

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Date of decision: 2-8-1993

Original Application No.573 of 1993

1. M Rajeshkumar
2. L Sreekumaran Nair
3. M Radhakrishnan
4. P Mohankumar
5. B Baburajan - Applicants

Mr G Sasidharan Chempazhanthiyil - Counsel for the applicants

v.

1. The Junior Telecom Officer,
Cable Planning, Nanthavanam,
Trivandrum.
2. The Assistant Engineer,
Cable Planning,
Nanthavanam, Trivandrum.
3. The Divisional Engineer,
Cable Planning, O/o the GMT,
Nanthavanam, Trivandrum.
4. The General Manager,
Telecom, Trivandrum,
5. The CGMT, Kerala,
Trivandrum.
6. Union of India represented by
its Secretary in the Ministry of
Communications, New Delhi.

- Respondents

Mr CN Radhakrishnan, ACGSC - Counsel for the respondents

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HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
&
HON'BLE MR R RANGARAJAN, ADMINISTRATIVE MEMBER

JUDGEMENT

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

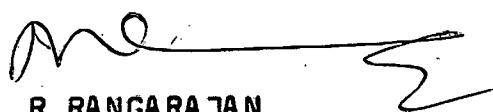
Applicants seek a declaration that they are 'regular Mazdoors' under respondents. Consequential and ancillary reliefs are also sought. They say that they were working under the respondents as Casual Mazdoors till 7.5.1985 or

thereabout. In answer, respondents would submit that they are contractors doing small time jobs, staking an ambitious claim for regularisation. A fact adjudication is necessary to pronounce on the rival contentions. That we do not propose to make.

2. Respondents or such of them as is competent, must make an adjudication relating to the status of applicants. Applicants would say that they have 'experience certificates' issued or countersigned by competent officers of the department. They may produce whatever evidence they have to support their claims before the appropriate respondent. Such respondent will examine the claims and if the respondent find them eligible, the names of such of the applicants will be entered in the live register kept for related purposes. If respondents find that any claim is bogus or spurious (standing counsel says that there are such instances), it is upto them to refer the matter to an investigating agency.

3. It is agreed by both sides that the third respondent is the competent authority to take a decision in the matter. Applicants may file representations supported by photo copies of the documents they rely on, and the third respondent will cause an adjudication to be made and communicate his decision to applicants. Disposed of.

Dated, the second August 1993.


R RANGARAJAN
ADMINISTRATIVE MEMBER

Kankarannai
CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN