

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. Nos. 290/96, 409/96, 248/96, 334/96,

O.A. 441/96, 636/96, 654/96, 637/96,

O.A. 639/96, 885/96 and O.A. 938/96.

Tuesday this the 12th day of November 1996.

CORAM:

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

O.A. No.290/96

- | | |
|---|---|
| 1. Moosafathada Ali Mohamed,
Spray and Dusting Operator, | Agricultural Unit,
Kiltan Island, Union
Territory of Lakshadweep |
| 2. Thaithottam Muthukoya | Casual Labourer,
Agricultural Unit.
Kiltan Island, Union
Territory of Lakshadweep. |
| 3. Peechattiyoda Cheriya Koya, | -do- |
| 4. Beeyamada Syed Ismail Koya | -do- |
| 5. Beeyamada Koyakidave | -do- |
| 6. Zainayapura Mohamed | -do- |
| 7. Sailaniyapura Sainul Abid | -do- |
| 8. Kunnashada Kunjimon | -do- |
| 9. Uttiliyoda Ahmed Kunju | -do- |
| 10. Puthiyapura Attakoya | -do- |
| 11. Puthiyapura Mohammed Koya | -do- |
| 12. Kakothiapura Anas Koya | -do- |
| 13. Kakothiapura Cheriya Koya | -do- |
| 14. Kottakal Abdul Majid | -do- |
| 15. Thottoli Twajil | -do- |
| 16. Thottoli Aboosali | -do- |
| 17. Kunjaliyakkal Abdulla | -do- |
| 18. Kattichetta Abdul Khader | -do- |
| 19. Thekkila Nalakapura Muthu Koya | -do- |
| 20. Thaittotam Cheriya Koya | -do- |
| 21. Iyyayoda Nallakoya | -do- : Applicants |

(By Advocate Shri Shafik M.A.)

Vs.

1. Union of India represented by the Administrator, Union Territory of Lakshadweep, Kavaratti.
2. The Director, Department of Agriculture, Union Territory of Lakshadweep, Kavaratti.

.. Respondents

O.A. No. 409/96

- | | | |
|--------------------------------|--------|---|
| 1. K. Kasmi | : | Casual Labourer,
Agricultural Unit,
Chetelat Island,
Union Territory of Lakshadweep. |
| 2. P. Syed Mohammed | -do- | |
| 3. P. Abdulla | -do- | |
| 4. M. Mohammed | -do- | |
| 5. Syed Pittiyapuram | -do- | |
| 6. Munaf Kanjara Nallala | -do- | |
| 7. Attakoya Puliuinakeel | -do- | |
| 8. Abdul Kader Surambi | -do- | |
| 9. Shakki Mullaappura | -do- | |
| 10. Hamza Puliyyinakeel | -do- | |
| 11. Yousuf Puliyyinakeel | -do- | |
| 12. Kasimi B.K. | -do- | |
| 13. Hamza Unnammithithiyoda | -do- | |
| 14. Kunhi Ahammed Narangappura | -do- | |
| 15. Amanulla Pakkiyoda | -do- | |
| 16. Abdul Kader Chokipura | -do- | |
| 17. Attaikka Haji Keelasurambi | -do- : | Applicants |
- (By Advocate Shri Shafik M.A.)

Vs.

1. Union of India represented by the Administrator, Union Territory of Lakshadweep, Kavaratti.
2. The Director, Department of Agriculture, Union Territory of Lakshadweep, Kavaratti.

: Respondents

Q.A. No. 248/96.

1. B.C. Anther, Temporary Status : Labourer, Agricultural Unit,
Amini, Union Territory of
Lakshadweep.
2. A. Muthukoya -do-
3. P.P. Syed Mohammed -do-
4. K.K. Mohammed Koya -do-
5. K.C. Pookunhi -do-
6. B.C. Kunhikoya -do-
7. B. Kunhikoya -do-
8. P.C. Aboosala -do-
9. P. Abdulkhader -do-
10. M.S. Ahemed -do-
11. K.P. Abdulkhader -do-
12. M.C. Abdulkhader -do-
13. Arampelli Essa -do-
14. B. Kidave -do-
15. U. Mohammed Haji -do-
16. A. Pookunhi -do-
17. A. Adima -do-
18. C. Ander -do-
19. P. Sayed Buhari -do-
20. A. C. Ahemed -do-
21. K.C. Ibrahim -do-
22. P. Kidave -do-
23. V. C. Ahemed -do-
24. K.C. Nallakoya -do-
25. A.C. Alimohammed -do-
26. P.C. Mohammed -do-
27. P.K. Abdulkhader -do-
28. P.C. Moosa -do-
29. T.K. Kasmi -do-

30.

