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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A No. 646 of 1988

Jeet Narain Applicant

Versus

Union of India & Others Respondents.

Hon'ble A.Johri, A.M
Hon'ble G.S.Sharma, J.M

(By Hon'ble A.Johri)

By this application filed under Section-19 of the Administrative Tribunals Act, 1985 the applicant who was working as a casual Khalasi on the Allahabad Division of Northern Railway and worked upto 28.2.1982, has prayed for a direction to be issued to the respondents, that he may be engaged as a casual waterman in the summer season of 1988, and that the orders given by the General Manager, Northern Railway on 20.8.87 may be implemented and that he may be engaged against a regular vacancy in Group-D category of post as a Khalasi or Porter.

We have heard Shri. Anand Kumar, learned counsel for the applicant, and Shri.A.V.Srivastava on behalf of the respondents. It was submitted before us by the learned counsel for the applicant that in terms of the direction issued by the General Manager, Northern Railway, vide his circular dated 20.8.87, such casual labourers who were discharged at any time after 1.1.81 on completion of work or for want of further productive work should continue to be borne on the Live Casual labour Registers. According to the learned counsel, since the applicant alleges that he was discharged on 28.2.82 in terms of the General Manager's circular, his name automatically ^{W/ should} be on the ^{Live} Casual Labour Register. No documents, however, have been produced before us to show that

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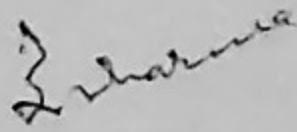
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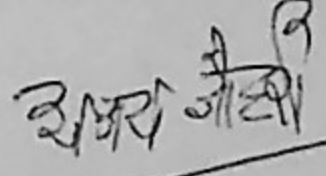
the name of the applicant appears in the Live Casual Labour Register.

As far as the first and third reliefs are concerned, the first relief has become infructuous because the summer season of 1988 has already been expired. The relief, as prayed for, for regular appointment is not maintainable. The Railways have formulated a scheme as a result of the direction given by the Hon'ble Supreme Court in Inderpal Yadav's case for the regular absorption of the casual labour, who have worked on the Railway.

We feel that the original application can be disposed at the admission stage with the following directions that if the allegations of the applicant that he had worked after 1.1.81 and was discharged thereafter on the completion of work or for want of further productive work is correct, and his name has not already been brought on the Live Casual Labour Register, then the same ^{3/ within one month from the date of the receipt of this order} be brought thereon immediately and he be provided some employment ^{3/} ~~within one month from the receipt of this order~~ in terms of the General Manager's circular of 20.8.87.

In view of above the application is disposed of accordingly.


Member (J)


Member (A)

Dated: January 11th 1989.

brc/