

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
(CIRCUIT AT PORT BLAIR)**

No. O.A. 351/418/2017

Date of order: 03.06.2019

**Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. N. Neihsial, Administrative Member**

1. Shri M. Paul Raj
S/o Late M. Muthuvairu
R/o Shadipur, Port Blair
South Andaman, 744101.
2. Shri P.K Ali
S/o Late Ismail
R/o Wimberlygunj
South Andaman – 744206.
3. Shri K. Ibrahim
S/o Late Ismail
R/o Wimberlygunj
South Andaman – 744206.
4. Shri. K. Hamza
S/o Late Unni
R/o Wimberlygunj
South Andaman – 744206.

.. Applicants

-Versus-

1. The Union of India
Service through the Secretary
Ministry of Home Affairs
Department of Public Works
North Block, Central Secretariat.
New Delhi – 110001.

2. The Ministry of Finance
Service through the Secretary
North Block, Lok Nayak Bhawan,
New Delhi – 110001.

3. The Lieutenant Governor,
Andaman and Nicobar Islands
Port Blair – 744101.

4. The Chief Secretary,
Andaman and Nicobar Administration
Secretariat Building, Port Blair 744101.

5. The Commissioner-cum-Secretary (PWD)
Andaman and Nicobar Administration
Secretariat Building, Port Blair 744101.

6. The Chief Engineer,
Andaman Public Works Department,
NirmanBhawan, Port Blair – 744101.

7. The Superintending Engineer
Andaman Circle
Andaman Public Works Department
South Andaman District, Port Blair – 744101.

8. The Executive Engineer
Workshop Division
Andaman Public Works Department, Port Blair.

Respondents

For the Applicant : Mr. K. Rao, Counsel

For the Respondents : Md. Tabraiz

O R D E R (ORAL)

Per Ms.Bidisha Banerjee, Member (J):

Heard the learned counsels for the parties. The applicants are seemingly aggrieved in regard to non-implementation of the Ministry of Home Affairs' Office Order dated 23.01.2015, whereby the benefit of graded structure promotion scheme to the Motor Lorry (ML) Drivers and Jeep Drivers of Andaman Public Works Department have been granted notionally with effect from 01.01.1996. The applicants who have retired in the meantime is aggrieved while arriving at their last pay drawn and fixation of pension, the respondents have not taken into account this element of notional benefit w.e.f. 01.01.1996 in accordance with the scheme.

2. The learned counsel for the respondents very fairly submits that the applicants would be entitled w.e.f. 01.01.1996 in terms of the office order dated 23.01.2015. He further submits that the matter can be re-considered by the authorities for appropriate implementation in terms of the policy of the respondent authorities as contained in Ministry of Home Affairs' order dated 23.01.2015.

3. Accordingly, with the consent of both the parties, we dispose of the O.A. with the direction to the respondent authorities to consider the grievance of the applicants in the light of the order (supra) and take all necessary steps to ameliorate their grievance so that the pay fixation figure

be arrived at notionally w.e.f. 01.01.1996 and the benefits thereof is granted by fixing the last pay drawn and the revising their pension accordingly. Let the entire exercise be completed within a period of three months from the date of receipt of a copy of this order.

4. No order as to the costs.

(N. Neihsial) 
Administrative Member

(Bidisha Banerjee)
Judicial Member

PB