...Applicants

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30. A. Ahemed : Labourer, Agricultural Amini Unit, Lakshadweep.
31. K.K. Koyamma -do-
32. K.C. Khalid -do-
33. P.V. Adima -do-
34. A.C. Hamza -do-
35. P.C. Khalid -do-
36. M. Syedmohammed -do-
37. M.C. Hamza -do-
38. A. Abdulla -do-
39. K. Aboosala -do-
40. P.V. Essa -do-
41. A.C. Abdulkhader -do-
42. M. Kunhikoya : Spray Testing Operator (STO) Agricultural Department, Amini. Unit.
43. N. Abosala -do-
44. P. Mohammed : Nursery Waterman, Amini.
45. A.C. Alikutty : Labourer, Survey Department, Amini.
46. U. Alikutty : Supervisor, Agricultural Deptt., Amini.
47. P.C. Yousuf : Mali, Agricultural Unit, Amini.
48. K. Sulaiman, Mali -do-
49. Muthukoya P.V., Attender, Science & Technology, Kavaratti.
50. K.P. Kidav, Casual Labourer, -do-
(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Administrator, Union Territory of Lakshadweep, Kavaratti.
2. The Director of Agriculture, Office of the Director of Agriculture, Lakshadweep.
3. The Union of India represented by Secretary to Government, Ministry of Home Affairs, New Delhi.

.. Respondents.

.....5/-

O.A. No. 334/96

1. Cheriya Nallal Syedmohammedkoya, S/o Cheruthottam Abdullakoya, Aged 45 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island, (residing at Government Quarters, Kavarathi.)
2. Nallikay Chetta Hameed, S/o Shri.Mammel Myda, Aged 40 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island, (residing at Nallikay Chetta, Kavarathi.)
3. Koliyapura Ummer, S/o Chendipura Pookoya, Aged 38 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti (residing at Koliyapura Kavarathi.)
4. Chendipura Shaik, S/o Shri. Beeranthoda Kader, Aged 30 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Chendipura, Kavaratti.)
5. Nambicham Syedmohammedkoya, S/o Shri.Keliyam Kessali, Aged 35 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Nambicham & Kavaratti.)
6. Malippapada Zainul Abid, S/o Vadakaroda Koyamma, Aged 32 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Malippapada, Kavaratti.)
7. Kartholapura Kasmi, S/o Shri. Kaknipura Shaban, Aged 40 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Kartholapura, Kavarathi.)
8. Marikilam Ummer, S/o Shri.Thrinikad Kojan, Aged 28 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti. (residing at Marikilam Kavaratti.)
9. Aynaepura Farook, S/o Shri. Aradam Usman, Aged 30 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island (residing at Aynaepura, Kavaratti.)
10. Puthiya Palli Ahamed, S/o Shri. Kuppipura Hameed Malmi, Aged 50 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti. (residing at Puthiyapalli, Kavaratti.)
11. Aynaepura Abdulkhader, S/o Shri.Pakkichipura Ahamed, Aged 45 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island (residing at Aynaepura, Kavaratti.)

