

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

D.A. No. 593 of 1997.

Tuesday this the 29th day of April 1997.

CORAM:

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. A.K. Chandran,
Brick Layer (Temporary Status),
Under Inspector of Works,
Southern Railway, Trichur,
residing at:
"KML" House, R.S. Road,
Mulloorkara,
Trichur District.
2. M.P. Radhakrishnan,
Black Smith (Temporary Status),
Under Senior Section Engineer,
(Permanent Way)
Southern Railway, Trichur.
3. V.K. Chandran, Carpenter
(Temporary Status)
Under Section Engineer (Works)
Southern Railway, Trichur,
residing at: Vadakkumuri House,
Post Kilimangalam,
Trichur District.
4. P.K. Velappan,
Blacksmith (Temporary Status)
Under Senior Section Engineer
(Permanent Way), Alwaye,
residing at:
Ponnappillikkudi House,
Desom P.O., Purayar, Alwaye. .. Applicants.

(By Advocate Shri TC Govindaswamy)

Vs.

1. Union of India through the
General Manager,
Southern Railway,
Headquarters Office,
ParkTown P.O.,
Madras-3.
2. The Chief Personnel Officer,
Southern Railway,
Headquarters Office,
Park Town P.O.,
Madras-3.
3. The Divisional Personnel Officer,

3. The Divisional Railway Manager,
Southern Railway,
Trivandrum Division,
Trivandrum-14.
4. The Divisional Personnel Officer,
Southern Railway,
Trivandrum Division,
Trivandrum-14.
5. The Railway Board,
through its Chairman,
Rail Bhavan, New Delhi. .. Respondents

(By Advocate Smt. Sumathi Dandapani)

The application having been heard on 29th April, 1997 the Tribunal on the same day delivered the following.

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The grievance of the applicants 4 in number is that though they have been working for a long time and have acquired temporary status in skilled category, the respondents without absorbing them in the respective grades on the vacancies in the quota earmarked for such absorption, have absorbed them as Gangman by the order dated 24.3.97. The applicants have, therefore, filed this application for quashing Annexure A4 to the extent, it affects the applicants, and for a direction to respondents to consider the applicants for absorption in the relevant grade towards the vacancies earmarked for absorption of skilled Casual Labour which arose after 1990.

2. When the application came up for admission, learned counsel for respondents states that the applicants have been empanelled for regular absorption as Gangman with a view to decasualise them as they could not be absorbed in the grade in which they were working so far. The counsel states that if the applicants have any

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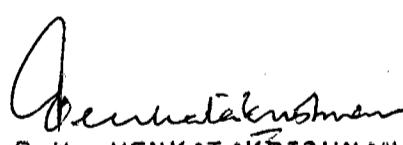
objection for such absorption the respondents have no objection to recalling the order to the extent, it affects them and that they would allow the applicants to continue as skilled casual labourer with the risk of retrenchment and to be absorbed in their grade in their turn.

3. Learned counsel for applicants states that the applicants are satisfied if the directions as agreed to by the counsel for respondents are given. In the result, the application is disposed of with a direction to respondents not to give effect to the Annexure A4 order to the extent, it affects the applicants and to allow them to continue as skilled casual labour with the risk of retrenchment and to consider their absorption in their relevant grades in their turn in the quota reserved for absorption of skilled casual labour directly in skilled grade.

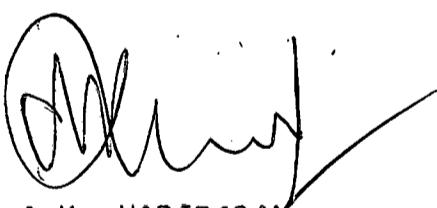
The application is disposed of as above.

No costs.

Dated the 29th April 1997.



P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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LIST OF ANNEXURE

Annexure A-4 : A true copy of the Office Order
No.23/97/WP dated 24-3-97 issued
by the 4th respondent.
