

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.304/2001.

Tuesday, this the 3rd day of April, 2001.

CORAM:

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

1. M.Zainalabid,  
Lab Technician,  
Government Hospital,  
Minicoy.
2. P.P.Cheriya Koya,  
Pharmacist,  
Government Hospital,  
Minicoy.
3. M.Salim,  
Pharmacist,  
Primary Health Centre,  
Kalpeni.
4. H.B.Ibrahim,  
Pharmacist,  
Government Hospital,  
Minicoy.
5. Shafi K.K.,  
Radiographer,  
Government Hospital,  
Minicoy.
6. K.V.Moosa,  
Water Pump Operator,  
Government Hospital,  
Minicoy.
7. K.K. Moosa,  
Lab Technician,  
Government Hospital,  
Minicoy.
8. A.Pookoya,  
Dental Technician,  
Government Hospital,  
Minicoy.
9. K.P.Ameerudheen,  
Health Inspector,  
Government Hospital,  
Minicoy.
10. A.Hassan,  
Field Worker,  
Government Hospital,  
Minicoy.

11. A.Rahumudheen,  
Health Inspector,  
Government Hospital,  
Minicoy.
12. T.Fathima,  
'Ahya' Government Hospital,  
Minicoy.
13. S.G.Aysha, Cook,  
Government Hospital,  
Minicoy.
14. A.C. Ahamed, Dhobi,  
Government Hospital,  
Minicoy.
15. K.K.Koya,  
Laboratory Technician,  
Primary Health Centre,  
Chethalath Island.
16. M.Azeez,  
Pharmacist,  
Primary Health Centre,  
Kiltan.

Applicants

(By Advocate Shri P.V.Mohanan)

Vs.

1. The Administrator,  
Union Territory of Lakshadweep,  
Kavarathi.
2. Union of India represented by  
Under Secretary,  
Ministry of Health,  
Family Welfare,  
Nirman Bhavan,  
New Delhi.

Respondents


(By Advocate Shri S. Radhakrishnan)

The application having been heard on 3.4.2001 the Tribunal on the same day delivered the following:

O R D E R

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


The applicants who are Non-Ministerial officials in group 'C' and 'D' working in the Primary Health Centres under the Union Territory of Lakshadweep are aggrieved that they are not being given 'Patient Care Allowance' to which they claim to



be entitled to under the orders of the Government of India, Ministry of Health & Family Welfare dated 2.1.1999 w.e.f. 29.12.1998. Finding that they are not being given the allowance, the first applicant made a representation (A-5) and other applicants also made representations to the first respondent on 30.10.2000. Finding no response, aggrieved by the common grievance, the applicants have jointly filed this application for a declaration that they are entitled to get "Patient Care allowances" at the rate of Rs.690/- per month as stipulated in Annexure A-3 order w.e.f. 29.12.1998 or w.e.f. the date on which they joined duty in respective dispensaries/hospitals whichever is later and for a direction to the respondents to grant them the benefits. It is also prayed that the first respondent may be directed to consider and dispose of Annexure A-5 representation dated 30.10.2000 and similar representations submitted by all the applicants.

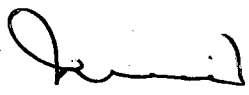
2. When the matter came up before the Bench, Shri S. Radhakrishnan, the learned counsel appearing for the first respondent stated that the application may be disposed of granting the alternative prayer for a direction to the first respondent to consider and dispose of the representation A-5 and similar representations made by other applicants. Learned counsel of the applicants also submitted that the matter can be disposed of in the light of the above submission of the respondents.

3 In the light of the above submission made by the learned counsel on either side, the application is disposed of



directing the first respondent to consider the representation (A-5) of the first applicant and similar representations of the other applicants, if any, in the light of the order at A-3 and other relevant matters and to give the applicants an appropriate reply within a period of three months from the date of receipt of copy of this order. If the applicants would have reasons to feel aggrieved by the outcome of the representations, they would be at liberty to seek appropriate reliefs in accordance with law. No costs.

Dated 3rd April, 2001.



T.N.T.NAYAR  
ADMINISTRATIVE MEMBER



A.V.HARIDASAN  
VICE CHAIRMAN

rv

List of Annexures referred to in the order:

A-3: True copy of proceedings No.2 28015/41/98/H (1) dated 2.1.99 issued by the 2nd respondent.

A-5: True copy of representation dated 30.10.2000 submitted by the 1st applicant to the 1st respondent.