
(2021) 07 CAT CK 0022

In the Central Administrative Tribunal

Case No : Original Application No. 180, 00312 Of 2021

Dr Seema A & Others

APPELLANT

Vs

Centre For Materials For Electronics Technology (C-MET) &
Others

RESPONDENT

Date of Decision : 26-07-2021

Acts Referred:

Citation : (2021) 07 CAT CK 0022

Hon'ble Judges : P. Madhavan, Member (J); K.V .Eapen, Member (A)

Bench : Division Bench

Advocate : P.N. Mohanan, C.P. Sabari

Final Decision : Disposed Of

Judgement

P.Madhavan, Member J

1. This Original Application has been filed by the applicants seeking the following reliefs:

a) Issue a direction directing the respondents 1 to 3 to convert the provident fund of the applicants from CPF Scheme (Contributory Provident Fund

Scheme) to GPF Scheme (General Provident Fund Scheme) and to grant pension in accordance with CCS (Pension) Rule, 1972 in the light of Ann.A7

& A8 judgments.

b) Declare that the applicants are entitled to get transfer their CPF Scheme (Contributory Provident Fund Scheme) to GPF Scheme (General

Provident Fund Scheme) as they joined in the service before 31.12.2003 and by virtue of the legal fiction created by Ann.A2, A3, A5 & A6 and

consequential benefits.

c) declare that in terms of para 2 of the bye-law the applicants are to be enrolled

in the GPF Scheme (General Provident Fund Scheme) and are entitled to get pension under the CCS (Pension) Rule, 1972 in the light of Ann.A7 & A8 judgments.

d) Grant such other and further reliefs as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case. "

2. The brief facts of the case are as follows:

The applicants joined in the service of the first respondent which is fully owned and funded by the Government of India as an autonomous institution,

considering the discharge of function to be executed, in time bound manner, on various dates in various cadre before 31.12.2003 and before National

Pension Scheme came into force. The applicants submit that they are governed by CCS (Classification Control and Appeal) Rules, 1972 as adopted in

Annexure A-1 bye-law and by virtue of Annexures A-2, A-3, A-5 and A-6, they are entitled to be enrolled in the GPF Scheme. But they were

enrolled in the CPF Scheme without any option exercised by the applicants. The question raised in this O.A is that whether the applicants are entitled

to convert their Provident Fund from CPF Scheme to GPF Scheme and to get pension in terms of CCS Pension Rule, 1972.

3. When the matter came up for hearing, Counsel for the applicant has produced a copy of the representation submitted by the applicants as Annexure

A-9 and submits that the applicants will be satisfied if the Annexure A-9 representation is considered by the respondents in the light of relevant rules,

regulations and decisions of various Court's and pass a speaking order within a time limit.

4. Counsel for respondent nos.1 to 3 Adv.Ms.Sudhi Vasudevan,Sr with Adv.Mr.Jose Jones Joseph and Adv.Mr.P.B.Unnikrishnan representing

Adv.Mr.S.Sreenath,ACGSC are present.

5. In view of the limited submission, the respondents are directed to consider the representation at Annexure A-9 in the light of relevant rules,

regulations and decisions of various Court's and pass a speaking order within a period of three months from the date of receipt of a copy of this order.

6. The Original Application is disposed of as above. No costs.