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CENTRAL ADMINISTRATIVE TRIBUNAL, CALCUTTA BENCH KOLKATA

O.A.No.350/00144/2015

Date of Order : 23-09-2015

Present : **Hon'ble Mr Justice G. Rajasuria, Judicial Member**
Hon'ble Ms Jaya Das Gupta, Administrative Member

C.H. Srihari
Graduate Trained Teacher
Government Senior Secondary School
(Telugu Medium), Haddo,
South Andaman, Pin- 744102.

.....Applicant

-Versus-

1. Union of India,
Service through the Secretary,
Govt. of India, Human Resource Development,
Department of Education, Shastri Bhawan,
New Delhi-110001.
2. The Andaman & Nicobar Administration
Service through the Lieutenant Governor,
Andaman & Nicobar Island, Raj Niwas,
Port Blair-744101.
3. The Chief Secretary,
Andaman & Nicobar Administration,
Port Blair-744101.
4. The Secretary cum Director,
Directorate of Education,
Andaman & Nicobar Administration,
Port Blair-744101.
5. The Assistant Director (Administration-I),
Directorate of Education,
Andaman & Nicobar Administration,
Port Blair-744101.
6. The Principal,
Government Senior Secondary School (Telugu Medium)
Middle Section, Lalitha Singh Ground,
Haddo, South Andaman, Pin-744102.
7. Y. Sujatha, working to the post of Graduate
Trained Teacher in Government Senior Secondary
School (Telugu Medium), Middle Section,
Lalitha Singh Ground,
Haddo, South Andaman, Pin-744102.

.....Respondents

For the applicants

: Mr P. C. Das, Counsel



For the respondents : Mr S. K. Ghosh, Counsel

ORDER (ORAL)

JUSTICE G.RAJASURIA, JM,

Heard both at the admission stage itself. This O.A has been filed seeking the following reliefs :

- a) To pass an appropriate order directing upon the respondent authority to step up of pay of the present applicant vis-a-vis to the private respondent with effect from the date when she is getting the same and to give all consequential benefits in favour of the applicant by removing the anomaly of pay in the revised pay band at par with his junior colleague within a specific time;
- b) To pass an appropriate order directing upon the respondent authority to step up of pay of the present applicant and to fix the appropriate pay in favour of the applicant by removing the pay anomaly in terms of the office letter dated 21st May, 2014 issued by the Assistant Director (Administration-I), Directorate of Education being Annexure A-7 of this original application within a specific period of time along with all consequential benefits;
- c) To pass an appropriate order directing upon the respondent authority to step up of pay of the present applicant vis-a-vis to his junior who is getting higher pay and to fix the appropriate pay in favour of the applicant with effect from the date when his junior is getting the same along with all consequential benefits.

2. Learned counsel for the applicant would echo the grievance of his client to the effect that even though the Office of the Principal, Government Senior Secondary School, Haddo, (Telegu Medium) vide his communication dated 16.06.2014 recommended the name of the applicant for stepping up of pay in paramateria with his juniors working under the Director of School Education, Andaman administration for taking effective steps, yet the respondents have not taken any steps. As such according to him suitable direction should be issued to the respondent to give stepping up of the pay of the applicant on par with his juniors.

3. Per contra, the learned counsel for the respondents drawing the attention of this Court to Annexure A-9 so as to say the communication dated 24.03.2011 issued by the Ministry of Finance would develop his argument that stepping up of pay is not a matter of course. Whereupon the learned counsel for the applicant would submit that his client satisfied the criteria as per Annexure A-9 and that is why he is insisting for stepping up of pay.



4. At this juncture we would not like to decide the matter on merits. The Principal, Senior Secondary School recommended the name of the applicant for stepping up of his pay, whereas the education department has not responded to it till date, even though much time has elapsed. Hence we issue the following direction :

The respondent authority concerned shall consider the proposal submitted by the Principal, Senior Secondary School within a period of one month from the date of receipt of a copy of this order and communicate the result thereof to the applicant thereafter.

O.A is accordingly disposed of.

(JAYA DAS GUPTA)
ADMINISTRATIVE MEMBER

(G. RAJASURIA)
JUDICIAL MEMBER

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