CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.2980/2017

New Delhi this the 30th day of July, 2019

HON'BLE MS. NITA CHOWDHURY, MEMBER (A)

B.M. Mishra
S/o Shri B.C.Mishra
R/o C-11, Navkunj Apartment,
I.P. Extension,
New Delhi-110092. ..Applicant

(By Advocate: Shri Rakesh Dahiya)

Versus

1. Union of India
Ministry of Woman and Child Development,
Through its Secretary,
Government of India,
North Block,
New Delhi-110001.

2. Department of Personnel and Training,
Through its Secretary,
Ministry of Personnel, Pubic Grievances and
Pensions, Government of India,
Shram Shakti Bhawan, New Delhi. ..Respondents

(By Advocate: Shri Rajinder Nischal)

ORDER (ORAL)

This OA has been filed by the applicant seeking the following reliefs:-

> "(i) Quash the decision dated 25.04.2017 passed by respondent No.2 and direct the respondents Nos. 1,2 and 3 to release pensionary benefits to the applicant;
>
> (ii) Direct the respondents to frame appropriate policy by treating the employees appointed co-terminus with the office of the Ministers who render

continuous service for more than 10 years at par with the temporary employees under the Government of India and retired or discharged on medical grounds after 10 years service and held eligible for pension by applying provisions of CCS (Pension) Rules, 1972; and

(c) Any other relief as this Hon'ble Tribunal may deem fit in the facts and circumstances of the case".

2. The facts, in brief are that vide Notification dated 21.12.1998 (Annexure A-2) issued by the Ministry of Communications, Department of Communication, the applicant was appointed as First Personal Assistant to the Minister for communication in temporary capacity with effect from 06.12.1998 as a direct appointee. The appointment of the applicant was co-terminus with the tenure of the Minister i.e. Shri Jagmohan. Thereafter, vide order dated 21.09.1999 issued by the Deputy Secretary, Ministry of Communications, Department of Communications services of the applicant along with other officers were placed at the disposal of their parent department. Applicant was again appointed as First PA in the personal staff of Minister for Urban Development w.e.f. 08.06.1999. He was again appointed vide order dated 18.04.2000 as Assistant Private Secretary to the Minister for Urban Development w.e.f 10.01.1999 on the same terms and conditions. With the change in the portfolio of Shri Jagmohan from Minister for Urban Development to the Minister for Tourism, Statistics and Programme Implementation, the applicant was again appointed as

Assistant Private Secretary with Shri Jagmohan w.e.f. 01.09.2001 in the same pay scale of Rs.6500-200-10500. Thereafter, he was again appointed as APS to the Minister of State (Independent Charge) Smt. Renuka Choudhary w.e.f. 01.09.2001 on the same pay scale with admissible increments. On assuming charge by Smt. Renuka Chaudhary, the applicant was appointed as APS w.e.f 07.03.2006. He was again appointed as APS to the next Minister of State for Women and Child Development Smt. Krishna Tirath in the Pay Band and Grade Pay of Rs.9300-34800/- in the Grade Pay of Rs.4800/-. He continued as APS to the Minister of State for Women and Child Development and was relieved vide order dated 27.05.2014. The applicant also received various recommendation letters from various Ministers for his competency, devotion and hard word.

3. The applicant has further prayed that all the benefits extended to regular employees including increments etc. were given to him from time to time and his pay was also revised and refixed by implementing the recommendations of VIth CPC vide order dated 13.09.2008 issued vide order dated 13.09.2008 and DOP&T OM dated 19.08.2010. He is also asking for Gratuity and made representation to the Ministry of Women and Child Development. In response thereto, the Under Secretary in the Ministry of Labour and Employment observed after examining the matter in consultation with the Chief Labour Commissioner that the applicant has work

continuously but it is difficult to establish the nature of his employment in the absence of service conditions of employment. He has also stated that vide OM dated 28.07.2015 issued by the Ministry of Women and Child Development also shows that his services with the Govt. of India was without any break. The applicant's claim was finally rejected by the Ministry of Labour and Employment on 29.01.2016 that Central Government is not an establishment under the Payment of Gratuity Act, 1972. Thereafter he moved the Controlling Authority for payment of Gratuity as he has worked for about 16 years which was allowed vide order dated 06.05.2016. Thereafter, the Ministry of Women and Child Development filed an appeal against the order dated 06.05.2016 and same was dismissed by the Appellate Authority vide order dated 14.12.2016. Ultimately, the applicant filed a case before the Labour Court and Gratuity was released to him vide MWCD order NO.19/74-2015-Admn (pt.) dated 11.01.2017.

