

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ERNAKULAM BENCH**

**Original Application No. 181/00734/2019**

**Thursday, this the 24<sup>th</sup> day of October, 2019**

**CORAM:**

## **Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member**

C.Nafeesabi aged 59 years  
W/o.Khalid M.C  
Chuthakkuli House, Kavaratti Island  
Lakshadweep – 682 558  
Now working as Auxiliary Nurse Midwife  
Indira Gandhi Hospital  
Union Territory of Lakshadweep  
Kavaratti – 682 555  
Mob:9497246334 ..... **Applicant**

**(By Advocate : Mr.Anand S.A)**

## V e r s u s

1. Administration of the Union Territory of Lakshadweep  
represented by the Administrator  
Union Territory of Lakshadweep  
Kavaratti – 682 555
2. The Secretary  
Department of Medical and Health Services  
Administration of the Union Territory of  
Lakshadweep, Kavaratti-682 555
3. The Director  
Department of Medical and Health Services  
Administration of the Union Territory of  
Lakshadweep, Kavaratti – 682 555 ..... **Respondents**

**(By Advocate : Mr.S.Manu)**

This application having been heard on 24.10.2019 the Tribunal on the same day delivered the following:

**O R D E R (ORAL)**

**By Hon'ble Mr. E.K.Bharat Bhushan, Administrative Member**

Heard Shri.Anand.S.A, learned counsel for the applicant. Standing Counsel for the Lakshadweep Administration takes notice on behalf of the respondents.

2. The grievance of the applicant is that she is being denied third financial upgradation under MACP Scheme to which she is entitled to if her present service is clubbed along with her earlier tenure as Untrained Health Assistant (Midwife). The learned counsel submits that the applicant has made representations to the Administrator as well as to the Secretary, Department of Medical and Health Services, copies of which are available at Annexures A-8 and A-9.

2. Both sides agreed that the Original Application can be disposed of at the admission stage itself. This Tribunal is of the view that interests of justice will be met if a direction is issued to respondent no.2 to consider Annexure A-9 representation dated 20.2.2019 in accordance with law and dispose of the same through a speaking order within thirty days from the date of receipt of a copy of this order. Ordered accordingly. The Original Application is disposed of as above. No costs.

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

SV

### **List of Annexures**

Annexure A1 - A true copy of the order F.No.5/10/81-SWB dated 8.4.1982 of the Chairman, Lakshadweep State Social Welfare Advisory Board.

Annexure A2 - A true copy of the order F.No.5/10/81-SWB dated 27.8.1987 of the Chairman, Lakshadweep State Social Welfare Advisory Board

Annexure A3 - A true copy of the order F.No.5/10/81-SWB.Vol.II(I) dated 4.2.1994 of the Chairman, Lakshadweep State Social Welfare Advisory Board.

Annexure A4 - A true copy of the order F.No.5/2/93-DMHS dated 28.1.1994 of Director of Medical and Health Services

Annexure A5 - A true copy of the order F.No.5/2/93-DMHS dated 3.7.1995 of 3<sup>rd</sup> respondent

Annexure A6 - A true copy of the office memorandum bearing No.35034/3/2008-Estt(D) (Vol.II) dated 4.10.2012.

Annexure A7 - A true copy of the MACP Scheme by order F.No.5/1/2013-DHS/135 dated 20.1.2016

Annexure A8 - True copy of the representation dated 29.2.2019 submitted by the applicant before the 1<sup>st</sup> respondent

Annexure A9 - True copy of the representation dated 20.2.2019 submitted by the applicant before the 2<sup>nd</sup> respondent