

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.90/97

Monday, this the 20th day of July, 1998.

CORAM

HON'BLE MR P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER
HON'BLE MR A.M. SIVADAS, JUDICIAL MEMBER

1. C. Rajamma, W/o Late Ramaswami Pillai,
Part-time Sweeper-cum-Scavenger,
Head Record Office, Railway Mail Service,
Trivandrum.
2. R. Valsala, D/o K. Balakrishna Pillai,
Part-time Sweeper-cum-Scavenger,
Head Record Office, Railway Mail Service,
Trivandrum.

...Applicants

By Advocate Mr Thomas Mathew.

Vs.

1. Head Record Officer,
Railway Mail Service, Trivandrum.
2. Senior Superintendent,
Railway Mail Service,
Trivandrum Division, Trivandrum.
3. Chief Postmaster General,
Kerala Circle, Trivandrum.
4. Union of India, represented by
its Secretary, Department of Posts,
New Delhi.

...Respondents

By Advocate Mr MHJ David.J, ACGSC

The application having been heard on 20.7.98, the
Tribunal on the same delivered the following:

O R D E R

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

Applicants who are Part-time Sweeper-cum-Scavengers
in the Railway Mail Service pray that they may be granted
temporary status in accordance with the scheme designated as Casual
Labourers (Grant of Temporary Status and Regularisation) Scheme.

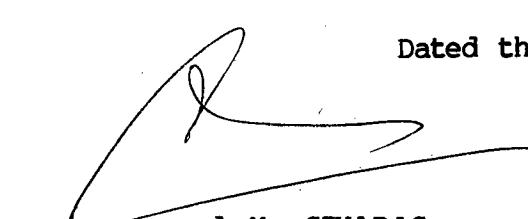
2. When the application came up for hearing, learned
counsel appearing for the applicants submitted that the question
whether a part-time casual mazdoor is entitled for grant of
temporary status under the above mentioned scheme was considered

by the Supreme Court in R-1 judgment and the Supreme Court held that the scheme for conferring temporary status to full-time casual labourers is not applicable to part-time casual labourers. In view of this finding, learned counsel for the applicants submitted that he is not pressing the prayer of the applicants for grant of temporary status. However, learned counsel for the applicants submitted that the Supreme Court orders (R-1) referred to the letter dated 17th May, 1989, issued by the Government of India, Ministry of Communications, Department of Posts giving a clarification regarding casual labourers and part-time casual labourers and recorded the submission of the respondents in that case that part-time casual labourers will be absorbed in accordance with the priorities set out in the letter of 17th May, 1989, provided they fulfill the eligibility criteria. Learned counsel appearing for the respondents submits that respondents have no objection to consider the applicants in accordance with the letter dated 17th May, 1989, provided a representation is made in that behalf to the second respondent.

3. Accordingly, we dispose of this application permitting the applicants to submit a representation to the second respondent claiming the benefits in accordance with terms of the letter dated 17th May, 1989 within one month. If such a representation is made to the second respondent, he shall consider the same and pass appropriate orders within two months of the receipt of the representation.

4. Application is disposed of as above. No costs.

Dated the 20th of July, 1998.


A.M. SIVADAS
JUDICIAL MEMBER


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

LIST OF ANNEXURE

1. Annexure R1: True copy of the judgement of the Hon'ble Supreme Court in Civil Appeal No.360-361/1994 dated 2.4.1997.

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