4. Dissatisfied that only Gratuity has been released to the applicant, he made a representation on 10.02.2017 to the Ministry of Women and Child Development for release of pension and other benefits as he has completed more than 15 years in Government Service. Receiving no response, the applicant sent a reminder dated 11.04.2017. He has particularly relied on the OM dated 20.01.1997 issued by the DOP&T wherein it was held that the personal staff of Ministers whose appointment was co-terminus

with the office of the concerned Minister as such employees were treated to be holding civil post under the employment of the Government. Furthermore, by way of DOP&T OM dated 18.07.2000 service rendered by the personal staff earlier was liable to be considered for the purpose of counting of increment etc. if there is no break and such employee is re-appointed in the personal staff. He has also stated that in some States like Kerala the Personal Staff of the Ministers appointed on co-terminus basis have been granted pensionary benefits as such he is also entitled the same relief. He has thus prayed that the OA be allowed.

5. The respondents have filed their reply and denied all the allegations raised by the applicant for grant of pensionary benefits by stating that co-terminus employees are not entitled to any benefit hence applicant is not entitled to any relief.

6. The applicant has filed rejoinder denying all the pleas taken by the respondents and pleaded that he is entitled for the reliefs sought by him.

7. The respondents in this case has filed sur rejoinder explaining the case in detail. They have stated that the applicant, being a non-official and co-terminus employee, is not covered under Rule 2 of CCS (Pension) Rules, 1972. Co-terminus employees who are similarly situated/appointed in the personal staff of Union Ministers are not granted Pension under said CCS (Pension) Rules.

Therefore, the claim of the applicant that he has been differently treated from the similarly situated employees is not true. The applicant is trying to delude the Hon'ble Court by stating "the post he was holding was a permanent pensionable post" which is incorrect. The applicant has failed to differentiate between the kinds of services covered under Rule 2 of the CCS (Pension) Rules, 1972 and co-terminus appointments in the personal staff of Union Ministers in Govt. of India. Therefore, drawing of reference to those categories and employees is not correct and should not be based on inferences and is, therefore not relevant in the present case. It is once again asserted that appointment on co-terminus basis terminates at the end of the tenure and is, therefore, not continuous unlike appointment to the civil posts through various modes of recruitment to the civil posts through various modes of recruitment. Pension is admissible under the relevant rules only for the services borne on pensionable establishments which do not cover a co-terminus appointment. The applicant in the Court of ALC (Central), New Delhi, while seeking payment of gratuity under PG Act, 1972, has admitted that he was never a government employee and that he was a non-official. Also, in para-7 of his rejoinder, he admitted that he was working for wages with an establishment and he was not Government employee and not governed by CCS (Pension) Rules (R-43 attached with the reply filed by the Respondents). All authorities while granting gratuity under

Payment of Gratuity Act, 1972 to the applicant clearly mentioned that he was on wages and he was not covered under CCS (Pension) Rules, 1972. In fact by quoting the resolution No.2-13-87-PIC dated 18.03.1987 and OM No. 32/1/86-P&PW dated 30.09.1986, the applicant is trying to delude the Hon'ble Court stressing on the Phrase 'temporary employees'. Temporary Employees in the Government of India are covered under Central Civil Services (Temporary Services), Rules, 1965 and personal staff appointed on co-terminus basis in Union Minister's Office is not entitled for the benefits under the said Rules. As per Constitutional Provisions, after each General Elections to Lok Sabha and formation of elected Government, the Ministers take charge of a Ministry/Department and the tenure of a Minister is well within the maximum tenure period of one elected Government i.e., maximum of five years only. Persons working in Union Minister's office on co-terminus basis are not termed as either permanent or temporary, nor they are on probation and the appointment is purely at the discretion/pleasure of the Union Ministers concerned. The Union Ministers concerned can select any person either private or Government Servant as per their likings and there is no selection process unlike appointment process for a Government Servant. Further, there are no recruitment rules and no competitive selection process. The appointment may be discontinued during his/her tenure at any point of time even before completion of the maximum tenure of 5

years. Therefore, drawing reference to Article 14 of the Constitution of India is not correct and also not relevant in the present case. Hence, the applicant cannot seek parity with a Government servant.

