

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No.401/04

Dated Monday this the 7th day of June, 2004.

C O R A M

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN  
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER

A.Hussain (Arappalingothi)  
S/o P.A.Abdul Rahman Kutty  
Primary School Teacher  
Government High School, Minicoy  
Union Territory of Lakshadweep.

Applicant

.(By advocate Mr.P.V.Mohanan)

Versus

1. The Administrator  
Union Territory of Lakshadweep  
Kavaratti.
2. The Director of Education  
Directorate of Education  
Union Territory of Lakshadweep  
Kavaratti.

Respondents.

(By advocate Mr. S. Radhakrishnan)

The application having been heard on 7th June, 2004 the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

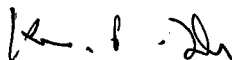
The applicant was initially appointed as a Matric Untrained Teacher in the Government High School, Minicoy in the pay scale of Rs.80-95-EB-110 with effect from 11.8.1973. He was later sent for training and was re-inducted after the training on 26.9.1978 as Primary School Teacher Grade I in the scale of Rs.330-560. Taking into account the service as Primary School Teacher Grade I from 1978, the applicant's pay was fixed in the scale of Rs.5000-8000 and it has been revised in terms of the orders on the recommendations of the 5th Central Pay Commission with effect from 1.1.96. The applicant had made A-3 representation on 5.12.2003 praying that his service from 11.8.1973 onwards had got to be reckoned for the purpose of qualifying service for pension etc. The representation is yet to be considered and disposed of. In the gradation list (Annexure

A-4) of the Primary School Teachers appointed from 15.2.1973 to 31.12.2001, the applicant has been assigned position at Sl.No.148 showing the date of commencement of service as 11.8.1973. But yet no reply to the above representation as to whether the period would be treated as service for pension and other benefits has been communicated to him. Under these circumstances, the applicant has filed this application for a direction to the respondents to reckon the service rendered by him from 11.8.73 to 19.8.76 (untrained period) and the service between 19.8.76 to 24.7.78 (training period) as on duty and qualifying service for fixation of pay, terminal benefits and other consequential benefits and in the alternative for a direction to consider and dispose of A-3 representation on merits.

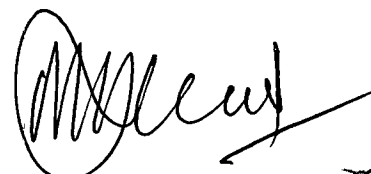
2. When the application came up for hearing, Mr. S. Radhakrishnan, Advocate, took notice on behalf of the respondents. The learned counsel on either side agreed that the application may be disposed of directing the first respondent to consider the representation of the applicant (Annexure A-3) in the light of the rules and instructions on the subject and to give the applicant an appropriate reply within a short time.

3. In the light the above submissions by the learned counsel on either side, the application is disposed of directing the first respondent to consider the A-3 representation of the applicant in terms of the rules and instructions on the subject and to give the applicant an appropriate reply within a period of 2 months from the date of receipt of the copy of this order. No order as to costs.

Dated 7th June, 2004.



H.P.DAS  
ADMINISTRATIVE MEMBER  
aa.



A.V.HARIDASAN  
VICE CHAIRMAN