

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.310/00143/2020

Dated the Tuesday, 25th day of February, 2020

PRESENT

Hon'ble Mr.P. Madhavan, Judicial Member

Hon'ble Mr.T. Jacob,Administrative Member

J.A. Rajesh,
S/o. J.S. Anthony,
Door No.41/16, Dr. Aembedkar Nagar,
I Street, Ayanavaram,
Chennai-600 023.

...Applicant

(By Advocate :Mr. P. Rajendran)

Vs.

The Union of India Rep. By
The Chairman, Railway Board,
Ex-Officio Secretary
Ministry of Railways,
Government of India
New Delhi- 110 002.

...Respondent

(By Advocate: Mr.P. Srinivasan)

O R A L O R D E R

(Order: Pronounced by Hon'ble Mr.P. Madhavan, Member(J))

Applicant has filed this OA seeking the following reliefs:-

“to call for the records related to engagement of contract labourers through private contractors in the pantry cars in the long distance trains run in the Indian Railways and the representation dated 12.07.2018 and further to direct the respondent to regularize the applicant as per the policy of the Railway Board in absorbing him in posts carrying Pay Matix 'Level 2' with the attendant service benefits with reference to contractual service rendered by the applicant in terms of the mandatory provisions and to pass such other order/orders as this Hon'ble Tribunal may deem fit and proper and thus to render justice.”

2. The case of the applicant is that he was employed through private contractors as bearer with effect from 2013 continued over a length of period and recently on verbal instructions his services were terminated in the year 2017 ignoring consideration to his representation dated 12.07.2018 which is contrary to the mandatory policy of the Ministry of Railways advocated before the Hon'ble 'Committee of Petitions' and published under Rule 382 of the Rules of Procedure and conduct of Business in Lok Sabha (Sixteenth Edition) wherein the Hon'ble Committee of petitions has recommended for regularization of such of those employees as Group 'C' employees carrying the Pay Band I with grade pay of Rs. 1900/-. Hence he filed the instant OA seeking the aforesaid relief.

3. When the matter is taken up, learned counsel for the applicant submits that since the representation made by the applicant dated 12.07.2018 in regard to his grievance is still pending with the respondent, applicant would be

satisfied if the respondent is directed to consider and dispose of the said representation within a time frame fixed by the Tribunal.

4. Mr. P. Srinivasan, Learned Standing Counsel who takes notices for the respondents has no objection to the above prayer. He also observed that IRCTC is not made a party in the O.A.

5. **In view of the limited relief sought, without going into the merits, the respondent is directed to consider and dispose of the pending representation of the applicant dated 12.07.2018 as per relevant rules and regulations and pass a reasoned and speaking order within a period of three months from the date of receipt of copy of this order.**

6. **OA is accordingly disposed of at admission stage without going into the merits of the case. No costs.**

(T. JACOB)
MEMBER(A)

(P.MADHAVAN)
MEMBER(J)

25.02.2020

asvs