8. Whenever a Union Minister takes charge of a Ministry/Department, the Ministry creates the co-terminus posts for the personal staff of a Minister as per the entitlement and these posts are automatically abolished with the completion of the tenure of the Minister, as guided by Department of Personnel and Administrative Reforms, M/o Home Affairs Office Memorandum No.10/53/77-CS. (II), dated 03.02.1978 and orders issued from time to time as already placed before this Hon'ble Court, as Annexures, along with the reply, of the respondents. Each co-terminus appointment in the personal staff of the Minister is to be continued by the Ministries/Departments as long as the Minister concerned holds the office and such posts against which such co-terminus appointments are made are to be treated as automatically abolished on their demitting the office. In other words, the posts created for the personal staff of the Ministers are co-terminus with the tenure of the Ministers; hence the nomenclature of the appointment/post. Also, the appointments on co-terminus basis are subject to the discretion of the concerned Minister or till further orders or co-terminus for a period maximum to the term of the Minister. Therefore, a person appointed to such posts cannot ever

claim any continuity of service when appointed in the personal staff of Union Ministers. In this view of the matter, the services of such co-terminus appointees are terminated due to non-existence of such posts thereafter as the posts get automatically abolished on demitting of the office by the Minister and for further appointments, posts are created afresh every time a Union Minister assumes charge of his/her office. Thus, the tenure of persons appointed on co-terminus basis against the co-terminus posts created for a particular Minister cannot in any case be more than a maximum of a period of five years, the maximum tenure possible for a Minister in a term of the Government as per the constitutional provision. When a Minister cannot hold office for more than five years during a single term of an elected Government, the posts created for the personal staff of that Minister also cannot continue beyond a maximum period of 5 years. At the same time, the persons holding such posts of personal staff in a Union Minister's office also cannot continue beyond that tenure of 5 years in any case. Thus, the claim of the applicant that he worked continuously for more than 15 years does not hold good and is not at all tenable. Once such co-terminus service is terminated, the co-terminus appointee, if a private person, is again out in the open job market. A person like the applicant who rendered services on earlier co-terminus appointment(s) may be selected by a Minister of subsequent Government from open job market for a post created for his

personal staff and appointed after following the prescribed procedure. The co-terminus posts created for the Minister of the subsequent Government has no continuity of earlier co-terminus posts created for his immediate predecessor which staff abolished after his tenure is completed. The persons appointed on co-terminus basis in the personal staff of his predecessor have no right over continuation of his services with the successor. The successor Union Minister has his/her own discretion to recommend any person from open job market for appointment in his/her personal staff and the person if appointed, counts his/her service from the date of his/her appointment to that post and holds only upto the tenure of the successor Union Minister. Discontinuity of service after termination of each co-terminus appointment has been established through subsequent afresh appointment orders, which the applicant also relied upon for claiming the continuity of his service. Counting of the calendar days of his services at the end of one appointment along with subsequent fresh appointment do not establish continuity of service. If such counting of calendar days is allowed, each and every person engaged by the Government as 'Consultant' or on wages or on contract on completion of 10 years of calendar days would be eligible for pension. That is not a set rule. Therefore, the claim of the applicant that he rendered services for more than 15 years in continuity and without break is not at all true as per instructions covering the co-terminus appointments.

Even his claim is not at all supported by the Constitutional provisions. The applicant is well aware of the service conditions of the co-terminus appointments i.e., non-entitlement of pension benefits inter-alia while taking such assignments each time. Thus, the applicant who has been appointed through multiple appointments in the personal staff of various Ministers against the posts created for such Ministers at different time periods and after termination of earlier appointment has no continuity of 15 years without break. In support of his claim that he holds a civil post and is being paid salary from the Consolidated Fund of India, he has enclosed a copy of the letter of Rashtriya Mahila Kosh dated 23.09.2015 (Annexure A-22) wherein he has mentioned in his submission that it is a copy of letter dated 23.09.2014 issued by M/o WCD. It is submitted that through the relief sought under 5-C of his Original Application, the applicant clearly acknowledges that he is not entitled under the existing provisions of the CCS (Pension) Rules, 1972 and requested to make appropriate provisions regarding pensionary benefits to the persons like him. Therefore, the applicant is well aware that he is not eligible for pension as per existing provisions.

