

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 25/1999

Wednesday, the 31st day of January, 2001.

CORAM

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

1. C. Sreenivasan,
S/o Late Achuthan Nair, aged 50 years,
Assistant Project Officer,
Kerala State Social Welfare Advisory Board,
Sasthamangalam, Trivandrum-10
(Residing at 6 Chempaka Nagar,
Bakery Junction, Trivandrum-1.)
2. C.K. Sebastian,
S/o C.P. Kochappu, aged 44 years,
Assistant Project Officer,
Kerala State Social Welfare Advisory Board,
Sasthamangalam, Trivandrum-10.
(Residing at Chirapalath, 3/386, Chalakudy.)
3. V.K. Mohanan,
S/o P. Vasudevan Nair, aged 46 years,
Assistant Project Officer,
Kerala State Social Welfare Advisory Board,
Sasthamangalam, Trivandrum-10.
(Residing at Roshini, Chirakonam Lane,
Peyad P.O., Trivandrum.)
4. A. Kumaraswamy,
S/o Ayyan, aged 48 years,
Welfare Officer,
Kerala State Social Welfare Advisory Board,
Sasthamangalam, Trivandrum-10.
(Residing at TC-40/1568, Single Street,
Manacaud, Trivandrum-9). Applicants

By Advocate Mr. M.R. Rajendran Nair

Vs

1. The Chairperson,
Kerala State Social Welfare Advisory Board,
Trivandrum.
2. The Executive Director,
Central Social Welfare Board,
New Delhi.
3. Union of India,
represented by the Secretary to
Government of India,
Department of Social Welfare,
New Delhi. Respondents

Mr. P. Vijayakumar, ACGSC(for R 2&3)
Mr. C.A. Joy(for R-1)

The application having been heard on 31.1.2001, the Tribunal delivered the following on the same day.

O R D E R

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

Applicants 1-3 are Assistant Project Officers(A.P.O. for short) and the Applicant No.4 is a Welfare Officer(W.O. for short) of the Kerala Social Welfare Advisory Board who have filed this OA. The post of W.O. is in the pay scale of Rs.1640-2900/- and that of A.P.O. is Rs.2000-3500/-. Consequent on a decision to give higher pay scale to W.O., their pay was brought on par with the pay of A.P.O. The Executive Committee of the Board in its resolution dated 30.12.97(Annexure A-3) decided to merge the cadres of W.O. and A.P.O. into one. However, the merger has not taken effect and the merged cadre seniority list has not been circulated with the result that the applicants are not getting their due promotions. Therefore, the applicants have filed this OA for the following reliefs :-

"(i) To declare that the delay in implementation of the merger of Welfare Officers with Assistant Project Officers is illegal and to direct the respondents to implement the merger of Welfare Officers with Assistant Project Officers without any further delay and in any case before making any further promotion to the category of Project Officers.

(ii) To direct the respondents to prepare a merged seniority list of Welfare Officers and Assistant Project Officers on the basis of length of service in the equated category and to make further promotion to the category of Project Officers from the merged seniority list only.

(iii) Grant such other relief as may be prayed for and the Tribunal may be prayed for and the Tribunal may deem fit to grant, and

(iv) Grant the costs of this Original Application."

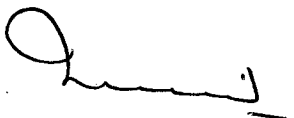
2. The respondents in their reply statement have contended that the merger of cadre being a policy matter, the Tribunal would not like to interfere. However, the respondents have

✓

indicated in their reply statement that proposal for merger of these two cadres is under active consideration of the Government and decision would be taken in this regard.

3. Since the respondents in their reply statement have stated that the matter is being actively considered by the Government, the Counsel on both sides agreed that the application may be disposed of with a direction to the respondents to take a decision in regard to merger of the two cadres within a reasonable time. In the light of the above submission and as agreed by both sides, this OA is disposed of directing the respondents to take a decision in regard to merger of these two cadres of W.O. and A.P.O. as proposed in A-3 within a period of six months from the date of receipt of a copy of this Order. There is no order as to costs.

This 31st day of January, 2001.



T.N.T. NAYAR

ADMINISTRATIVE MEMBER



A.V. HARIDASAN

VICE CHAIRMAN

oph

Annexures referred to in this Order:

A-3: True copy of the minutes relating to supplementary agenda item 11 of the 128th meeting of the Executive Committee of the Central Social Welfare Board dated 30.12.97.