

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No.180/00912/2014

Thursday, this the 5th day of April, 2018

CORAM:

Hon'ble Dr.K.B.Suresh, Judicial Member
Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member

1. P.Kalaiyarasi
D/o.Sri.Palani Swamy
Instructor (Fishing Technology)
Central Institute of Fisheries Nautical and Engineering Training
(CIFNET)
Fine Arts Avenue, Kochi- 682 016
residing at Type IV, No.3, CIFNET Residential Complex
Near Govt. Homoeo Hospital, Pulleppady
Kochi – 682 017
2. K.V.Antony, S/o.the late V.J.Varghese
Instructor (Computer)
Central Institute of Fisheries Nautical and Engineering Training
(CIFNET)
Fine Arts Avenue, Kochi- 682 016
residing at Kadambra, Vailakkade
U.C.College P.O, Aluva – 683 102
3. K.S.Vinod, S/o.Sri.K.V.Sudheesan
Instructor (Marine Engineering)
Central Institute of Fisheries Nautical and Engineering Training
(CIFNET)
Fine Arts Avenue, Kochi- 682 016
residing at Kozhikkaparambil House
Karthedom, Malipuram P.O, Kochi- 682 511 **Applicants**

**(By Advocate – M/s.O.V.Radhakrishnan,Sr, Mrs.K.Radhamani Amma,
Mr.Antony Mukkath, M.R.Ranjith K.R)**

V e r s u s

1. Central Institute of Fisheries Nautical and Engineering
Training (CIFNET)
represented by its Director
Fine Arts Avenue, Kochi- 682 016

2. Director
 Central Institute of Fisheries Nautical and Engineering Training
 (CIFNET), Fine Arts Avenue, Kochi – 682 016

3. Assistant Director (Official Language)
 Central Institute of Fisheries Nautical and Engineering Training
 (CIFNET)
 Fine Arts Avenue, Kochi – 682 016

4. Union of India, represented by its Secretary
 Ministry of Agriculture, Department of Animal Husbandry
 Dairying and Fisheries, Krishi Bhavan,
 New Delhi – 110 001

..... **Respondents**

(By Advocate – Mr.N.Anil Kumar, Sr.PCGC(R))

This Original Application having been heard on 5.4.2018, the Tribunal on the same day delivered the following:

O R D E R (ORAL)

*Per: **Dr.K.B.Suresh, Judicial Member***

Heard. The matter relates to grant of pay in accordance with promotional hierarchy in Modified Assured Career Progression Scheme. It is not available in MACP while it is available in ACP. The O.A is dismissed. No costs.

**(E.K.BHARAT BHUSHAN)
 ADMINISTRATIVE MEMBER**

**(DR.K.B.SURESH)
 JUDICIAL MEMBER**

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List of Annexures

Annexure A-1 - Photocopy of the Memo/Order No.F.No.1-6/97-AdmVol.III dated 7.1.2004 of the 2nd respondent.

Annexure A-2 - Photocopy of the Office Order No.1-6/97 Adm. Vol.IV dated 22.4.2010 of the Senior Instructor (ME), CIFNET

Annexure A-3 - Photocopy of the Office order F.No.14-9/2009-Adm.

Dated 14.3.2007 of the 2nd respondent

Annexure A-4 - Photocopy of the Office Order F.No.1-6/97.Adm. Vol.III dated 16.4.2003 of the Senior Administrative Officer, CIFNET, Kochi

Annexure A-5 - Photocopy of the Office Memorandum No.35034/3/2008-Estt-(D) dated 19.5.2009 alongwith Annexure -I of the 4th respondent.

Annexure A-6 - Photocopy of the ACP Scheme published as per Office Memorandum No.35034/1/97-Estt(D) dated 9.8.1999 of the 4th respondent

Annexure A-7 - Photocopy of the Order F.N.1-4/2008-Adm(Vol-VI) dated 26.4.2012 of the 1st respondent

Annexure A-8 - Photocopy of the representation dated 7.5.2014 of the 1st applicant to the 2nd respondents

Annexure A-9 - Photocopy of the Order/Memo No.35-I/2013-Adm dated 14.7.2014 of the 3rd respondent

Annexure A-10 - Photocopy of the Order F.No.1-4/2008-Adm(Vol.VI) dated 26.4.2012 of the 1st respondent

Annexure A-11 - Photocopy of the representation dated 1.5.2014 of the 2nd applicant to the 2nd respondents

Annexure A-12 - Photocopy of the Order/Memo No.35-1/2013-Adm dated 14.7.2014 of the 3rd respondent

Annexure A-13 - Photocopy extract of the Order F.No.35-2/2009-Adm dated 8.3.2010 of the 4th respondents

Annexure A-14 - Photocopy of the representation dated 8.5.2014 of the 3rd applicant to the 2nd respondent

Annexure A-15 - Photocopy of the Order/Memo No.35-1/2013-Adm dated 14.7.2014 of the 3rd respondent

Annexure A-16 - Photocopy of the Order dated 19.10.2011 in CWP No.19387 of 2011 of the Hon'ble High Court of Punjab and Haryana

Annexure A-17 - Photocopy of the Judgment dated 19-10-2011 in CWP No.19387 of 2011 of the Hon'ble High Court of Punjab and Haryana

Annexure A-18 - Photocopy of the Order dated 15.4.2013 in SLP No. (CC) No.7467/2013 of the Hon'ble Supreme Court of India

Annexure A-19 - Photocopy of the order dated 15.4.2013 in SLP No. (CC) No.7467/2013 of the Hon'ble Supreme Court of India

Annexure A-20 - Photocopy of the Order dated 26.11.2012 in O.A No.904 of 2012 of the CAT Principal Bench

Annexure A-21 - Photocopy of the Order in O.A No.816 of 2012 of this Tribunal

Annexure A-22 - Photocopy of the Judgment dated 24.6.2013 in

OP(CAT) No.2000 of 2013 of the Hon'ble High Court of Kerala

Annexure A-23 - Photocopy of the Ministry of Agriculture, Central Institute of Fisheries, Nautical and Engineering Training, Cochin, Senior Instructor (Fishing Technology) Recruitment Rules, 2011 Notification dated 25.4.2011

Annexure A-24 - Photocopy of the Ministry of Agriculture, Central Institute of Fisheries, Nautical and Engineering Training, Cochin, Senior Instructor (Training) Recruitment Rules, 2013. Notification dated 22.7.2013.

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