

**Central Administrative Tribunal
Principal Bench**

OA-264/2018

New Delhi, this the 19th day of January, 2018

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)

Joint Forum of Medical Technologists of India,
Through its authorized representative,
Sh. Kaptan Singh Sehrawat, Technical Officer,
Aged about 39 years,
S/o Sh. Balbir Singh Sehrawat,
Room No. 233, Kalawati Saran Children's Hospital,
Bangla Sahib Marg, New Delhi – 110001.
R/o 57, Type-III, Staff Qtrs. Bangla Sahib Marg,
New Delhi-110001.

Mrs. Mamta Kaushik, W/o Sh. Mohan Kaushik,
Aged about 31 years,
Medical lab. Technologist, Department of Biochemistry,
VMMC & Safdarjung Hospital,
R/o H.No. – 586-A,
Pana-Udiyan, Narela, Delhi-110040.

Mrs. Meena Khurana, Senior Technical Assistant,
D/o late Sh. Deen Dayal Khurana,
Aged about 54 years,
Room No. 16, old building, Department of Neuology,
Dr. RML Hospital, New Delhi-110001.
R/o SH 1/14 First Floor New Moti Nagar,
Delhi 110015.

... Applicants

(through Sh. Amit Anand)

Versus

Union of India,
1. The Secretary,
Ministry of Health & Family Welfare
Nirman Bhawan, New Delhi-110011.

2. The Secretary,
Department of Expenditure,
Ministry of Finance, North Block,
New Delhi-110011.
3. The Secretary, DoPT,
North Block, New Delhi-110011.
4. Director,
LHMC & Associated Hospitals,
Shaheed Bhagat Singh Marg, New Delhi-110001.
5. Medical Superintendent,
Dr. RML Hospital,
Baba Kharag Singh Marg, New Delhi-110001.
6. Medical Superintendent,
Safdarjung Hospital & VHMC,
Ansari Marg, New Delhi-110029.
7. Director, AllMS,
Ansari Nagar, New Delhi-110029. ... Respondents

(through Sh. Sunil Ahuja)

ORDER(ORAL)

Hon'ble Mr. Justice Permod Kohli

Issue notice to respondent nos. 1 to 6 only. Learned counsel Sh. Sunil Ahuja accepts notice on behalf of respondent nos. 1 to 6.

2. This application has been filed by joint forum of Medical Technologists of India, a representative body and two individuals seeking a direction for grant of Patient Care Allowance (PCA) and Hospital Patient Care Allowance(HPCA) as per the recommendations of the 7th Pay Commission. Learned counsel for

the applicants Sh. Amit Anand has referred to the regulation dated 06.07.2017 issued by Ministry of Finance, Department of Expenditure whereby the recommendations of 7th CPC have been accepted for payment of the aforesaid allowance. He has further made reference to minutes of the meeting held on 27.10.2017 between the Joint Secretary (GM) to discuss the demands of Indian Confederation of Medical Laboratory Sciences. The request of the applicants has been forwarded to the Ministry of Finance for clarification. The relevant observations are as under:

S.No.	Issues	Decision Taken
5.	Request for official clarification/order regarding Risk allowance erstwhile HPCA/PCA.	It was clarified that the relevant file regarding grant of HPCA/PCA has been referred to Ministry of Finance and necessary order will be issued once it is cleared by Ministry of Finance. As such, this issue is to be deleted from the list of discussion.

3. The Indian Confederation of Medical Laboratory Science has made a representation dated 29.10.2017 to the Joint Secretary, Ministry of Health and Family Welfare. This representation was followed by another representation dated 03.11.2017 by the same body. The issues raised in the representations and in the present OA being common, learned counsel for the applicants submits that the applicants would be satisfied if respondent nos. 1 and 2 are directed to consider the representations made by the Indian Confederation

of Medical Laboratory Sciences and take decision thereon particularly in view of the minutes of the meeting held on 27.10.2017 referred to hereinabove.

4. In this view of the matter, this application is disposed of at the admission stage with direction to respondent nos. 1 and 2 to take a decision on the representations of Indian Confederation of Medical Laboratory Sciences dated 29.10.2017 and 03.11.2017 in the light of the 7th CPC recommendations and minutes of meeting dated 27.10.2017 and dispose of the same by passing a reasoned and speaking order within two months from the date of receipt of certified copy of this order.

(K.N Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/ns/