

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.355/2007
Tuesday, June 5, 2007

**CORAM :HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE MR.GAUTAM RAY, ADMINISTRATIVE MEMBER**

T.X.Sebastian,
Chief Engineer Grade II,
Central Institute of Fisheries, Nautical and
Engineering Training, Vizag, Permanent
Resident at Thekkaveettil House,
near Ayurveda Hospital,
Nayarambalam, Ernakulam Dist.682 909 ... Applicant

By Advocate Mr. J.G. Manoharan

V/S.

1 Union of India, represented by the Secretary to Government of India, Ministry of Agriculture, Department of Animal Husbandry, Dairying and Fisheries, New Delhi.

2 The Director, Central Institute of Fisheries, Nautical and Engineering Training, Foreshore Road, Cochin-16.

By Advocate Mr. TPM I Khan SCGSC

The application having been heard on 5.6.2007 the Tribunal delivered the following on the same day:

Hon'ble Mr. George Paracken, Judicial Member

(ORDER)

The applicant in this OA has sought a direction to the respondents to take immediate steps for according him the benefit of second ACP with effect from the date of his entitlement with all consequential benefits. He has also prayed for a direction to the respondents to dispose of the representation dated 17/3/2007 and to pass necessary orders and to accord the benefit under the second ACP to him.

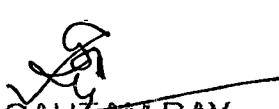


The same prayer has been repeated as Interim Relief also.

2 The Annexure A-4 representation is only a reminder to the two representations given by the applicant earlier on 30/9/2003 and 1.4.2004. According to the representation dated 30/9/2003, the applicant was appointed in the Department as Engine Driver Class I on 17/10/1977. For the last sixteen years from 1987 he has been discharging the duties of Chief Engineer Gr.I on board the vessels M.V.SKIPPER – I, SKIPPER-II, SKIPPER -III, BLUEFIN and PRASHAKSHINI without any additional remuneration. He has therefore requested the respondents to grant him the ACP admissible under the rules. The counsel for the applicant submitted that he will be satisfied if a direction is given to the respondents to dispose of the aforesaid representations. The counsel for respondents also concurred with the said course of action.

3 In this view of the matter, the second respondent is directed to dispose of the representation of the applicant dated 30/9/2003 which was followed by representation dated 1.4.2004 and 17/3/2007. The respondents shall also consider the averments made in the present OA before a decision is taken in the matter. Respondents shall pass a reasoned and speaking order and communicate the same to the applicant within a period of three months from the date of receipt of copy of this order.

4 With the above direction, the OA is disposed of at the admission stage itself. There will be no order as to costs.


GAUTAM RAY
ADMINISTRATIVE MEMBER

abp


GEORGE PARACKEN
JUDICIAL MEMBER