

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

.....

O.A. No. 235 of 1994.

Tuesday this the 10th day of January, 1995.

CORAM:

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

1. E.K. Balakrishnan,  
Draughtsman (T-I-3),  
Central Institute of Fisheries  
Technology,  
Matsyapuri P O.  
Kochi- 682 029.
2. K. Sarasamma,  
D/o CK Madhavan,  
Draughtsman (T-I-3),  
Central Institute of Fisheries  
Technology,  
Matsyapuri P.O.,  
Kochi-682 029.
3. T. Gopalakrishnan,  
Metal Worker (T-I-3),  
Central Institute of Fisheries  
Technology  
Matsyapuri P.O.,  
Kochi-682 029.
4. T.K. Bhaskaran,  
Senior Laboratory Assistant (T-I-3),  
Central Institute of Fisheries  
Technology,  
Matsyapuri P.O.,  
Kochi-682 029.

.. Applicants.

(By Advocate Shri P.V. Mohanan)

Vs.

1. The Director,  
Central Institute of Fisheries  
Technology,  
Matsyapuri P.O.,  
Kochi-682 029.
2. The Director General,  
Indian Council of Agricultural  
Research,  
Krishi Bhavan,  
Dr. Rajendra Prasad Road,  
New Delhi - 110 001.

.. Respondents.

(By Advocate Shri P Jacob Varghese)

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicants are Technical personnel Grade T-I-3,

....2/-

in the Central Institute of Fisheries Technology under the I.C.A.R. The Technical Service rules of the ICAR which came into effect from 1.10.75, created three Categories and Grades. Out of these, Grade T-I-3 in Category I was in the scale of Rs.425 - 700 (pre-revised) and Grade T-II-3 in Category II, was also in the same scale. Though both the Grades were in the same scale those in Category II have the benefit of further promotion, while those in the Category I could be promoted only after a category change to Category II. Applicants who are in Category I, T-I-3, therefore, seek to be placed in Category II, T-II-3, so that, even though they will continue in the same scale, they will get an avenue for further promotion.

2. By an amendment issued on 27.1.79, a minimum qualification of Matriculation with 10 years service in the relevant field was prescribed for Category II. Applicants herein possess this qualification. By an order dated 10.5.83 applicants in O A -541/88 of the Hyderabad Bench of the Tribunal who are persons like the applicants herein, were adjusted in Category II Grade T-II-3, even though they had been fitted in Category I Grade T-I-3, from the date on which they had been placed in Category I, Grade T-I-3. This order dated 10.5.83 was, however, cancelled by an order dated 25.8.84, and this was challenged in O.A.-541/88 of the Hyderabad Bench of the Tribunal.

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In that case, the Tribunal directed the respondents to permit the applicants therein to continue in Grade T-II-3 of Category II according to the office order dated 10.5.83, thereby effectively reversing the cancellation order dated 25.8.84 in so far as the applicants therein were concerned.

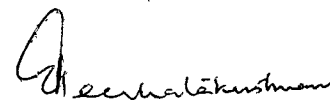
3. Applicants herein pray for the benefit of the order dated 10.5.83, especially since the cancellation of that order was reversed by the Tribunal in the case of certain applicants, who were given the benefit of the order dated 10.5.83.

4. After hearing counsel on both sides, we find that the matter should be reconsidered by the respondents. We accordingly permit the applicants to make a detailed representation to 2nd respondent within one month. If such a representation is made, 2nd respondent shall consider it and pass appropriate orders within two months from the date of its receipt, uninfluenced by the views expressed in the impugned order A-XIV, and keeping in view the decision of the Hyderabad Bench of the Tribunal in O.A.- 541/88.

5. Application is disposed of with the aforesaid directions. No costs.

Tuesday this the 10th day of January, 1995.

  
P SURYAPRAKASAM  
JUDICIAL MEMBER

  
PV VENKATĀKRISHNAN  
ADMINISTRATIVE MEMBER

List of Annexure

Annexure XIV: True copy of the Order No.F.4-44/92-Admn.  
dated 2.2.93 rejecting the individual  
representation by 1st respondent.