9. The respondents have further submitted that applicant had earlier sought relief for this period of employment, i.e. Gratuity

to the Assistant Labour Commissioner (Central), New Delhi and now seeks further reliefs under the CCS Act and Rules and the same is not permissible.

10. The terms and conditions of appointment in the personal staff of Union Ministers are decided by the Government of India and are not to be compared with the status in the State Governments which is guided by the individual State Government's decisions. The pension benefit to the applicant was denied as he was a non-official and not covered under CCS (Pension) Rules, 1972. Thus, there has been no violation of provision of Article 14 in his case and, therefore, drawing attention to that is misleading and not tenable in law. Detailed submissions in this regard have already been made in the reply filed by the Respondents. The respondents are well aware of service rules guiding the service conditions of the Applicant. The guidelines for creation of co-terminus posts and appointments thereto are in place and available in various Office Memoranda issued by Department of Personnel and Training. The pertinent Office Memorandum on the subject issued by the Department of Personnel and Administrative Reforms, M/o Home Affairs Office Memorandum No. 10/53/77-CS.(II), dated 03.02.1978 has also been submitted by the respondents as R-3 in the reply filed. The Applicant, being a non-official appointed on a co-terminus basis, is entitled for the benefit of a Contributory Provident Fund (CPF). The

section 2 of CCS (Pension) Rules 1972 shall not apply to persons entitled to the benefit of Contributory Provident Fund. The appointment orders issued clearly mention the appointment as on co-terminus basis till the tenure of the Minister and at the discretion of the Minister till he/she desires so. Thus the applicant cannot be treated at par with a regular employee for the purpose of grant of pension. Persons of non-entitled classes cannot be granted pension. Such co-terminus Posts are created and continued till the tenure of the concerned Minister for a maximum period of five years and are automatically abolished thereafter and, therefore, are not pensionable posts. Once the services of a non-official appointed as co-terminus appointee are terminated, he/she ceases to exist as an employee thereafter and, therefore, has no lien to that post to which he/she was appointed. Further, the services rendered by the applicant under multiple appointments (with terminations in between each appointment) cannot be counted as continuous service. Persons appointed on or before 31.12.2003 including civilian Govt. servants in the Defence services, appointed substantively to civil services and posts in connection with the affairs of the Union which are borne on pensionable establishments are only covered under the CCS (Pension) Rules, 1972. The appointment to a co-terminus post, under no circumstances is a substantive appointment. The last co-terminus appointment of the Applicant was terminated on 25.06.2014. The applicant's claim that

he is still continuing in service with the Government of India is totally untrue and, therefore, not acceptable. His claim that he was again appointed as APS to the Minister of Women and Child Development w.e.f. 28.05.2017 is also not correct as Ministry of WCD did not issue any such appointments orders. The Annexure A-24 (Colly) submitted by the applicant at page-81 of his rejoinder does not reflect his appointment as Assistant Private Secretary in the personal staff of Hon'ble Minister of WCD w.e.f. 28.05.2014 (referred to incorrectly as 28.05.2017 by the Applicant) as the same is an internal note from Hon'ble Minister (WCD) to Secretary (WCD) recommending his appointment. It is submitted that on the recommendations of the Hon'ble Minister(s), the proposals are examined by the Ministries/Departments and if found compliant with the existing rules/instructions and procedures laid down by DOPT from time to time, approval of the competent authority is obtained before issuing of appointment orders of co-terminus appointees. The applicant being co-terminus appointee on different occasions is well aware that appointment orders for co-terminus appointees are issued by the Ministries/Departments. Thus, the claim of the Applicant that he was appointed by the Ministry of Women and Child Development by producing the internal note of Hon'ble Minister (WCD) is far from true. But so far as the present case is concerned, it is submitted that the recommendation of Hon'ble Minister (WCD) (Annexure A-24 (Colly) for appointing the

applicant as her APS w.e.f. 28.5.2014 was subject to the approval of D/o Personnel and Training in view of Office Memorandum No. 31/65/2009-EO (MM-I), dated 4.3.2010 and Office Memorandum No.31/11/2010-EO (M-I), dated 13.05.2010. With reference to these DOPT's OMs dated 4.3.2010 and 13.05.2010, M/o WCD vide D.O. letter No.2-2/2014-Admn., dated 04.06.2014 requested DOPT for relaxation of the upper ceiling of ten years in the case of Shri B.M. Mishra (Annexure A-25 at page-82). However, DOPT did not accede to the M/o WCD's request for relaxation. Hence, the co-terminus appointment of Shri B.M. Mishra with effect from 29.05.2009 in the office of personal staff of the then MoS (IC) (WCD) was terminated on 25.06.2014.

