

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 277 of 1996.

Friday this the 15th day of November 1996.

CORAM:

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

M.P. Koya,
Moodampura House,
Androth, Lakshadweep.

.. Applicant

Vs.

1. Union of India represented
by the Secretary,
Ministry of Labour,
New Delhi.
2. The Administrator,
Union Territory of Lakshadweep,
Kavarathy.
3. The Director,
Directorate of Animal Husbandry,
Kavarathy. .. Respondents

(By Advocate Shri M.V.S. Nampoothiry (represented)

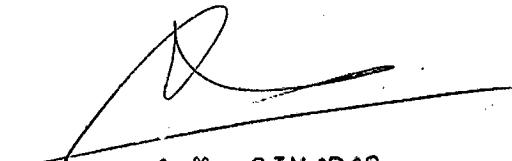
The Application having been heard on 15th November 1996, the Tribunal on the same day delivered the following:

O R D E R

P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

There was none for applicant yesterday. Posted it today for disposal. Today also none appears for applicant. The original application is dismissed for default. No costs.

Dated 15th day of November, 1996.


A.M. SIVADAS
JUDICIAL MEMBER


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

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CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 277 of 1996.

Monday this the 10th November, 1997.

CORAM:

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

M.P. Koya,
Moodampura House, Androth,
Lakshadweep.

.. Applicant

(By Advocate Shri Ignatious Philip)

Vs.

1. Union of India represented by
the Secretary, Ministry of Labour,
New Delhi.

2. The Administrator,
Union Territory of Lakshadweep,
Kavarathy.

3. The Director,
Directorate of Animal Husbandry,
Kavarathy.

.. Respondents

(By Advocate Shri S. Radhakrishnan)

The application having been heard on 10th November 1997,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

The applicant, a Casual Labourer in the Animal Husbandry Department under the Lakshadweep Administration submits that he has been asked to perform the duties of a (L.D.C. for short) Lower Division Clerk and that in terms of the O.M. dated 7.6.88 he is entitled to be paid at the daily rate of 1/30th of the pay scale of LDC from 3.3.87. There is also a prayer that he should be absorbed in the regular vacancy of L.D.C.

2. Respondents submit that applicant had been called for selection for the post of LDC more than once, but he could not get through the test so far. They also submit

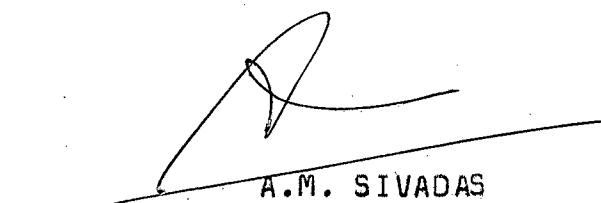
that the representation of the applicant had been considered and it was found that the applicant was not appointed as casual labourer against any regular posts of L.D.C. and that he was not discharging the duties of a regular L.D.C.

3. We find that by A-3 letter dated 13.12.95 the Director of Animal Husbandry (3r respondent) had written to the 2nd respondent recommending that the applicant be paid 1/30th of the Pay + Dearness Allowance in the scale of Rs.950-1500 since he was attending to the work of an L.D.C. By A-7 dated 12.1.96 the 3rd respondent has also issued a reminder to the 2nd respondent. It is submitted that the 2nd respondent has yet to pass orders on A-3 and A-7.

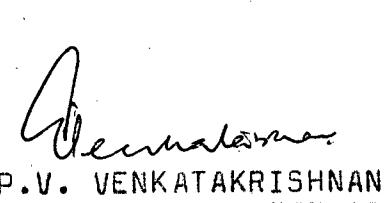
4. It is for the respondents to consider the grievances of the applicant in the first instance and take a decision in the matter. We, accordingly, direct 2nd respondent to consider A-3 and A-7 letters and take a decision in the matter within two months and the decision should be communicated to the applicant immediately thereafter. Since the applicant had not been found fit for the post of L.D.C. we are unable to grant the second prayer made by the applicant in the O.A. for absorbing him in a regular vacancy of L.D.C.

5. Application is disposed of as aforesaid. No costs.

Dated the 10th November, 1997.



A.M. SIVADAS
JUDICIAL MEMBER



P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

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LIST OF ANNEXURES

1. Annexure A3: Recommendation letter dated 13.12.95 issued by the 3rd respondent, Director, Animal Husbandry.
2. Annexure A-7: Letter F.No.3/19/93-AH dated 12.1.96 issued by the 3rd respondent, Director, Animal Husbandry.

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