

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

**ORIGINAL APPLICATION NO.440/2008.
DATED THE 7th DAY OF JANUARY, 2010.**

CORAM:

HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER

S Rajamoni,
(Ex-Casual Labourer, Southern Railway,
Trivandrum Division),
Residing at: Manchadi Puthen Veedu, Kottamom,
Parasuvaikal P.O., Parassala,
Neyyattinkara, Trivandrum

.... Applicants

By Advocate Mr T C G Swamy

V/s

- 1 Union of India represented by the
General Manager, Southern Railway,
Headquarters Office, Park Town P.O.,
Chennai -3
- 2 The Divisional Railway Manager,
Southern Railway, Trivandrum Division,
Trivandrum – 14.
- 3 The Senior Divisional Personnel Officer,
Southern Railway, Trivandrum Division,
Trivandrum – 14.
- 4 The Chief Engineer,
Construction, Southern Railway,
Egmore, Chennai-8. Respondents

By Advocate Mr Thomas Mathew Nellimoottil

This application having been heard on 07.01.2010 the Tribunal on the same day delivered the following

(ORDER)

HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER

The applicant is a retrenched casual labourer. His name has been maintained in the Live Register of the Trivandrum Division of Southern Railway.



According to him he was initially engaged on 8.2.1979 and continued upto 23.7.1979 under the Inspector of Works/Construction/Southern Railway/Parassala. He was re-engaged on 1.01.1980 and continued upto 05.12.1980 under the permanent Way Inspector/Construction/Nagercoil and again re-engaged on 12.3.1981 and continued upto 01.08.1981 under the same Permanent Way Inspector. Thereafter, he was re-engaged in the open line under the Permanent Way Inspector, Trivandrum for the periods from 10.11.1981 to 13.11.1981, 14.11.1981 to 18.11.1981 and 22.11.1981 to 28.11.1981. Thus, he had rendered more than 360 days of casual service.

According to the respondents applicant name is available at seniority list of Live Register of the retrenched Casual Labourers of the Trivandrum Division at serial no.2801. They have the recorded only of 142 days of casual service at his credit. They have, therefore, not taken any further steps to absorb him as a Group 'D' employee/Trackman.

Today when the matter was taken up by this Tribunal, the applicant Shri Rajamoni was present alongwith his counsel. He has produced the original of the casual labour service card issued by the Permanent Way Inspector/II/CL/MCJ indicating more than 360 days casual service at his credit as follows:-that he has worked for the periods from

08.02.1979 to 23.11.1979
21.01.1980 to 01.08.1981
12.03.1981 to 13.11.1981
10.11.1981 to 13.11.1981
14.11.1981 to 18.11.1981
22.11.1981 to 28.11.1981

In view of the above position, we direct the 3rd respondent namely, The Senior Divisional Personnel Officer, Trivandrum Division, Southern Railway



to consider the aforementioned original casual labour cards produced by the applicant before this Tribunal. If these casual labour cards are verified and found genuine, the respondents shall consider him for absorption as a Group 'D' employee/Trackman on par with his juniors subject to his fulfilling other conditions. As the applicant's case is a belated one, the Senior Divisional Personnel Officer, Trivandrum Division shall give a personal hearing to the applicant on 18.1.2010 on which date he shall be present alongwith the original Casual Labour Service Card.

With the aforesaid direction, this OA is disposed of. There shall be no orders as to costs.



GEORGE PARACKEN
JUDICIAL MEMBER

abp