12. Awapada Kunhikoya, S/o Uthampokakada Cheriyaakoya, Aged 49 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island, (residing at Awapada, Kavaratti.)
13. Ayshe Chetta Ahamed, S/o Pandhal Kathiri, Aged 55 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Ayshe Chetta, Kavaratti.)
14. Byyampura Moosa, S/o Nalakam Mohammed, Aged 35 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Byyampura, Kavaratti.)
15. Kuttippapay Pura Aboobacker, S/o Marikilam Bamath, Aged 58 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Kuttippapay, Kavaratti.)
16. Mullichetta Kasmi, S/o Shri.Kannipura Aboobacker, Aged 36 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island (residing at Mullichetta, Kavaratti.)
17. Beeranthoda Ahamed, S/o Shri.Pallam Kidave, Aged 29 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island (residing at Beeranthoda, Kavaratti.)
18. Kuttithayapura Kayar, S/o Kumbidam Mohammed, Aged 30 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island, (residing at Kuttithayapuram, Kavaratti.)
19. Koliyam Kassali, S/o Palakapad Ali Malmi, Aged 55 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (Residing at Koliyam, Kavaratti.)
20. Pulipura Basha, S/o Shri.Palakapad Aboobacker, Aged 52 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Pulipura, Kavaratti.)
21. Pallipura Assainar, S/o Shri.Amanathakayypura Kidave, Aged 28 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Pallipura, Kavaratti.)
22. Puthiya Illam Ayoob, S/o Shri Pallipura Mohammed, Aged 28 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island (residing at Puthiya illam, Kavaratti.)
23. Ummayypura Zakariya, S/o Shri.Muchiyam Muthukoya, Aged 33 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Ummayypura, Kavaratti.)

24. Aradam Aboosalamkoya, S/o Shri.Kuttipapay Pura Bamben, Aged 29 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Aradam, Kavaratti.)
25. Chekkekeel Ubaid, S/o Shri.Malipappada Assainar, Aged 60 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti. (residing at Chekkekeel, Kavaratti.)
26. Puthiyathanoda Abdul Jabbar, S/o Shri.Chemmagam Kasmikoya, Aged 28 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Puthiyathanoda, Kavaratti.)
27. Umlayapura Mohammed, S/o Shri.Kuttipapaypura Abdulrahiman, Aged 31 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Umlayapura, Kavaratti.)
28. Kunhipura Kojan, S/o Shri.Arakalar Ahamed, Aged 45 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Kunhipura, Kavaratti.)
29. Mukriya illam Kassali, S/o Shri.Kunhiliyam Palakapad Mohammed Malmi, Aged 56 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Mukriya illam, Kavaratti.)
30. Puthiya illam Koyamma, S/o Shri.Moothakad Nallakoya Aged 48 years, Casual Labourer, Agricultural Demonstration Unit, Andrott Island. (residing at Puthiya illam ~~Koya~~, Kavaratti)
31. Pokarachiyapura Basheer, S/o Shri.Chetta Pura Ahamed, Aged 45 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. ~~Rx~~ (residing at Pokarachiyapura, Kavaratti.)
32. Manayapura Mohamood, S/o Shri.Kadiyamae pura Mohammed, Aged 45 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Manayapura, Kavaratti.)
33. Keliyam Kunhikoya, S/o Shri.Palakapad Ali Malmi, Aged 45 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti. (residing at Keliyam, Kavaratti.)
34. Ullikanaepura Yousuf, S/o Molukay pura Basha, Aged 35 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti. (residing at Ullikanaepura, Kavaratti.)
35. Puthiya illam Latheef, S/o Shri.Pallipura Mohammed, Aged 34 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Puthiya Illam, Kavaratti.)

36. Kunninamel Syedmohammedkoya, S/o Shri.Chakkikulam Mohammed, Aged 25 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Kunninamel & Kavaratti.)
37. Kunnel Jalal, S/o Shri. Makani Syedmohammed, Aged 32 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island (residing at Kunnel, Kavaratti)
38. Alachapada Thaha, S/o Shri.Vadak Melachodam Aboobacker, Aged 35 years, Casual Labourers, Agricultural Demonstration Unit, Kavaratti Island. (residing at Alachapada, Kavaratti.)
39. Muchiyam Seethikoya, Shri.Pallicham Kasmi, Aged 35 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Muchiyam, Kavaratti.)
40. Povamada Abdul Hai, S/o Shri.Chedipura Aboobacker, Aged 36 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Povamada, Kavaratti.)
41. Kunninamel Kojan, S/o Shri.Aakam Kunhikunhi, Aged 40 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Kunninamel, Kavaratti.)
42. Kamal Malmiyoda Hamzakoya, S/o Shri.Pakrichibiyoda, Syedkoya, Casual Labourer, Agricultural Demonstration Unit, Agatti Island. (residing at Kamal Malmiyoda, Agatti Island) Aged 42
43. Puthiyapura Aboobacker, S/o Shri.Kunninamel Subair, Aged 53 years, Casual Labourer, Agricultural Demonstration Unit, Kadmat Island. (residing at Puthiyapura, Kadmat Island.)
44. Thiruvathapura Syedkunhi, S/o Shri. Beefathumakudi, Aboobacker, Aged 44 years, Casual Labourer, Agricultural Demonstration Unit, Kadmat Island. (residing at Thiruvathapura, Kadmat Island)
45. Puthiya Surambi Seethikoya, S/o Shri.Alaka Aboosala, Aged 45 years, Casual Labourer, Agricultural Demonstration Unit, Kadmat Island (residing at Puthiya Surambi, Kadmat Island)
46. Mullapura Abdul Kader, S/o Shri. Biyaemachetta Mohammed, Aged 53 years, Casual Labourer, Agricultural Demonstration Unit, Kadmat Island, (residing at Mullapura, Kadmat Island.)

47. Mukriya illam Syedpoo, S/o Shri.Kumbidam Kassali, Aged 36 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island.(residing at Mukriya illam, Kavaratti.)
48. Aynapura Thaha, S/o Shri.Aradam Usman, Aged 35 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Aynapura, Kavaratti Island.)
49. Puthiya Surambi, Basheer, S/o Shri.Alakka Aboosala, Aged 30 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island.(residing at Puthiya Surambi, Kavaratti Island.)
50. Muchiyam Sayedmohammedkoya, S/o Shri.Nambicham Uppukunhi, Aged 34 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Muchiyam, Kavaratti Island)
51. Annapura Mohammed Haji, S/o Shri. Shallakapura Kuttikoya, Aged 50 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Annapura, Kavaratti.)
52. Kunninamel Nallakoya, S/o Challakapura Ahamed Aged 50 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti. (residing at Kunninamel, Kavaratti.)
53. P.K. Abdulkader, S/o Shri.Attaye Chetta Essa, Aged 40 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti. (residing at Attaye chetta, Kavaratti.)
54. Ella Bader, S/o Shri.Puthiyapura Kalid, Aged 31 years Casual Labourer, Agricultural Demonstration Unit, Agatti. (residing at Ella, Agatti)
55. Theak Puthiya Illam Attakoya, S/o Shri.Puthiyoda Syedkoya, Aged 32 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti. (residing at Theak Puthiya illam, Kavaratti.)
56. C.P.K.Katt Khaleel, S/o Ballikottiyathoda Kad Koyakidave, Aged 30 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti. (residing at Ballikothiyathoda, Kavaratti.)
57. Cheriya thombathimada Abdulkader, S/o Shri.Athampapay pura Hamzath, Aged 28 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island (residing at Cheriya thombathimada, Kavaratti Island.)
58. Cheriya thobathimada Mollakoya, S/o Athampapay-pura Hamzath, Aged 32 years, Casual Labourer, Agricultural Demonstration Unit, Kavaratti Island. (residing at Cheriya thobathimada, Kavaratti.)

59. Mullappura Sayed Buhari
Casual Labourer,
Agricultural Demonstration Unit,
Andrott.

: Applicants

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Administrator, Union Territory of Lakshadweep, Kavaratti.
2. The Director of Agriculture, Office of the Director of Agriculture, Lakshadweep, Kavaratti.
3. The Union of India represented by Secretary to Government, Ministry of Home Affairs, New Delhi.

: Respondents

O.A. No. 441/96.

1. P. Hassainer, Casual Labourer, Primary Health Centre, Kiltan Island, Union Territory of Lakshadweep.
2. A.P. Kader, Casual Labourer, Primary Health Centre, Kiltan Island, Union Territory of Lakshadweep.

: Applicants

Vs.

1. Union of India represented by Secretary, Ministry of Home Affairs, New Delhi.
2. The Administrator, Union Territory of Lakshadweep, Kavaratti.
3. Director, Department of Medical and Health Services, Union Territory of Lakshadweep, Kavaratti.

: Respondents.

E.A. No.

