

**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. Neihial, 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, LokNayak 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 (APWD)  
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

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## ORDER (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.

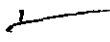
3. Accordingly, with the consent of both the parties, we dispose of the O.A. with the direction to the respondent authorities to consider the grievance of the applicants in the light of the order (supra) and take all necessary steps to ameliorate their grievance so that the pay fixation figure

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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.

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(N. Neihsial)   
Administrative Member

(Bidisha Banerjee)  
Judicial Member

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