

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.333/2019

Dated Friday, the 15th day of March, 2019

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

&

Hon'ble Mr.P.Madhavan, Judicial Member

Dr.M.Dominic Savio Jegam,
S/o A.Maria Jeganathan,
No.57, Thillai Maistry Street,
Puducherry 605 001.

...Applicant

By Advocate M/s Menon, Karthik, Mukundan & Neelakantan

Vs.

1.Union of India, rep., by
The Joint Secretary to Government(Admin),
Department of Animal Husbandry,
Dairying & Fisheries, Ministry of Agriculture
and Farmers Welfare, Krishi Bhavan,
Government of India, New Delhi 110 001.

2.The Chief Secretary, Government of
Puducherry, Puducherry.

3.The Secretary to Government,
Department of Animal Husbandry,
Government of Puducherry,
Puducherry.

4.The Joint Secretary to Government(U.T.Admn),
Ministry of Home Affairs, North Block,
Government of India, New Delhi 110 001.

...Respondents

By Advocate Mr.Su.Srinivasan (R1 &4)

Mr.R.Syed Mustafa (R2 &3)

(Order: Pronounced by Hon'ble Mr.R.Ramanujam, Member(A))

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To direct the respondents to grant Dynamic Assured Career Progress Scheme benefits to the applicant with effect from 05.04.2002 and with all consequential benefits and to recompute all the retiral benefits payable to him and disburse the same forthwith.”

2. It is submitted that the applicant was seeking the benefit of Dynamic Career Assured Progression Scheme (DCAP) scheme on the basis of Central Pay Commission's recommendations implemented in the case of GDMOS and Dental Doctors. The applicant made representations to the first respondent on 09.03.2018, the second & third respondents on 02.04.2018 and the 4th respondent on 21.07.2018. He was given to understand that the Ministry of Agriculture and Farmers' Welfare, Department of Animal Husbandry, Dairying & Fisheries had taken a stand that since the applicant came under the control of the Ministry of Home Affairs, the benefit of the order passed by the Ministry in the case of similarly placed persons could only be extended by the Ministry of Home Affairs. Annexure A-9 OM dated 23.10.2018 is referred in this regard. Accordingly, it is submitted that the applicant would be satisfied, if the fourth respondent is directed to take a time bound decision in the matter.

3. Mr.Su.Srinivasan takes notice on behalf of respondents no.1 & 4 and Mr.R.Syed Mustafa takes notice on behalf of the respondents no.2 & 3.

4. Learned Standing Counsel for the Central Government submits that as the matter had not been decided by the competent authority, there would be no objection to a direction to consider the representation of the applicant by the competent authority once a policy decision is taken in this regard.

5. Keeping in view the above submission and without going into the substantive merits of the case, the fourth respondent is directed to take a decision in the matter within a period of four months from the date of receipt of a copy of this order. Thereafter, the second and third respondents shall deal with the representation of the applicant in accordance therewith.

6. OA is disposed of.

(P.MADHAVAN)
MEMBER(J)

(R.RAMANUJAM)
MEMBER (A)

15.03.2019

M.T.