

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 188 of 2013

Wednesday, this the 6th day of November, 2013

CORAM:

Hon'ble Mr. Justice A.K. Basheer, Judicial Member
Hon'ble Mr. Rudhra Gangadharan, Administrative Member

P. Narayanan, Welder (Integrated Fisheries Project),
 Fisheries Survey of India, Kochi – 682 016. **Applicant**

(By Advocate – Ms. Sneha Rose)

V e r s u s

1. Union of India, rep. by the Secretary,
 Ministry of Agriculture, Department of Animal
 Husbandry and Dairying, Krishi Bhavan, New Delhi-1.
2. The Director, National Institute of Fisheries Post Harvesting
 Technology & Training, Govt. of India, Kochi-16.
3. Senior Fisheries Scientist, Fisheries Survey of India,
 Kochi – 16. **Respondents**

(By Advocate – Mr. Varghese P. Thomas, ACGSC)

This application having been heard on 06.11.2013, the Tribunal on the same day delivered the following:

ORDER

By Hon'ble Mr. Justice A.K. Basheer, Judicial Member-

Applicant is stated to be working as Welder in the Integrated Fisheries Project under the Ministry of Agriculture. His grievance is that the benefits under the Assured Career Progression Scheme have not been granted to him as mandated under the said Scheme. The prayers in the Original Application are extracted hereunder for the sake of convenience:-



i. To issue a direction directing the respondents to re-fix the 1st ACP in the scale of pay of Rs. 5000-8000/-, which is made applicable to the assistant Foreman in the department, on implementation in OA 637/03 and OA 231/10, and all consequential benefits and consequent re-fixation on granting second ACP.

ii. To issue a direction to grant arrears of pay on fixation of 1st ACP from 9.8.99, in the scale of pay of Rs. 5000-8000/- instead of s. 4500-7000 as ordered in Annexure A3 and Annexure A8.

iii. To issue a direction to fix the pay of the granting the 2nd ACP in the Grade pay of Rs. 4600/-, instead of Rs. 4200/-, with effect from 8.9.2000.

iv. To issue a declaration that the applicant is eligible to get the pay fixed in the grade pay of Rs. 4800/- on granting 3rd MACP, instead of Rs. 4600/-."

2. According to the applicant he had highlighted all his grievances with regard to the above issue in Annexures A7 and A9 representations dated March 15 and July 27, 2012 respectively. Ms. Sneha Rose who appears for the applicant invites our attention to Annexure A8 order passed by this Tribunal and submits that the principle laid down in the above order squarely applies to the case of the applicant as well. But she submits that the respondents have turned a blind eye to the said order and refused to take any decision on the two representations referred to above, so far.

3. Learned counsel for the respondents submits that the competent authority is prepared to consider those representations in the light of Annexure A8 order passed by this Tribunal in Original Application No. 231 of 2010 and take a decision in the matter without any further delay.

4. Therefore, this Original Application is disposed of with a direction to respondent No. 2 to consider and pass orders on Annexures A7 and A9



representations strictly on their merit and in accordance with law keeping in view the order passed by this Tribunal in Annexure A8 order. This shall be done as expeditiously as possible at any rate within two months from the date of receipt of a copy of this order. Needless to mention that the applicant shall be afforded sufficient opportunity to be heard before any decision is taken in the matter.

5. Original Application is disposed of in the above terms. No costs.



(RUDHRA GANGADHARAN)
ADMINISTRATIVE MEMBER



(JUSTICE A.K. BASHEER)
JUDICIAL MEMBER

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