, Chetlat Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
4. B.C.Muneer, S/o.P.C.Abdulkader, aged 28 years, Beeyachetta House, Amini Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
5. A.K.Siraj, S/o.(late) K.Abasali, aged 34 years, Azhikom House, Amini Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
6. C.B.Abdulla, S/o.K.C.Hamzakoya,Haji, aged 28 years, Chanathbali House, Amini Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
7. T.K.Muthukoya, S/o.P.P.Yacoob, aged 31 years, Thottathakara House, Kadamat Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
8. C.G.Hamzakoya, S/o.Koya, Kunadathumkara, aged 28 years, Chammanagath House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
9. P.C.Ibrahim, S/o.Kidave T.K., aged 32 years, Puthiyachetta House, Agatti Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
10. E.C.Andukoya, S/o.Muthulla, Thottathakara, aged 28, Edakallachetta House, Chetlat Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
11. H.Jaffer, S/o.Abdullahkoya, aged 32 years, Hararommabiyoda House, Kiltan Island, Fireman, Lakshadweep Fire Service, Police Station Agatti.
12. T.K.Abdul Rahiman, S/o.(late) Mohammed P.V., aged 29, Thekkuhunninamel House, Agatti Island, Driver Operator, Lakshadweep Fire Service, Police Station Agatti.

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13. A. Muthukoya, S/o. P. P. Mohammed, aged 30 years, Ashammakada House, Amini Island, Driver Operator, Lakshadweep Fire Service, Police Station Agatti.
14. Abdul Rahiman S.B., S/o. M. Attakoya, aged 28 years, Sarommabiyoda House, Kadamat Island, Fireman, Lakshadweep Fire Service, Police Station, Kavaratti.
15. Mohammed Khaleel, M.K., S/o. A. K. Hamza Haji (late), aged 34 years, Moosokkakkada House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Kavaratti.
16. Mullaikoya A.P., S/o. P. C. Udduman, aged 29 years, Ammippura House, Amini Island, Fireman, Lakshadweep, Fire Service, Police Station, Kavaratti.
17. Hyderali A.K., S/o. K. K. Sayed Mohammed Koya, aged 31, Alikkakkada House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Kavaratti.
18. Aliyyul Akber M.V., S/o. P.P.T. Koyammakoya, aged 31, Moulana Veed, Andrott Island, Fireman, Lakshadweep Fire Service, Police Station, Kavaratti.
19. Mohammed Abdul Nazer P.P., S/o. K. K. Sayed Shaik (late), aged 29 years, Palathupura, Andrott Island, Fireman, Lakshadweep Fire Service, Police Station, Kavaratti.
20. Muthukoya M.P., S/o. P. P. Hassainar (late), aged 29, Mullappura House, Kadmat Island, Fireman, Lakshadweep Fire Service, Police Station, Kavaratti.
21. Abdul Khaderi M., S/o. Cheriyakoya, aged 31 years, Mandali House, Amini Island, Fireman, Lakshadweep Fire Service, Police Station, Kavaratti.
22. Zakheer Hussain M.K., S/o. Attakoya P., aged 28 years, Mathil Kadannalla House, Kalpeni Island, Driver Operator, Lakshadweep Fire Service, Police Station, Kavaratti.
23. Aboobacker A.C., S/o. K. P. Yousuf, aged 32 years, Achechetta House, Kadmat Island, Driver Operator, Lakshadweep Fire Service, Police Station, Kavaratti.
24. B.C. Muthukoya, aged 33 years, S/o. Ahmedkoya, Balichetta House, Amini Island, Fireman, Lakshadweep Fire Service, Fire Station, Andrott.
25. K.I. Attakoya, aged 31 years, S/o. M.P. Pookoya, Kadappuratha Ilam House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Fire Station, Andrott.
26. P.P. Sayed Shaikoya, aged 30 years, S/o. T. Sayed Koya, Padippura House, Amini Island, Fireman, Lakshadweep Fire Service, Fire Station Andrott.
27. M.V. Abdjal Laffar, aged 28 years, S/o. M.K. Kasmikoya, Mathil Valiyamada House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Fire Station, Andrott.

28. K.K. Imadudeen, aged 29 years, S/o.K.C. Nallakoya, Kanjarkakkada House, Andrott Island, Fireman, Lakshadweep Fire Service, Fire Station, Andrott.
29. L.P. Mohammed Khaleel, aged 30 years, S/o.P.P. Siddeeqe, Lavanakkal Pudiyapura House, Andrott Island, Fireman, Lakshadweep Fire Service, Fire Station, Andrott.
30. B.Jaleel, aged 31 years, S/o.A.Kidave, Bithnat House, Andrott Island, Fireman, Lakshadweep Fire Service, Fire Station, Andrott.
31. P.Mohammed Abdul Jabbar, aged 31 years, S/o.M.Nallakoya, Palliyoda House, Andrott Island, Fireman, Lakshadweep Fire Station, Fire Station, Andrott.
32. K.V. Shahul Hameed, aged 30 years, S/o.K.K.Yousef, Kodivalapp House, Andrott Island, Fireman, Lakshadweep Fire Service, Fire Station, Andrott.
33. T.Hassan, aged 33 years, S/o.Siddeeqe T.K. (late), Tailath House, Andrott Island, Fireman, Lakshadweep Fire Service, Fire Station, Andrott.
34. E.K. Shaikoya, aged 38 years, S/o.P.C.Aboosalih Koya, Thangal, Edayakal House, Andrott Island, Fire Driver Cum Operator, Lakshadweep Fire Service, Fire Station, Andrott.
35. L.P. Sayed Buhari, aged 32 years, S/o.P.P.Siddeeqe, Lavanakkal Pudiyapura House, Andrott Island, Fire Driver Cum Operator, Lakshadweep Fire Service, Fire Station, Andrott.
36. M.K.Bushar Jamhar, S/o.M.P.Abdul Rahiman, aged 28, Mukkri Kakkad House, Kalpeni Island, Fireman Driver Operator, Lakshadweep Fire Service, Police Station Minicoy.
37. A.P.Mohamed Khasim, S/o.U.P.Badarudeen Koya, aged 27 years, Arathapura House, Andrott Island, Fireman Driver Operator, Lakshadweep Fire Service, Police Station, Minicoy.
38. K.K.Koya, S/o.Akara Cheriyakoya, aged 27 years, Kunnam Kulam House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.
39. N.Koya, S/o.A.T.Fathahulla Koya, aged 33 years, Nadiyath House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.
40. M.Jaleel, S/o.N.Hamza, aged 29 years, Maral House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.
41. K.I.Hyder Ali, S/o.P.Cheriya Koya, aged 31 years, Kakaillam House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.

