

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

O.A.No.484/13

Thursday this the 26<sup>th</sup> day of September 2013

**C O R A M :**

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER**

U.C.Sammil,  
S/o.Aheed Therekkal,  
Retd. Multi Skilled Employee,  
Jawaharlal Nehru Senior Secondary School,  
Kadamat Island, Union Territory of Lakshadweep.  
Residing at Ukkayyechette House, Kadamat Island,  
Union Territory of Lakshadweep.

...Applicant

(By Advocate Mr.T.C.Govindaswamy)

**V e r s u s**

1. The Administrator,  
Union Territory of Lakshadweep,  
Lakshadweep Administration, Kavaratti – 682 555.
2. The Director,  
Department of Education,  
Union Territory of Lakshadweep, Kavaratti – 682 555.
3. The Accounts Officer (Pension),  
Office of the Principal Pay & Accounts,  
Administration of the Union Territory of Lakshadweep,  
Kavaratti – 682 555.

...Respondents

(By Advocate Mr.S.Radhakrishnan)

This application having been heard on 26<sup>th</sup> September 2013 this Tribunal on the same day delivered the following :-

**ORDER**

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER**

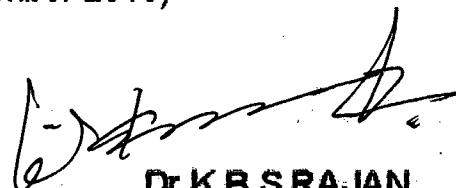
The lone question involved in this case is whether the period of service rendered by the applicant prior to his regular appointment should also be reckoned as qualifying service for pension and accordingly whether he is to be covered under the CCS (Pension) Rules, 1972. The issue is no

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longer res-integra, as the same has been decided by this Tribunal in O.A.No.746/11 and connected cases. In the aforesaid O.A the Tribunal has held that 50% of the service rendered by the applicants therein as casual labourers with temporary status shall be reckoned as qualifying service for pension and accordingly, those applicants were declared to be entitled to pension and pensionary benefits under CCS (Pension) Rules, 1972.

2. In the instant O.A the applicant's temporary status is for a period from 1993 onwards and his regularization took place in 2007. Taking into account 50% of the temporary status service, the date of qualifying service gets advanced anterior to 1.1.2004. As such, following the above decision as also another decision in O.A.184/12 decided on 12.6.2012, it is declared that the applicant is entitled to count 50% of the service rendered as temporary status and consequently he shall also be eligible for grant of pension and pensionary benefits under the CCS (Pension) Rules, 1972. The respondents are directed to take further action for payment of pension and other pensionary benefits in accordance with rules within a period of four months from the date of communication of this order. No costs.

(Dated this the 26<sup>th</sup> day of September 2013)

  
**Dr.K.B.S.RAJAN**  
**JUDICIAL MEMBER**

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