



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Original Application No. 85 of 2004

Applicant(s) Jayashree Bhuyan Respondent(s) Union of India & Ors.
Advocate for Applicant(s) M/s. Achintya Das Advocate for Respondent(s)

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p>g.p.o. for Rs. 50/- filed. For Registration Pl. on Memo</p> <p><i>AB</i> 5.3.04</p> <p><i>Reserve</i></p> <p><i>Am</i> 5/3/04</p>	<p>RE</p> <p><i>Am</i> 5/3/04</p> <p><u>1. ORDER DATED 5-3-2004.</u></p> <p>Applicant Jayashree Bhuyan, is a Lady constable. She having been medically declassified has been asked to work as a Jr. Telephone Operator. By placing the circular/letter dated 18.1.1989 of the Railway Board, under Annexure-A/6, at page-19 of the O.A., the Applicant has pointed out that on being medically declassified, a RPF should first be considered to be</p> <p><i>J</i></p>

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absorbed in a Ministerial post in RPF Organisation and only if such vacancy is not available, in that event such a medically declassified person can be absorbed in any other wing/organisation of the Railways.

Applicant has placed on record the letter of the Senior Security Commissioner/RPF of Khurda Road at Annexure-A/3 dt.6.1.04 which disclosed that the RPF organisation have got vacancies available in RPF Org. to accommodate the applicant, J. Bhuyan, lady constable as a Jr.Clerk. Since steps are not being taken by the Respondents to adjust her as a Jr.Clerk in RPF organisation she has filed this O.A. U/s.19 of the Administrative Tribunals Act, 1985.

Heard Mr. Achintya Das, learned Counsel appearing for the Applicant and Mr. R.C. Rath, learned Standing Counsel for the Railways; whom a copy of this O.A. has been served. Since vacancy of Jr. Clerk in the Ministerial staff is available in RPF Organisation of the Railways (as is seen under Annexure-A/3 dated 6.1.04), the applicant should get the first preference to be absorbed in such a vacancy, in view of the Railway Board's Circular under Annexure-A/6, dated 18.1.1989.

In the aforesaid premises, this Original Application is disposed of at this admission stage requiring the Respondents to reconsider the case of the applicant to be absorbed

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as a Junior Clerk in RPF organisation in view of the Railway Board's Circular/letter dated 18.1.1989 within a period of 30 days from the date of receipt of a copy of this order. No costs.

Send copies of this order alongwith copies of the O.A. to the Respondents and free copies of this order be given to learned counsel for both sides.

Y. S. Patel
05/03/04
Member (Judicial)

Free copies of order H 173/04
issued to counsel for both
sides & copies of order alongwith
copies of O.A issued to all the
resps by legal stat.

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