42. M. Abdul Muthalif, S/o.E.K.Mohamed Koya, aged 29, Mammel House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.
43. K.O.A.Khader, S/o.R.P.Kunhi Koya, aged 31 years, Kalpeniyathoda House, Chetlath Island, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.
44. P.Basheer, S/o.C.H.Mohammed, aged 32 years, Kokkayoda House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.
45. N.P.Mohd Rafeeqe, S/o.P.V.Cheriya Koya, aged 28, Nanam Pappada House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.
46. P.Shafi, S/o.M.P.Bulu Koya, aged 29 years, Ponnikam House, Kiltan Island House, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.
47. Yousuf Zakria T., S/o.(late) P.Mohammed, aged 31 years, Thooshioda House, Kalpeni Island, Fireman, Lakshadweep Fire Service, Police Station, Kavaratti.
48. A.Cheriyakoya, S/o.B.Mohammed (late), aged 28 years, Attaloda House, Kadamat, Fireman, Lakshadweep Fire Service, Police Station, Minicoy.

(By Advocate Mr. Thampan Thomas)

v.

1. Union of India, represented by its Secretary to Government, Ministry of Home Affairs, New Delhi.
2. The Administrator, Union Territory of Lakshadweep, Kavaratti.
3. The Superintendent of Police, Union Territory of Lakshadweep, Kavaratti.

... Respondents

(By Advocate Mr.PRR Menon (rep. by Ms.Heera)

The application having been heard on 23.1.2001, the Tribunal on the same day delivered the following:

O R D E R

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

Applicants 48 in number are members of the Fire Force of the Lakshadweep Administration. They are in three grades. Their common grievance is that they are left at lower pay scales in comparison to their counterparts under the Delhi Administration as also Union Territory of Andaman and Nicobar Islands. Despite the

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fact that the applicants have highlighted the grievance before the second respondent several times, applicants are still aggrieved that their request have not evinced any response. Under these circumstances, the applicants have jointly filed this application for the following reliefs:

- (i) to declare that the applicants in the category of firemen in the Union Territory of Lakshadweep are entitled for a pay scale of Rs.975-25-1150-EB-30-1660+300 and the category of driver operator the pay scale of Rs.1320-2040+300 as that of the firemen and drivers and firemen operator drivers in Delhi, Andaman and Nicobar and other Union Territories;
- (ii) to direct the respondent No.2 to dispose of Annexures.A5 to A9 within a time limit.
- (iii) to direct the respondents to consider the training period of the applicants as active service and extend the benefit of Annexure.A2 to the applicants.
- (iv) to direct the respondents to give compensatory off, overtime allowance, risk allowance, remote area allowance and accommodation to the applicants are given to other fire service personnel,
- (v) to issue such other reliefs which this Hon'ble Tribunal may deem fit and necessary in this case.

and

- (vi) to award the costs of the applicants.

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2. The respondents have filed a detailed reply statement in which they contest the claim of the applicants.

3. When the matter came up for final hearing, learned counsel for the applicant states that the applicants would be satisfied if the applicants are permitted to make a detailed representation to the Ist respondent and the Ist respondent is directed to look into the matter and give an appropriate reply to the respondents within a reasonable period. Ms. Heera appearing for the respondents submits that the respondents have no objection if the matter is being disposed of in the said manner.

4. In the result, in the light of the submission of the learned counsel on either side, the application is disposed of permitting the applicants to make a detailed representation to the Ist respondent highlighting their grievances within two months from today and directing the Ist respondent that if such a representation is received within two months from today, the same shall be considered and disposed of with a speaking order within a period of three months from the date of receipt of the representation. No orders as to costs.

Dated the 23rd day of January, 2001


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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List of annexures referred to:

Annexure.A5:True copy of the representation dated 1.9.97 submitted by the 1st applicant before the third respondent.

Annexure.A6:True copy of the representation dated 3.9.1997 submitted by the applicant No.23 before the 3rd respondent.

Annexure.A7:True copy of the representation dated 2.12.1995 submitted before the third respondent by the 1st applicant.

Annexure.A8:True copy of the representation dated 29.11.1995 submitted by the Fireman, Lakshadweep Fire Service, Minicoy before the third respondent.

Annexure.A9:True copy of the representation dated 7.9.1996 submitted by the applicant No.37 before the third respondent.

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