

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.393/2000

Friday this the 10th day of November, 2000

CORAM

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

C.K. Premanand S/o Kesavan,  
residing at Chenya Parambil House,  
Peringanaloor (PO)  
Trichur District.

...Applicant

(By Advocate Mr. M.R. Hariraj)

v.

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

2. The General Manager, Telecom, Palakkad.

3. The Chief General Manager,  
Telecom, Trivandrum.

..Respondents

(By Advocate Mr. S.Krishnamoorthy)

The application having been heard on 10.11.2000, 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 applicant is that the  
respondents have unjustifiably excluded the applicant  
from the list of casual mazdoors for reengagement. In  
the impugned list (Annexure.A3) the applicant's name had  
been shown as not eligible for reengagement for the  
reason that he did not approach for reengagement within  
three years of last engagement. This exclusion of the  
applicant being made on a clarification issued on

contd....

12.3.99 (A2) the applicant has filed this application impugning Annexure A3 order as also the clarification (A2) on the ground that it is arbitrary, irrational and unjustified.

2. That the applicant approached for the first time claiming engagement after a lapse of more than three years being an unapproved mazdoor is not in dispute. The Tribunal had in O.A.1027/91 and connected cases after an elaborate consideration of the rights of persons who have rendered casual service and the obligation of the department to consider them for reengagement held that the claims of unapproved casual labourers who have approached for reengagement for the first time after expiry of a period of three years need not be considered. The respondents have taken that as a criteria for reengagement. I do not find anything wrong with the decision taken by the competent authority as it is based on a reasonable criteria accepted and promulgated by the Tribunal in O.A. 1027/91.

3. In the result, as there is no merit in the application, the same is dismissed leaving the parties to bear their costs.

Dated the 10th day of November, 2000



A.V. HARIDASAN  
VICE CHAIRMAN

S.

List of annexures referred to:

Annexure A2:True copy of the letter No.ST II/28/Gen1/94 dated 12.3.99 issued by the 3rd respondent.

Annexure A3:True copy of the Letter No.E.35/Mazdoors/General/IX/54 dated 25.3.99 issued by the 2nd respondent.

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