

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No.7/2011
OA No.155/2011
OA No.862/2011
&
OA No.631/2012

Friday, this the 22nd day of November, 2013.

CORAM

Hon'ble Mr.Justice A.K.Basheer, Member (J)
Hon'ble Mr.K.George Joseph, Member (A)

OA No.7/2011

1. Jayanthilal T.A.,aged 43 years
S/o Late Achuthan,
Casual Labourer, Head Post Office, Ernakulam.
Residing at Chittayil House, Poothepadam Road,
Nettor P.O.-682 040.

2. P.K. Kairali, age 49 years
W/o Raju K.R.,
Casual Labourer, Head Post Office, Ernakulam.
Residing at Kongapalli, Udayamperoor-682 307.

3. K.Saraswathy,age 50 years
W/o P.Subramanian,
Sweeper cum Scavenger, SSP's Office, Ernakulam.
Residing at Edappally House
Indira Nagar, Kadavanthra, Kochi-682 020.

4. K.J.Philomina, age 58 years
W/o Alosius Hamilton,
Water Carrier cum Gardener
SSP's Officew Ernakulam.
Residing at Vadassery House
Ochanthuruth P.O.

Applicants

(By Advocate: Mr.M.R.Hariraj)

Versus

Union of India represented by the
Secretary to Government of India
Department of Posts, Ministry of Communications
New Delhi.



2. The Chief Postmaster General
Kerala Circle, Thiruvananthapuram

3. The Postmaster General, Central Region, Ernakulam

4. Senior Superintendent of Post Offices
Ernakulam Division, Ernakulam. Respondents

(By Advocate: Mr.Sunil Jacob Jose, SCGSC)

OA No.155/2011

1. U.V.Premalatha
Part-time Contingent Employee
Thaliparamba Head Post Office
Kannur District-670 102.

2. K. Janaki
Part-time Contingent Employee
Shornur Post Office, Shornur. Applicants

(By Advocate: Mr.Vishnu S.Chempazhanthiyil)

1. The Superintendent of Post Offices
Kannur Division, Kannur-670 001.

2. The Superintendent of Post Offices
Ottapalam Division, Ottapalam-670 101.

3. The Chief Postmaster General
Kerala Circle, Thiruvananthapuram-695 001.

4. The Director General
Department of Posts, New Delhi-110 001.

5. Union of India represented by the Secretary
Ministry of Communications
New Delhi-110 001. Respondents

(By Advocate: Mr.Millu Dandapani, ACGSC)

OA No.862/2011

Postal Casual, Part-time Contingent Workers Union
state Committee, P&T House



Residing at Sreeju Bhavan
Kalivilakam, Vettinad, Vattappara P.O.

2 T.A.Jayanthilal, aged 43 years
S/o Achuthan
Part-time Lift Operator
Ernakulam Head Post Office, Cochin-682 011.
Residing at Thittayil House, Poothepadam Road
Nettoor P.O.Cochin-682 040.

3. V.Padmakumari, age 45 years
W/o Manoharan V
Part time Sweeper, Venganoor P.O.
Manali Melethil Veedu, Venganoor P.O.
Trivandrum South Postal Division
Trivandrum.

Applicants

(By Advocate: Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by Secretary
to the Government of India and Director General (Posts)
Ministry of Communications
Department of Posts, New Delhi.

2. The Chief Post Master General
Kerala Circle, Trivandrum.

Respondents

(By Advocate: Mr.A.D.Raveendra Prasad, ACGSC)

OA No.631/2012

1. Nirmala.S.
Part-time Contingent Employee
Office of the Chief Postmaster General
Kerala Circle, Thiruvananthapuram-695 033.
Residing at Karimpalivila Veedu
Anathanam, Nemcaud, Karamana P.O.
Thiruvananthapuram-695 006.

2. A.Radhamony alias Radha
Part-time Contingent Employee
Office of the Chief Postmaster General
Kerala Circle, Thiruvananthapuram-695 033.
Residing at Lakshmi Nagar, Siva Sadan
Thirumala Post, Thiruvananthapuram.

Applicants

(By Advocate: Mr.Vishnu S.Cempazhanthiyil)



Versus

1. The Chief Postmaster General
Kerala Circle, PMG Junction
Thiruvananthapuram-695 033.

2. Union of India represented by the
Director General, Department of Posts
Dak Bhavan, New Delhi-110 001.

Respondents

(By Advocate: Mr.Sunil Jacob Jose, SCGSC)

These four Original Applications having been heard on 22nd November, 2013, this Tribunal on the same day delivered the following order:-

ORDER

Hon'ble Mr.Justice A.K.Basheer, Member (J)

The issues involved in this bunch of Original Applications being identical and closely inter-related, they are being disposed of by this common order.

2. Applicants in these Original Applications are admittedly working in the Department of Posts on casual basis, both part time and full time. Their main grievance pertains to the alleged failure of the respondents to revise their wages consequent on the implementation of the recommendations of the Sixth Central Pay Commission. Applicants pray that they be allowed to continue as Casual Labourers and their wages be revised on par with regular Group-D employees with effect from January 1, 2006. Still further, some of the applicants have prayed that an appropriate direction be issued to the respondents not to disengage them from service. Anyhow, we do not propose to refer to or deal with the various contentions raised by the applicants in support of their plea for grant of the reliefs mentioned supra, in view of the submissions made by learned counsel for the parties at the Bar when these cases are taken up for final hearing.

3. Learned counsel for the respondents, while contending that the applicants cannot be treated on a par with Group-D employees, has nevertheless submitted that all the issues pertaining to the conditions of



engagement of the applicants on casual basis, their emoluments and proposal for their absorption in the department etc. were considered by a Committee constituted for this purpose. The Committee had submitted its report some time in January, 2012. Since the implementation of the recommendations of the Committee involves various departments, another Committee was constituted for this purpose. He submits that steps are afoot to implement the recommendations. He prays that some reasonable time may be granted to the departments concerned to do so.

4. Learned counsel for the applicants, though a little skeptic, have no objection in granting some reasonable time. But their only anxiety is that the respondents may drag their feet still further. In this context it is pointed out by them that the Committee had submitted its report way back in January, 2012. About two years have elapsed, but still, the respondents have not bothered to implement the recommendations of the Committee.

5. In the peculiar facts and circumstances of the case, we are of the view that it will be desirable if the departments concerned take the initiative to implement the recommendations of the Committee forthwith.

6. Anyhow, respondents are granted six months time for this purpose. Respondents shall ensure that expeditious steps are taken in this regard and the grievances of the applicants are ameliorated as early as possible.

7. In the meanwhile, status quo as on today shall continue till the final modalities are worked out in regard to implementation of the recommendations of the Committee. In other words, the applicants shall be allowed to continue on casual basis without further reduction in their wages or working hours.

8. Original Applications are disposed of in the above terms.

Sd/-
(K. George Joseph)
Administrative Member

Sd/-
(Justice A.K. Basheer)
Judicial Member



CERTIFIED TRUE COPY
Date 28/11/13

W
Section Officer (Jud)