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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 867 OF 2006  
CUTTACK, THIS THE 3<sup>rd</sup> DAY OF JULY, 2008

Jayanti Tiadi ..... Applicant

Vs

Union of India & Others ..... Respondents

FOR INSTRUCTIONS

1. Whether it be referred to reporters or not ?
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ?

(C.R.MOHAPATRA)  
MEMBER (ADMN.)

(K.THANKAPPAN)  
MEMBER (JUDL.)

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 867 OF 2006  
CUTTACK, THIS THE 31<sup>st</sup> DAY OF JULY, 2008

CORAM :

HON'BLE MR.JUSTICE K. THANKAPPAN, MEMBER (J)  
HON'BLE MR. C.R.MOHAPATRA, MEMBER (A)

Jayanti Tiadi aged about 25 years, D/o. late Jagannath Tiadi, At-  
Nuapokhari, P.O. Charampha, Dist-Bhadrak.

.....Applicant

Advocate(s) for the Applicant- Mr. Sanjib Mohanty.

VERSUS

1. Union of India represented through its General Manager, South Eastern Railway, Garden Reach, Kolkata.
2. Divisional Railway Manager, East Coast Railway, Khurda Road, Jatani, Dist. Khurda.
3. Chief Medical Officer, East Coast Railway, Khurda.
4. Medical Superintendent, East Coast Railway, Khurda Road, At/PO-Jatani, Dist-Khurda.
5. Divisional Medical Officer, East Coast Railway, At/PO-Jatani, Dist-Khurda.
6. Senior Divisional Medical Officer, East Coast Railway, At/PO-Bhadrak, Dist. Bhadrak.
7. Divisional Personal Officer, East Coast Railway, AT/PO Jatani, Dist-Khurda.

.....Respondents

Advocates for the Respondents – Mr. S.K.Ojha.

## ORDER

HON'BLE MR.JUSTICE K.THANKAPPAN, MEMBER(J):

The applicant filed this Original Application for a direction to the Respondents for regularizing his service and for arrears of her allowances. The applicant claims that she was duly selected and engaged by the Divisional Medical Officer, South Eastern Railways now East Coast Railways, Khurda on 09.08.1999 as a TB Volunteer and she worked as such for more than 240 days. She further claims that she has the certificates of Scout, NCC etc. As she has got the employment as TB Volunteer, she was attending the duty of meeting TB affected Railway employees and making a survey of TB affected Railway employees, her service ought to have been regularized with all service benefits. It is also claimed by the applicant that her father was Railway employee as a Gangman, who died after his retirement. With the above factual matrix and the claims, the applicant has filed this Original Application.

2: Counter affidavit has been also shown into for and on behalf of the Respondents. As per the counter affidavit, it is stated that the claim of the applicant is baseless and there is no appointment order by the Railway Board or any other authority of the Railways except she was working as a Railway TB Volunteer on her volition as an All India Service to guide TB patients, who are employed in the Railways. It is also the case of the Respondents that the Railway Medical Department arranges yearly many medical programmes such as health camp or mother-hood health examination during the season of disease control programme, various internal observance days like Safe Motherhood day, Diabetic Day, T.B. Day etc. During such camps, organizations like Scout and

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Guide, Red Cross Society, NCC and different NGO Unions and local clubs participate in such programmes voluntarily. The applicant was once volunteered like that with the permission of the District Medical officer. So, the claim of the applicant that she was employed as Guide or a T.B. Observer as employed by the offices of the Railway Board is not correct. Hence, according to the Respondents, the O.A. is devoid of merits.

3. Considering the points raised and the averments contained in the O.A. and the counter affidavit, we are of the view that the applicant miserably failed to prove her case that she was employed by the Railway Board or any other offices of the Railways. No appointment order or any payment receipt for her employment has been produced before this Tribunal and by volunteering herself as a guide in the medical programmes conducted by the Railway Medical Superintendent or the Health Department of the Railways by itself cannot be considered as a basis for claiming any employment under the Railways.

4. In the above circumstances, we are of the view that the O.A. is devoid of any merit and is dismissed without any order as to costs.

  
(C.R.MOHAPATRA)  
MEMBER (ADMN.)

  
(K. THANKAPPAN)  
MEMBER (JUDL.)