11. The Rashtriya Mahila Kosh (RMK) was established by the Government of India in March, 1993 as an autonomous body under the Ministry of Women & Child Development. It was registered under the Societies Registration Act 1860. Hon'ble Minister (WCD) is the Chairperson (ex-officio) of the Rashtriya Mahila Kosh. The applicant was appointed as Consultant for Rashtriya Mahila Kosh are on the terms and conditions mentioned in RMK's communication offer letter No.RMK/Cons./BMM/2014, dated 1.7.2014. His assignment as Consultant with RMK and his posting with the Chairperson (ex-officio) are not against any posts belonging to the Government of India. Thus the applicant's claim that he will

be completing his 20 years continuous service with the Government of India in December, 2018 is not at all true and he is misleading the Court by the Statement.

12. The applicant has relied upon various Court cases disposed off by the Hon'ble Apex Court which are not applicable in the present case as the applicant did not hold any posts borne on pensionable establishments and is, therefore, not eligible for grant of pension under any of the existing rules/instructions on the subject. The applicant was well aware of the service conditions of co-terminus appointments and accepted them all through his multiple co-terminus appointments. Hence they have prayed that the OA be dismissed.

13. Heard the learned counsel for the parties and perused the pleadings on record. The applicant has relied upon the judgment of the Hon'ble Apex Court in Civil Appeal No.8216-8217/2018 and connected cases in **K. Anbazhagan and Another Vs. The Registrar General, High Court of Madras and Another** decided on 13.08.2018. The respondents have distinguished this case by stating that in **K. Anbazhagan and Another Vs. The Registrar General High Court of Madras and Another** (supra) pertains to appointments made in the State of Tamil Nadu and to the facts that all the appellants have completed qualifying service of 10 years under the Tamil Nadu Pension Rules, 1978 and were clearly entitled

for pension and gratuity. While in this matter, the applicant of this OA had a co-terminus engagement during the tenure of a Minister in the Central Cabinet. Hence, the applicant of this OA, does not stand on the same footing.

14. Further, the Hon'ble Apex Court in **State of Gujarat and Anr. Vs. P.J. Kampavat and Ors. reported in 1992 (3) SCC 226**, had occasion to look into a similar situation. That was a case where persons concerned were appointed directly in the office of the Minister on purely temporary basis for a limited period up to the tenure of the Chief Minister. The relevant paras of the said order reads as under:-

> "7. **It is evident from a reading of the order of appointment of the writ petitioners that it was purely a contractual appointment conterminous with the tenure of the Minister's establishment, at whose choice and instance they were appointed. The order expressly stated that they shall not get any right to appointment in regular cadre. Their services were, it was expressly stated, liable to be terminated at any time without giving any notice and or without assigning any reasons. Indeed, they were asked to furnish undertakings in the above terms which they did.** The order no doubt employs the words "appointed as direct recruits on purely temporary basis and these are the words which constitute the sheet-anchor of the writ petitioners contention. We are, however, of the opinion that the order must be read as a whole and so read, it is clear that the, appointment of the respondents/ writ petitioners was made otherwise than in accordance with the rules, at the choice and on the recommendation of the concerned Minister who wanted them to serve in his establishment. That the State has the power to make such contractual appointment is recognised by Cl. (2) of Art. 310 Cls. (1) and (2) of Art. 310 reads as follows:

"310. Tenure of office of persons serving the Union or a State:- (1) Except as expressly provided by this Constitution, every person who is a member of a defence service or of a civil service of the Union or of an All-India service or holds an post connected with defence or any civil post under the Union, holds office during the pleasure of the President, and every person who is a member of a civil service of a State or holds any civil post under a State holds office during the pleasure of the Governor of the State.

