

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.372/09

Tuesday this the 6th day of April 2010

C O R A M :

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

1. M.George,
Chowkidar Cum Sweeper,
Jawahar Navodaya Vidyalaya,
Mayannur, Trissur – 679 105.
2. Bahuleyan G,
Chowkidar Cum Sweeper,
J.N.V. Kottayam.
S/o.Gopalan, Mundeli Tharayil House,
Naduvila Village, Padinjare Muriyil,
Vaikkom, Kottayam.
3. Sreedharan P,
Lab Attendant,
J.N.V. Neriyamangalam, Ernakulam.
S/o.Pckkan, Pulappennemman,
Cherapuram P.O., Kakkattil, Kozhikode.
4. Nagappan R,
Chowkidar Cum Sweeper,
J.N.V. Chettachal P.O., Vidura,
Thiruvananthapuram.
S/o.Ratnakaran, Charivila Puthan Veedu,
Vazhamattom, Pachalloor P.O., Thiruvananthapuram.
5. Saju Antony,
Chowkidar Cum Sweeper,
J.N.V. Mayannur, Trissur.
S/o.Antony, Vazhapilly House,
Kaitharam P.O., North Parur.
6. Johnson Thomas,
Chowkidar Cum Sweeper,
J.N.V. Neriyamangalam, Ernakulam.
S/o.E.Thomas, Gracy Villa, Kattanam,
Pallikkal P.O., Alapuzha – 686 793.



7. Sukumaran A,
Chowkidar Cum Sweeper,
J.N.V.Chettachal P.O., Vithura,
Thiruvananthapuram.
S/o.Aithappu Naik,
Kunnathunadu Veedu,
Ranipuram P.O., Kasargod District.
8. Raveendran K.K.,
Chowkidar Cum Sweeper,
J.N.V. Kasargode.
S/o.Kumaran, Kalathinkal House,
Palayadu Nada P.O.
9. V.Ramachandran,
Chowkidar Cum Sweeper,
J.N.V. Mayannur, Trissur.
S/o.Govindankutty Nair,
Pushpam Vihar, Avakurussi,
Poovapadam, Mannarkkad, Palakkad.
10. Sudhan T.K.,
Chowkidar Cum Sweeper,
J.N.V. Neriyamangalam, Ernakulam.
S/o.Krishnankutty, Thottakkattumolam,
Eramallur P.O., Kothamangalam.
11. Ajesh A.K.,
Chowkidar Cum Sweeper,
J.N.V. Vadavathoor, Kottayam.
S/o.A.K.Kumaran, Ezhupunchayil House,
Vadavathoor P.O., Kottayam.Applicants

(By Advocate Mr.K.S.Madhusoodhanan)

V e r s u s

1. Union of India represented by Secretary,
Ministry of Human Resources Development,
Department of Secondary and Higher Education,
Government of India, New Delhi.
2. Navodaya Vidyalaya Samithi,
(An autonomous organisation of
Ministry of Human Resources Development),
Department of Education, A39, Kailash Colony,
New Delhi represented by Commissioner.



.3.

3. Navodaya Vidyalaya Samithi (Hyderabad Region),
H.No.1-1-10/3, Sardar Patel Road,
Secundarabad, Andhra Pradesh. ...Respondents

(By Advocate Mr.Sunil Jacob Jose,SCGSC [R1]
& M/s.M.K.Damodaran & Associates [R2-3])

This application having been heard on 6th April 2010 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The applicants have filed this Original Application seeking the following reliefs :-

1. Call for Annexure A-4 and Annexure A-6 and set aside the fixation of the applicants concerned and read down the same to the fixation of Rs.3050-5490/- revised to Rs.5200-20200/- with consequential benefits.
2. Direct the respondents to re-fix the pay of the applicants, except 11th applicant, under the ACP Scheme to the immediate higher post of LDC and disburse the consequential benefits.
3. Direct the 3rd respondent to conduct the Limited Departmental Test towards 10% quota under Annexure A-1 Rule set apart for Group 'D' employees within a time frame.
4. Direct the respondent to give re-training to the applicants envisaged under Rule (7), Note (1) of CCS (Revised Pay) Rules, 2008 and thereafter disburse the consequential benefits with effect from 1.1.2006.

2. During the pendency of this O.A the 3rd respondent has issued the Annexure A-11 order dated 24.2.2010 which reads as under :-

“Consequent upon the acceptance of the recommendations of the Sixth Central Pay Commission by the Government of India, related to Group 'D' Cadres in Central Government, all existing Group-D employees are required to be upgraded to the pre-revised Group-C scale of Rs.2750-4400 corresponding to the Grade Pay of Rs.1800 in PB-1 (Rs.5200-20200) in the manner prescribed in the CCS (Revised Pay) Rules, 2008, Note 1 below Rule 7.

In compliance to the above recommendations, a training programme for identified Group-D staff working in NVS, RO, Hyderabad will be conducted from 8th March, 2010 to 29th March, 2010 in the premises of Regional Office, Hyderabad from 15.00 hrs to 17.00 hrs.



.4.

There shall be a qualifying examination on 29.3.2010 and all, who are taking part in the Training programme, are required to Qualify the Examination. Since no further training programme will be conducted, all the identified Group-D working in RO, Hyderabad must take part in the said programme. No leave of any kind during the training programme will be sanctioned. If any member of staff remains on leave/absents from the training programme, he will not be sanctioned Grade Pay of Rs.1800/- in PB-I.

The schedule of the training programme and the resource persons identified for taking interactive sessions is enclosed with this order. The resource persons are directed to get himself/herself prepared for taking interactive sessions on the stipulated dates and topics given to her/him. Shri.S.K.Nayak, Section Officer (Admn.) is directed to conduct the training programme as Course Co-ordinator."

3. Both the counsel for the parties have agreed that with the issuance of the aforesaid Annexure A-11 order, the first three prayers of the applicants have been fully met. Now the only surviving prayer is regarding re-training of the applicants as envisaged under Rule (7), Note (1) of CCS (Revised Pay) Rules, 2008 and thereafter disbursement of the consequential benefits with effect from 1.1.2006.

4. Counsel for the respondents No.2-3, Shri.M.K.Damodaran, submitted that in the light of the Annexure A-11 order dated 24.2.2010, the aforesaid prayer of the applicants will also be granted within a period of six months from the date of receipt of a copy of this order. We order so. Accordingly, this O.A is disposed of. There shall be no order as to costs.

(Dated this the 6th day of April 2010)


K.NOORJEHAN
ADMINISTRATIVE MEMBER

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GEORGE PARACKEN
JUDICIAL MEMBER