O.A. No. 636/96

1. A.Chariyakoya, S/o.Mohammed,
aged 42 years, Amberpally House,
Agricultural Labourer,
Agricultural Demonstration Unit,
Agatti, U.T. of Lakshadweep.
 2. M.Kasmikoya, S/o.Sayedmohammedkoya,
aged 34 years, Mukriyoda House,
Labourer, Agricultural Unit, Agatti,
U.T. of Lakshadweep.
 3. C.Fathahulla, S/o.Kader Thirunikkad,
aged 33 years, Chenam House,
Labourer, Agricultural Unit, Agatti,
U.T. of Lakshadweep.
 4. P.Habeeb, S/o.Kolikad Hameed,
aged 32 years, Pallipuram House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
 5. T.K.Umerkoya, S/o.Salmikoya,
aged 40 years, Thekkukunninamel,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
 6. U.Khalid, S/o.Mohammed,
aged 32 years, Umbiyoda House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
 7. K.Hamzakoya, S/o.Sayed Koya,
aged 32 years, Kunnangalam House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
 8. T.K.Attakoya, S/o.Hamza,
aged 31 years, Thanakal House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
 9. K.P.Hamza, S/o.Aboobacker,
aged 31 years, Kolippura House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
- : Applicants

10. A.K.Ummer, S/o.Mohammed Ummeroda Chetta,
Achankuttiyoda House, aged 38 years,
Labourer, Agricultural Unit, Agatti,
U.T. of Lakshadweep.
11. K.M.Ummer, S/o.Ali Koilam,
aged 37 years, Kuttianmukriyoda House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
12. B.Sayedkoya, S/o.KoJan Koya,
aged 31 years, Beekuttiyoda House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
13. C.P.Aboobacker, S/o.Mohammed,
aged 34 years, Cheriyaapura House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
14. E.Cheriyakoya, S/o.Mohammed,
aged 32 years, Ella House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
15. U.Sayedmohammed, S/o.Mohammed,
aged 43 years, Uppathoda House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
16. M.K.Shaik, S/o.Abbass,
aged 37 years, Mayankakkada House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
17. E.Mavia, S/o.Ummer,
aged 31 years, Ella House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
18. U.Koya, S/o.Kidavekoya,
aged 45 years, Ummachammada House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
19. U.Fathahulla, S/o.Ummer,
aged 45 years, Ummeroda House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
20. M.Hamza, S/o.Basha,
aged 34 years, Moothammada House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.
21. K.C.Abdul Samath, S/o.Kasmi,
aged 34 years, Kariyan Chetta House,
Labourer, Agricultural Unit,
Agatti, U.T. of Lakshadweep.

22. P.P.Aboobacker, S/o.Ukkas,
aged 48 years, Pallipuram,
Labourer, Agricultural Unit,
Agatti Island, Union Territory of Lakshadweep.
23. A.Sharafuddin, S/o.Seethikoya Ella,
aged 30 years, Avvammappada House,
Labourer, Agricultural Unit,
Agatti Island, Union Territory of Lakshadweep.
24. C.P.Alikoya, S/o.Abdulla Koya,
aged 30 years, Chachalakappada House,
Labourer, Agricultural Unit,
Agatti Island, Union Territory of Lakshadweep.
25. T.P.Hamzakoya, S/o.Usmankoya,
aged 39 years, Thekkuputhiyaillam
House, Labourer, Agricultural
Unit, Agatti Island,
Union Territory of Lakshadweep.
26. C.Mavia, S/o.Aboobacker,
aged 40 years, Charalpuram House,
Labourer, Agricultural Unit,
Agatti Island,
Union Territory of Lakshadweep.
27. Kasmi Vadak Koodam, S/o.Kuttikoya,
Pondinoda, aged 44 years,
Spraying & Dusting Operator,
Agricultural Demonstration Unit,
Agatti Island,
Union Territory of Lakshadweep.
28. K.P.Cheriyakoya, aged 44 years,
Kunnikapada, S/o.Attakoya Makkikulam,
Spraying & Dusting Operator,
Agricultural Demonstration Unit,
Agatti Island,
Union Territory of Lakshadweep.
29. C.P.Badarudheen, Chachalapada,
aged 40 years, S/o.Kasmikoya, Ashakada,
Nursery Waterman, Agricultural
Demonstration Unit, Agatti Island,
Union Territory of Lakshadweep.
30. P.P.Aboosala, Pandarapura,
aged 39 years, S/o.Kasmi, Aliamadkkakada,
Mali, Agricultural Demonstration
Unit, Agatti Island,
Union Territory of Lakshadweep.