9. **In the light of this clause it is idle to contend on the part of the respondents/writ petitioners that their appointment is under the rules or that their appointment is a temporary appointment within the meaning of Bombay Civil Service Rules**. Rule 2 of the Bombay Civil Service Rules which is quoted in the judgment of the High Court reads thus

"except where it is otherwise expressed or implied, these rules apply to all members of services and holders of posts whose conditions of services the Government of Bombay are competent to prescribe: Provided that they shall also apply to:-

"(a) any person for whose appointment and conditions of employment special provision is made by or under any law for the time being in force, and

(b) any person in respect of whose service, pay and allowances and pension or any of them special provisions has been made by an agreement made with him in respect of any matter not covered by the provisions of such law or agreement."

10. The High Court has relied upon the said rule to hold that the writ petitioners are covered by Cl. (b) to the proviso. It has further held that the respondent must be deemed to be holders of temporary posts within the meaning of Rule 9(56) which defines the expression temporary post to mean a post carrying a definite rate of pay sanctioned for a limited time. On the above basis, the High Court has applied Rule 33

which provides the mode of terminating the service of a temporary Government servant. Inshort, the rule provides for a prior notice, the duration of which depends upon the length of service put in by the temporary Government servant. We are, however, of the opinion that the said rules have no application to the respondents herein and that they cannot be deemed to be temporary Government servants within the meaning of the said rules inasmuch as the terms of their appointment clearly amount to an otherwise provision within the meaning of the non obstante clause ("except where it is otherwise expressed or implied") with which R. 2 begins. **The order appointing the respondents expressly states not only that their services shall be terminated at any time without giving any notice and without assigning any reason but also that their appointment is for a limited period conterminous with the concerned minister's tenure.** They were also asked to execute an undertaking in the above terms which they did. It is evident that the terms of their appointment and the undertaking are clearly inconsistent with the said rules and in particular with R. 33. Rule 33(1)(b) and the term making their tenure conterminous with their minister cannot go together. Sub-rule (1) of R. 33 of the Bombay Civil Service Rules may be set out at this stage, for the reason that the High Court has rested its case on Cl. (b) of the said sub-rule.

11. For the reasons given above, we are of the opinion that the appointment of the respondents was a pure and simple contractual appointment and that such appointment does not attract and is outside the purview of the Bombay Civil Service Rules, 1959. **Since the tenure of the ministers at whose instance and on whose recommendation they were appointed has come to an end with 10-12-1989 their service also came to an end simultaneously. No order of termination as such was necessary for putting an end to their service, much less a prior notice. They ought to go out in the manner they have come in**".

15. The respondents have further relied upon the decision to the Apex Court in **Union of India Vs. Dharam Pal, 2009 (4) SCC 170**, the requirement of being employed through proper channel could not be relaxed in an arbitrary and cavalier manner for the benefit of a few persons. This would be clearly violative of Articles 14 and 16 of the Constitution of India.

16. Hence, in view of the fact that the applicant of this OA has himself in his relief No.(ii) asked the respondents to frame appropriate policy by treating the employees appointed co-terminus with the office of the Ministers who render continuous service for more than 10 years at par with the temporary employees under the Government of India and retired or discharged on medical grounds after 10 years service and held eligible for pension by applying provisions of CCS (Pension) Rules, 1972, it is clear that the applicant knows that at present there are no rules under which he can get pensionary benefits. The same position has further been reiterated by the Hon'ble Apex Court in the case of **Malikarjuna Rao Vs. State of Andhra Pradesh, 1990 (1) SCALE 705** that the power under Art. 309 of the Constitution to frame rules is the legislative power. This power under the Constitution has to be exercised by the President or the Governor of a State as the case may be. The High Courts or the Administrative Tribunals cannot issue a mandate to the State Government to legislate under Article 309 of the Constitution. The

Courts cannot usurp the functions assigned to the executive under the Constitution and cannot even indirectly require the executive to exercise its rule making power in any manner. The Courts cannot assume to itself a supervisory role over the rule making power of the executive under Article 309 of the Constitution. Hence, no direction can be issued to the respondents to grant pension to the applicant.

17. Further, after discussing the various Hon'ble Supreme Court judgments cited above, we find no reason to quash the order dated 25.04.2017 passed by the respondents as the applicant is not entitled to any pension as his services were co-terminus with the office of the Ministers with whom he worked and the same do not have any provisions for pensionary benefits, which are sought to be claimed by the applicant in this OA.

18. In view of the above, there is no ground to allow the OA and as such the same is dismissed. No costs.

(NITA CHOWDHURY)
MEMBER (A)

Rakesh