31. M.Sharef, Mariyathoda,
aged 38 years, S/o.Migdad,
Achamkuttiyoda, Spraying & Dusting Operator,
Agricultural Demonstration Unit,
Agatti Island,
Union Territory of Lakshadweep.
32. K.I.Abdulsathar, Keelaillam,
aged 36 years, S/o.Abdulkaderkoya Davool,
Nursery Waterman, Agricultural Demonstratin
Unit, Agatti Island,
Union Territory of Lakshadweep.
33. K.Fathahulla, Koilam, aged 36 years,
S/o.Kadav Ella, Peon, Office of the
Manager, Society for Recreational Tourism &
Sports (SPORTS), Kavaratti Island,
Union Territory of lakshadweep.
34. B.Famzakoya, Bandar, aged 36 yers,
S/o.Mohammed Koya Keelaillam,
Labourer, Agricultural Demonstration Unit,
agatti Island,
Union Territory of lakshadweep. : Applicants

(By Advocate Shri Shafik M.A.)

Vs.

1. Union of India, represented by the
Administrator, Union Territory of
Lakshadweep, Kavaratti.
2. The Director, Department of
Agriculture, Union Territory of
Lakshadweep, Kavaratti. : Respondents

(By Advocate Shri S. Radhakrishnan, ACGSC)

O.A. No. 654/96

1. Kakkanal Kunhikoya,
Agricultural Mali,
Agricultural Demonstration Unit,
Androth Island,
Union Territory of Lakshadweep.

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| 2. | M. Muthukoya,
Agricultural Mali, | Agricultural Demonstration Unit
Androth Island, Union Territory
of Lakshadweep. |
| 3. | B.K. Pookunhi,
Agricultural Mali | -do- |
| 4. | P.P. Kunhi Seethikoya,
Agricultural Mali, | -do- |
| 5. | U.Koya, Agricultural
Mali | -do- |
| 6. | K. Kunhi Seethi,
Agricultural Mali | -do- |
| 7. | Moolakad Badarudheen
Agricultural Mali | -do- |
| 8. | K.K. Pookoya,
Spraying and Dusting
Operator | -do- |
| 9. | Kunhali Koya, Spraying and
Dusting Operator | -do- |
| 10. | K.K. Kunhikoya, Junior
Technical Assistant, | -do- |
| 11. | K.K. Muthukoya, Agricul-
tural Mali, | -do- |
| 12. | Kolikat Thangakoya,
Mazdoor | -do- |
| 13. | K.K. Thangakoya, Spraying and
Dusting Operator, | -do- |
| 14. | K. Mullakoya, Agricultural
Mali | -do- |
| 15. | P.P. Sayed Mohammed Koya,
Nursing Waterman, | -do- |
| 16. | K.K. Moosa, Agricultural Mali | -do- |
| 17. | Aliyathara Mullakoya, Labourer | -do- |
| 18. | M. Abdul Shukoor, Agricultural
Fieldman | -do- |
| 19. | Aliyathara Jalaludheen,
Labourer | -do- |
| 20. | Assanakar Abdul Kader, Labourer | -do- |
| 21. | Achamada Mohammed
Agricultural Fieldman | -do- |
| 22. | P. Cheriyaakoya, Nursery
Waterman | -do- : Applicants |

(By Advocate Shri Shafik M.A.)

Vs.

1. Union of India represented by
the Administrator, Union Territory
of Lakshadweep, Kavaratti.
2. The Director of Agriculture, Union
Territory of Lakshadweep, Kavaratti. .. Respondents
(By Advocate Shri S. Radhakrishnan, ACGSC)

O.A. No. 637/96.

- | | |
|-------------------------------------|---|
| 1. C.T. Sayed Koya | Agricultural Labourer, (A.D. Unit)
Agricultural Unit, Minicoy Union
Territory of Lakshadweep. |
| 2. M. Cheriya Koya | -do- |
| 3. K.M. Sayed Muhammed | -do- |
| 4. T.P. Migdad | -do- |
| 5. Hassan U.D. | -do- |
| 6. D. Ibrahim | -do- |
| 7. Ismail | -do- |
| 8. Ali Yousuf D. | -do- |
| 9. Kunnudaruge Hussain | -do- |
| 10. Mohammed T.V. | -do- |
| 11. Hassan Kallikagothi | -do- |
| 12. Hussain Malugothi | -do- |
| 13. N.P. Mohammed | -do- |
| 14. Ali Damuge | -do- |
| 15. Amina Kudage | -do- |
| 16. Amina ^M alamathiga | -do- |
| 17. Kadeeja Essakunnuge | -do- |
| 18. K.A. Moosa | -do- |
| 19. Ibrahim | -do- |
| 20. Ali V.D.G. | -do- |
| 21. Fathima V. | -do- |
| 22. Hassan ^M anickagothi | -do- |
| 23. Pulla S.P. | -do- |
| 24. Hassan Palimathige | -do- |
| 25. Ibrahim Amindathage | -do- |
| 26. Razzaque Kakachiyoda | -do- |
| 27. Mohammed Geburige | -do- |
| 28. Ali K.M. | -do- |
| 29. Moosa Kaunimage | -do- |
| 30. Moosa H.V. | -do- |
| 31. K.V. Hamzakoya | -do- |

32. Cheriyakoya Agricultural Labourer, Agricultural
Demonstration Unit, Minicoy Union
Territory of Lakshadweep.

33. Damuge Moosa -do-

34. K. Ali -do- .. Applicants

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Administrator Union Territory
of Lakshadweep, Kavaratti.

2. The Director of Agriculture,
Office of the Director of
Agriculture, Lakshadweep,
Kavaratti.

3. The Union of India represented by
Secretary to Government, Ministry
of Home Affairs, New Delhi. .. Respondents

(By Advocate Shri PR Ramachandra Menon, ACGSC, (represented)

O.A. No. 639/96.

1. M.C. Aboosala, Scavenger
Secretariate, Kavarathi.

2. K.K. Aboosala, Peon,
Public Works Department, Office,
Amini. .. Applicants

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Administrator, Union Territory of
Lakshadweep, Kavaratti.

2. The Director of Agriculture, Office
of the Director of Agriculture,
Lakshadweep.

3. The Union of India represented by
Secretary to Government, Ministry
of Home Affairs, New Delhi. .. Respondents

(By Advocate Shri PR Ramachandra Menon, ACGSC(represented)

O.A. No. 885/96.

1. Kunhimon Keelacherry,
Group 'D' Employee,
Community Health Centre,
Amini Island, Union Territory
of Lakshadweep.

2. T.C. Ibrahim, Group 'D' Employee,
Community Health Centre,
Amini Island, Union Territory of
Lakshadweep.
3. S.K. Attakidave, Casual Employee,
Primary Health Centre, Kadmath
Island, Union Territory of Lakshadweep.
4. Purathupura Hamza, Group 'D' Employee,
Primary Health Centre, Kadmath,
Union Territory of Lakshadweep. .. Applicants

Vs.

The Administrator, Union Territory
of Lakshadweep, Kavaratti. .. Respondent

(By Advocate Shri S. Radhakrishnan, ACGSC)

O.A. No. 938/96.

1. P.P.Ismail, Casual Labourer,
Agricultural Department, now working
as Peon, Lakshadweep Cochin Office, Cochin.
2. P.C.Kasmi, Casual Labourer,
Agricultural Department, Kadamat Island,
Union Territory of Lakshadweep.
3. K.K.Mohammed, Casual Labourer,
Agricultural Department, Kadamat Island,
Union Territory of Lakshadweep.
4. M.C.Hamzath, Casual Labourer,
now working as Spray Dressing Operator,
Agricultural Department, Kadamat Island,
Union Territory of Lakshadweep.
5. M.C.Usman Kunhi, Casual Labourer,
now working as Spray Dressing Operator,
Agricultural Department, Kadamat Island,
Union Territory of Lakshadweep.
6. M.C.Sulaiman, Casual Labourer,
now working as Spray Dressing Operator,
Agricultural Department, Kadamat Island,
Union Territory of Lakshadweep.
7. K.P.Aboosala, Casual Labourer,
now working as Spray Dressing Operator,
Agricultural Department, Kadamat Island,
Union Territory of Lakshadweep.
8. N.Saina, Casual Labourer, now working as
Spray Dressing Operator, Agricultural
Department, Kadamat Island,
Union Territory of Lakshadweep.
9. P.S.Kasmi, Casual Labourer,
Agricultural Department, now working as
Peon, Electricity Department, Kadamat Island,
Union Territory of Lakshadweep.
10. K.Sayed Mohammed, Casual Labourer,
Agricultural Department, now working as
Peon, Island Council Office, Kadamat Island,
Union Territory of Lakshadweep.

11. P.P.Basheer, Casual Labourer, Agricultural Department, now working as Laboratory Attendant, Kadamat Island, Union Territory of Lakshadweep.
12. K.C.Tangakoya, Casual Labourer, now working as Fieldman, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
13. T.P.Sayed Kunhi, Casual Labourer, now working as Mali, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
14. K.C.Koyamma, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
15. R.H.Ibrahim, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
16. K.P.Bambatti, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
17. B.Ishaque, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
18. V.I.Hamza, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
19. B.C.Abdul Hayath, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
20. A.P.Attakoya, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep, now working as Sevak, Jawaharlal Nehru College, Union Territory of Lakshadweep.
21. M.K.Mohammed Haneefa, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
22. C.P.Abdul Kareem, Casual Labourer, Agricultural Department, now working as Laboratory Attendant, Social Welfare Department, Kadamat Island, Union Territory of Lakshadweep.
23. P.Attakoya, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.

24. K.Hajaroma, Wife and Legal heir of late P.P.Mohammed, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
25. P.S.Soudath, Wife and legal heir of late B.C.Jaifar, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
26. N.P.Attabi, Wife and legal heir of K.S.Haris, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
27. K.Hairumbi, Daughter and legal heir of late K.M.Fathumma, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.
28. K.Kadishath, Daughter and legal heir of late K.M.Fathumma, Casual Labourer, Agricultural Department, Kadamat Island, Union Territory of Lakshadweep.

....Applicants

vs

1. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.
2. The Director, Department of Agriculture,
Union Territory of Lakshadweep,
Kavaratti.
3. Union of India represented by
Secretary to Government,
Ministry of Home Affairs, New Delhi.

....Respondents

(By Advocate Shri S Radhakrishnan, ACGSC)

These applications having been heard on 12th November, 1996, the Tribunal on the same day delivered the following:

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

The Tribunal considered a similar issue in OA No.1149/94 and connected cases, and by order dated 29.6.95, the Tribunal directed respondent Administrator, Union Territory of Lakshadweep, to examine the cases of the applicants in those applications and take a fresh decision on whether they are entitled to pro-rata wages in terms of OM dated 7.6.88, and if the applicants in those applications were found eligible, to pay the difference between the pro-rata wages to which they

contd.

are entitled and the wages paid already. Applicants in these applications contend that respondents have carried out the directions of the Tribunal in OA 1149/94 and connected cases, but that the same relief has not been extended to the applicants in these applications on the ground that they were not parties in the cases mentioned above.

2. It is seen that the Tribunal has considered the issue in general and not with specific reference to the applicants in OA 1149/94 and has found that a broad comparison of the nature of the work done by the applicants in those applications and the work done by a regular employee has to be carried out to ascertain the eligibility of the applicants to get pro-rata wages in terms of the OM of 7.6.88. Such a direction cannot be taken as applicable only to the applicants who had come before the Tribunal in those applications, since it was a matter of interpretation of the OM referred to.

3. Respondents have stated in OA 636/96, 654/96, 637/96, 639/96 and 938/96 that the applications are barred by limitation. The relief sought for is in terms of the order of the Tribunal, which was pronounced in June, 1995, and the directions were implemented by the respondents by passing orders dated 16.11.95. These applications are well within time considering that date and we do not consider that these applications are barred by limitation.

4. Applicants in these applications are also entitled to the same relief as was granted to the applicants in OA 1149/94 and connected cases. We, accordingly, direct the respondent Administrator, Union Territory of Lakshadweep, to consider

contd.

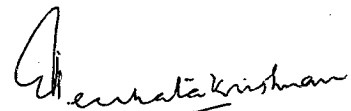
the cases of applicants herein in terms of the directions of the Tribunal in OA 1149/94 in order to find out whether the applicants herein are also eligible for being paid pro-rata wages in terms of OM dated 7.6.88. A decision in this regard will be taken within four months of today and if the applicants are found eligible, arrears of wages shall be paid to them within three months of the date of the decision of the Administrator.

5. Applications are disposed of as aforesaid. No costs.

Dated the 12th November, 1996.



AM SIVADAS
JUDICIAL MEMBER



PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER