

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE O.A. 1109 OF 1987

NAME OF THE PARTIES Chinna and 12 others Applicant

Versus

Divisional Railway manager and others Respondent

Part A.

Sl.No.	Description of documents	Page
1 A-1	General Index	1
2 A-2	Order Sheet	2
3 A-3	Judgment dated 25-11-1988	3
4 A-4	Petition along with Annexure	33
5 A-5	Vakalatnama Power	2
6 A-6	Written Reply	4
7 A-7	Rejoinder Affidavit	5
8 A-8	Vakalatnama	A6
9 A-9	Check list	A7 to A8
10		
11		
12		
13		
14		
15		
16		
17		
18		

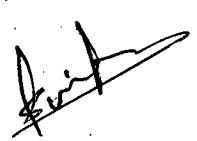
CERTIFICATE

Certified that no further action is required to be taken and that the case is fit for consignment to the record room (decided)

Dated 06-06-11

Counter Signed.....

Checked on
02-12-12


Signature of the
Dealing Assistant

Section Officer/In charge

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

(Circuit Bench)
Lucknow

B/IV

INDEX-SHEET

CAUSE TITLE Reg. OA 1109 OF 1987. (L)

Name of the Parties Chinna and 11 others

Versus

Divisional Railway Manager
and others

Part A, B & C


S.No.	DESCRIPTION OF DOCUMENTS	PAGE
A1	General Index - - - - -	1
A2	Order sheet - - - - -	2
A3	Judgement dated 25/11/1988.	3
A4	Order sheet Petition along with annexures dated 18/11/87	33
B1	Vakalatnama - (Power) -	2
A5	Written Reply - - - - -	4
A6	Rejoinder affidavit - -	5
B2	Misc Applications - -	4

Order Sheet
OA 1109/87

4/1/88

DR

On the request of Counsel for
reply, he is allowed to file reply
by 25/1/88.



DR(J)

25/1/88

Registrar

Reply filed today. Rejoinder
can be filed by 17/2/88 as prayed


Registrar

17-2-88

DR

On the request of Counsel
for the applicant, he is allowed
to file Rejoinder by 18-3-88



DR(J)

14/3/88

OK

Rejoinder not filed so far.
Submitted for orders



10-3-88

hgr

On the rejoinder affidavit
in R/W by 12-4-88

6/4/88

OK

Rejoinder not filed so far.
Submitted for orders.



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7


CAT. Circuit Bench at Lucknow

15-7-80

Hon. Ajay Dalmiya, Mr.

Sri A.K. Dixit for applicant
Sri S.P. Srivastava for respondents.

Sri Dixit has given an application for summoning complete seniority list in respect of the casual labour as prepared on the basis of ~~the~~ registers as indicated in paras 5, 6 & 7 of the reply of the respondents. Sri S.P. Srivastava undertakes to produce the relevant records at the time of hearing. The case be listed for final hearing on 21-9-80.


H.M.

16/8

21-9-80.

No sitting. On the request of both the parties the case is adjourned to 24-11-80 for hearing.



Central Administrative Tribunal, Allahabad.

Registration O.A.No. 1109 of 1987 (L)

Chinna and 11 others Applicants

Vs.

Divisional Railway Manager
and others Respondents.

Hon. D.S.Misra, AM
Hon. G.S.Sharma, JM

(By Hon. G.S.Sharma, JM)

This is a petition u/s.19 of the Administrative Tribunals Act XIII of 1985. It is alleged that the applicants had worked as casual labourers for different periods from 1971 to 1985 in the Northern Railway under the Inspector of Works ^{as detailed in} Hardoi in para 6(1) of the petition and the details were noted in the casual labour cards issued to them. It is further alleged that the casual labourers who have not completed the requisite period of continuous working for absorption in the regular railway service are entitled to get their names included in the live list/register prepared for the purpose to have a prior claim ^{of} job over outsiders. Some of the applicants were not given any work after 1979 while others were not given any work for ^{the last} over 2-3 years. The representations made by the applicants for their engagement did not bear any fruit. They accordingly filed this petition for the only relief that the applicants are entitled for the inclusion of their names in the list to be prepared by the respondents within specified time and they are further entitled to be engaged as casual labourers in accordance with their seniority.

2. In the reply filed on behalf of the respondents, the allegations made in para 6(1) of the petition were not denied and it was stated that the applicants were engaged to discharge their duties of Khalasis merely as casual labourers on daily wage basis. It was further very clearly stated in para

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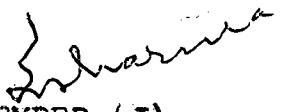
5 of the reply that the names of all the 12 applicants have been entered in the live register and in the seniority list for future engagement.

3. In their rejoinder, it was stated by the applicants that it is not sufficient to say that names of the applicants have been included in the list. The necessary details, such as, number, date of issue, gradation number of applicants etc., should have been disclosed by the respondents and without the necessary details the applicants are not in a position to know their exact position. It was also stated that 8 persons mentioned in para 6 of the rejoinder are junior to the applicants who have not only been engaged but have also been regularised and the full justice has not been done to the applicants.

4. The applicants had also summoned ^{some of} record from the respondents to show their position in the live list/register and at the time of hearing, much emphasis was laid on behalf of the applicants that they should be given an opportunity to set up the case regarding their seniority as the relief claimed in this petition is comprehensive enough for entering into the question of seniority. The record brought by the respondents on the request of the applicants was permitted to be seen by the applicants for their information. After a very careful consideration of the whole matter, we are, however of the view that the purpose of the applicants has been served and after their names were included in the live register/list, the petition became infructuous. The question of seniority cannot be gone into in this petition. For raising such question, the applicants have to give the necessary details of the persons against whom they claim seniority and they are also to be impleaded as parties to the petition. The relief regard-

ing the future engagement of the applicants according to their seniority does not include the relief, the applicants have tried to urge before us, as such questions are to be first raised before the railway administration and when the railway administration fails to satisfy the applicants, they may approach the Tribunal for the proper relief by filing separate petition (s). The live register is maintained only for the purpose of giving employment to the persons entered in the register in future according to the seniority shown in the said register and this having been done now, nothing remains to be adjudicated upon so far as the present case is concerned. The applicants cannot be allowed to raise the question of seniority in this petition and after getting their names included in the register, they are not entitled to any other relief.

5. The petition is disposed of accordingly without any order as to costs.


MEMBER (J)


MEMBER (A)

Dated: 25th Nov. 1988
kkb

- 7- ANNEXURE A-6. -18
Photocopy of casual labour Card of Claimant No.6.
- 8- ANNEXURE A-7. 19
Photo copy of casual labour card of claimant no.7.
- 9- ANNEXURE A-8. 20
Photo copy of casual labour card of claimant no.8.
- 10- ANNEXURE A-9. 21
Photo copy of casual labour card of claimant no.9.
- 11- ANNEXURE A-10 22
Photo copy of casual labour card of claimant no.10.
- 12- ANNEXURE A-11. 23
Photo copy of casual labour card of claimant no.12.
- 13- ANNEXURE A-12 24
Respondents letters dt:11/12.5.81 .
- 14- ANNEXURE A-13 25
Respondents letters dt:19.11.83.
- 15- ANNEXURE A-14 26
Respondents letters dt: 4-3-87.
- 16- ANNEXURE A-15 27-28
Respondents letters dt: 1-6-87.
- 17- ANNEXURE A-16 29
Representation dated: 15-5-85.
- 18- ANNEXURE A-17 30
Photo copy of regd.postal receipts dt: 15-12-86.

14/3

-: 3 :-

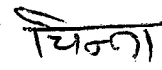
19- Wakalatnama.

31


ALLAHABAD:

dated: 18-11-1987:

Signature of the Applicants.


(Chinna & Others)

Through their counsel.


(A.K. DIXIT)
Advocate

509/28Ka, Old Hyderabad,
Lucknow:

FOR USE IN TRIBUNAL'S OFFICE:

Date of filing

or

Date of Receipt by Post

Registration No:

Signature:

for REGISTRAR:

121

(14/4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL
BENCH AT ALLAHABAD

B E T W E E N

Chinna and 12 Others. -----Applicants:

And:

Divisional Rail Manager
& Others. -----Respondents:

DETAILS OF APPLICATION:

1- Particulars of Applicants:-

- (i) Name of the Applicant: - 0
(ii) Name of father/husband: 0 As per details
(iii) Age of the Applicant: 0 given below:-

- 1- Chinna, aged about 27 years, Son of Sri Hansa, R/O Village Terwa, Post Kachhauna, Distt. Hardoi.
- 2- Ram Bharosey, aged about 36 years, Son of Sri Salik Ram Village Purwa Post Barwa District Hardoi.
- 3- Ram Prasad, aged about 32 years, Son of Sri Tikai, R/O Village Terwa, Post Baghauli, District Hardoi.
- 4- Ram Bhajan, aged about 33 years, Son of Sri Gayadin, R/O Village Khuddi, Post Pachkohra, District Hardoi.
- 5- Rais Ahmad, aged about 27 years, Son of Sri Nanhey, R/O Village & P.O. Khajurahra, District Hardoi.
- 6- Subedar, aged about 28 years, Son of Sri Gokul, R/O Village Terwa P.O. Baghauli, District Hardoi.
- 7- Munna, aged about 23 years, Son of Sri Bacchu, R/O Village Gednapur P.O. Baghauli, Distt. Hardoi.

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- 8- Mahadeo, aged about 24 years, Son of Sri Behari,
R/O Village Paharpur, P.O. Baghauli, Distt. Hardoi.
- 9- Ram Chandra, aged about 33 years, Son of Sri Champa,
R/O Village Paharpur, P.O. Baghauli, Distt. Hardoi.
- 10- Bodh Lal, aged about 32 years, Son of Sri Lachhman,
R/O Village Terwa, P.O. Maholi, District Hardoi.
- 11- Laltoo, aged about 35 years, Son of Sri Har Sahaya,
R/O Village Paharpur, P.O. Baghauli, District Hardoi.
- 12- Chhotey Lal, aged about 29 years, Son of Sri Mohkam,
R/O Village Khatara, P.O. Tondali, Distt. Hardoi.

(iv) Designation & Particulars of office in which employed. Inspector of Works.
Northern Railway
Hardoi.

(v) Office Address: - -do-

(vi) Address for service of notice: - Chinna, Son of Sri
Hansa, R/O Village
Terwa, P.O. Kachhauna,
District Hardoi.

2- Particulars of the

Respondents:

- (i) Name of respondent.)
- (ii) Name of father/Husband.)
- (iii) Age of the respondent.) As per details
- (iv) Designation and particulars of office (name and station) in which employed.) given below:
- (v) Office Address:)
- (vi) Address for service of Notices.)

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- 1- Divisional Rail Manager, Northern Railway, Mooradabad.
- 2- Assistant Engineer, Northern Railway, Hardoi.
- 3- Inspector of Works, Northern Railway, Hardoi.

3. Particulars of order against which application is made.

The application is against the following order:-

- | | | | |
|-----------------|----|----|-----------------|
| (i) Order No. | .. | .. | Nil. |
| (ii) Date | .. | .. | Nil. |
| (iii) Passed by | .. | .. | Applicants have |

Worked as casual Labour under Inspector of Works, Northern Railway, Hardoi prior to 1-8-78 for a very long time under broken periods. They are legally entitled for inclusion of their names in the register/list for employment in future. Since no action for entering up their names has been taken by the I.O.W., Northern Railway, Hardoi, this claim is preferred.

(iv) Subject in

Brief:-

All the applicants have worked as Casual labours i.e. Mason, Khallasi etc. for very long duration in broken periods under Inspector of Works Hardoi much prior to 1-8-78. Under Para 2512 of Railway Establishment Manual and according to the direction of Railway Administration applicants are entitled to the

Per 51

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inclusion of their names in the register/list for providing employment in future. Applicants names have not been included in such list/ Registers and as a matter of fact no such list has been prepared, for which respondents have statutory liability, as such applicants are preferring the present claim for issuing a command, direction or order in the nature of Mandamus that respondent be ordered to prepare such list by including names of applicant in accordance with seniority keeping in view the duration of their working period and to provide them with the suitable jobs strictly in accordance with such list.

Since right of relief arises from the same type of act or transaction, the applicants are jointly interested in the same cause of action and identical question of controversy with regard to fact and law is involved; applicants being unemployed persons belonging to Weaker Section of Society and financially unable to prefer separate claims, beg to seek leave of Hon'ble Tribunal to present this joint application on single set of fee.

4- Jurisdiction of
the Tribunal:

The applicants declare that the subject matter of the action against which they want redressal is within the jurisdiction of this Hon'ble Tribunal.

For

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5- Limitation:

The applicants further declare that the application is within limitation prescribed in Sec. 21 of The Administrative Tribunal's Act 1985. In any case if Hon'ble Tribunal feels ^{is delayed then} that application in view the circumstances mentioned in paras _____ of this petition, the Hon'ble Tribunal may be pleased to Condone the delay Under Section 21(3) of the Administrative Tribunal's Act. Condonation of delay is prayed only when Hon'ble Tribunal feels that claim is not within time.

6- FACTS OF THE CASE:

6.1. That applicants were engaged as Casual Labours by Inspector of Works (hereinafter referred as IOW) Northern Railway Hardoi. They have put in very long period of faithful employment in broken periods under respondent No. 3 from time to time as indicated below:-

<u>Name of Petitioner.</u>	<u>Period of Work</u>	<u>Total days</u>
1- Chinna.	23-12-71 to 31-9-86	261
2- Ram Bharosey.	23.1.73 to 31.1.83	588
3- Ram Prasad.	14.4.78 to 31.1.84	415
4- Ram Bhajan.	3.1.72 to 14.13.85	483
5- Rais Ahmad.	16.8.78 to 14.12.84	714
6- Subedar.	16.12.76 to 14.1.83	399
7- Munna.	13.12.72 to 14.3.83	677

As per

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8- Mahadeo.	6.12.72 to 14.12.84	570
9- Ram Chandra	6.9.72 to 30.4.79	377
10- Bodh Lal.	4.12.73 to 14.2.84	863
11- Laltoo.	6.12.72 to 14.12.84	570
12- Chhotey Lal.	25.9.76 to 14.2.84	467

6.2 That above working days are entered in detail over the respective casual labour Cards of Claimants. However it is necessary to point out that casual labour Card of Claimant No: 11 Laltoo could not be traced as yet, and same will be filed subsequently before this Hon'ble Tribunal.

True photostat copies of Casual Labour Card/Certificates in respect of Claimant No: 1 to 10 are filed herewith as ANNEXURES A-1 to A-11 of this Claim. Photo copy of Casual labour Card of Claimant no.12 is also included in ANNEXURES A-1 to A-11 above.

6.3. That casual labours who have not completed requisite period of continuous working are entitled to be included in the list/register prepared for the purpose and they have a prior claim of job over outsiders. Employment should be given to them strictly in accordance with their seniority of working days. Relevant provisions of Para 2512 (i) to Railway Establishment Manual are reproduced below:-

2512. Absorption of Casual Labour in regular vacancies:-

(i) Casual Labour who acquire temporary status as a result of having worked on other than projects for more than 6 months or who have worked for more than 6 months, shall be considered for regular employment

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without having to go through Employment Exchanges. Other Casual labour who have not completed Six Months, will, of course, be required to get, themselves registered in the relevant Exchanges before they are considered by the Selection Boards. They will have a prior claim over outsiders. In order to ensure this, the names of all casual labour, wherever employed, should be entered in the registers maintained by Divisions or Districts or by any other convenient unit of recruitment strictly in the order of their taking up casual appointment at the initial stage, and for the purposes of empanelment for regular Class IV posts they should, as far as possible, be selected in order maintained in the aforesaid registers. While showing preference to casual labour over other outsiders in the matter of recruitment to regular Class IV establishment, due consideration and weightage should be given to the knowledge and experience gained by them, other conditions being equal, total length of service as casual labour, either continuous or in broken periods, irrespective of whether they have attained the temporary status or not, should be taken into account so as to ensure that casual labour who are senior by virtue of longer service are not left out.

(ii)

(iii)

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6.4 That from time to time Railway Administration has also issued directions to engage such casual labours and to prepare a list of such persons for employment in future.

True photo copies of direction of Railway Administration dt: 11/12-5-81, 19-11-83, 4-3-87 and 1-6-87, issued from time to time are attached herewith as ANNEXURES A-12 to A-15 to this Claim.

6.5 That perusal of Annexures A-12 to A-15 goes to show that there are positive instruction on behalf of Railway Administration that those Casual Labourers who have been in service prior to 1-8-78 or 4-10-78 should be enlisted and given employment having regard to their seniority of working days.

6.6 That Railway Board vide its Circular number E (NG) ii-80/CL/25 dt: 22-10-80 has issued positive instructions that in case any person complains about his non-engagement his record of service be checked and engaged in preference to juniors if his claim is found correct.

6.7 That applicants on 15-5-85 and constantly thereafter even on 15-12-86 moved representation to respondent for their engagement but of no avail, except oral assurances that list is under prepration and they will be engaged sooner.

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True copy of representation dt:15-5-85
and Photo copy of Registered Postal receipt
dt: 15-12-86 are attached herewith as ANNEXURES
A-16 and A-17 to this Claim.

6.8 That so far respondent have not prepared
any such list as required and at least they have
not included names of applicants for employment.

6.9 That having no regard of applicants
working days respondent are engaging outsiders
and juniors to casual employment with the result
that persons having much less working days at their
credit have been regularized even.

6.10 That since respondents have failed to
perform statutory duty imposed upon them, regard-
ing preparation of list as aforesaid, applicants
beg to prefer this claim, on and amongst other
the following grounds, Cause of action for which
is recurring: -

G R O U N D S

- (A) Because respondent have statutory obligation
to prepare a list, including the names of
applicants for employment in future.
- (B) Because action of respondents in not prepar-
ing the list of casual laboures in accordance
with having regard to their working days, is
arbitrary and malafide.
- (C) Because applicants are legally entitled to
get their names included in the list and

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to have and engagement according to their seniority to the exclusion of outsiders and juniors.

(D) Because applicants have a ^{legal} ~~key~~ right and respondents have a legal obligation to perform.

7- Details of Remedies exhausted -

The applicants declare that they have availed all the remedies available to them under relevant rules. None of the representations have been decided by an order in writing. True copies of such representation and Postal receipts have been attached as ANNEXURES A-15 and A-16 to this claim petition.

8- Matters not previously filed or pending with any other Court.

The applicants further declare that they had not filed previously any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court of law or any other authority or any other Bench of the Tribunal and nor any such application, writ petition or suit is pending before any of them.

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9- Reliefs Sought:

- (i) a declaration, direction or order in favour of applicants in the nature of Mandamus/Command that applicants are entitled for inclusion of their names in the list which should be prepared by respondents within a time to be fixed by Hon'ble Tribunal, and are further entitled to be engaged as casual labours in accordance with their seniority, for which respondents be ordered to comply.
- (ii) Costs of the claim petition and such other relief as may be deemed fit and proper in the circumstances of the case, be also granted to applicants.

10-Interim order, if any

prayed for:

N I L.

11- Application is presented through Counsel Sri ABHAYA KUMAR DIXIT, Advocate, 509/28Ka, Old Hyderabad, Lucknow.

12- Particulars of Bank Draft/postal order in respect of the application fee.

1- Name of the Bank on which drawn

2- Demand Draft No:

or

1- No. of Indian Postal Order. $\frac{DD}{5}$ 495611

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2- Name of Issuing Post Office. *High Court Bench Lucknow Post Office*

3- Date of issue of Postal Order. *17.11.87*

4- Post Office at which payable. *Allahabad.*

13-List of enclosures:

- 1- Demand draft/postal order.
- 2- Index of documents.
- 3- Paper book having details of Annexures as mentioned in the Index.
- 4- Vakalatnama.

VERIFICATION:

WE, Chinna, Ram Bharosey, Ram Prasad, Ram Bhajan, Rais Ahmad, Subedar, Munna, Mahadeo, Ram Chandra, Bodh Lal, Laltoo, & Chhotey Lal, whose names and addresses are given in array of parties do hereby verify that the contents of paras 6.1. to 6.9 are true to our personal knowledge and those of paras 6.10 & 7 to 13 are believed to be true on legal advise and that we have not suppressed any material facts.

ALLAHABAD:

Dated: 18-11-1987:

चिन्ना
Chinna & Others.

Applicants.

To,
The Registrar,
Central Administrative Tribunal,
Additional Bench, Allahabad.

16

ANNEXURE NO: A.-I

के. ए. लिरीयक
उत्तर रिवी, लखनपुर

HIGH COURT
LUCKNOW.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH,
AT ALLAHABAD.

-----Claimants:-----
China & Others. Versus:
Divisional Rail Manager &
Others. -----Respondents:-----
ANNEXURE NO.: A-2

S. No.	Period of employment	Signature and designation of the Supervisor with date	S. No.	Period of employment	Signature and designation of the Supervisor with date
	From To			From To	
1	1-1-35	1-1-35	1	1-1-35	1-1-35
2	1-1-35	1-1-35	2	1-1-35	1-1-35
3	1-1-35	1-1-35	3	1-1-35	1-1-35
4	1-1-35	1-1-35	4	1-1-35	1-1-35
5	1-1-35	1-1-35	5	1-1-35	1-1-35
6	1-1-35	1-1-35	6	1-1-35	1-1-35
7	1-1-35	1-1-35	7	1-1-35	1-1-35
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12	1-1-35	1-1-35	12	1-1-35	1-1-35
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31	1-1-35	1-1-35	31	1-1-35	1-1-35
32	1-1-35	1-1-35	32	1-1-35	1-1-35
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35	1-1-35	1-1-35	35	1-1-35	1-1-35
36	1-1-35	1-1-35	36	1-1-35	1-1-35
37	1-1-35	1-1-35	37	1-1-35	1-1-35
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42	1-1-35	1-1-35	42	1-1-35	1-1-35
43	1-1-35	1-1-35	43	1-1-35	1-1-35
44	1-1-35	1-1-35	44	1-1-35	1-1-35
45	1-1-35	1-1-35	45	1-1-35	1-1-35
46	1-1-35	1-1-35	46	1-1-35	1-1-35
47	1-1-35	1-1-35	47	1-1-35	1-1-35
48	1-1-35	1-1-35	48	1-1-35	1-1-35
49	1-1-35	1-1-35	49	1-1-35	1-1-35
50	1-1-35	1-1-35	50	1-1-35	1-1-35
51	1-1-35	1-1-35	51	1-1-35	1-1-35
52	1-1-35	1-1-35	52	1-1-35	1-1-35
53	1-1-35	1-1-35	53	1-1-35	1-1-35
54	1-1-35	1-1-35	54	1-1-35	1-1-35
55	1-1-35	1-1-35	55	1-1-35	1-1-35
56	1-1-35	1-1-35	56	1-1-35	1-1-35
57	1-1-35	1-1-35	57	1-1-35	1-1-35
58	1-1-35	1-1-35	58	1-1-35	1-1-35
59	1-1-35	1-1-35	59	1-1-35	1-1-35
60	1-1-35	1-1-35	60	1-1-35	1-1-35
61	1-1-35	1-1-35	61	1-1-35	1-1-35
62	1-1-35	1-1-35	62	1-1-35	1-1-35
63	1-1-35	1-1-35	63	1-1-35	1-1-35
64	1-1-35	1-1-35	64	1-1-35	1-1-35
65	1-1-35	1-1-35	65	1-1-35	1-1-35
66	1-1-35	1-1-35	66	1-1-35	1-1-35
67	1-1-35	1-1-35	67	1-1-35	1-1-35
68	1-1-35	1-1-35	68	1-1-35	1-1-35
69	1-1-35	1-1-35	69	1-1-35	1-1-35
70	1-1-35	1-1-35	70	1-1-35	1-1-35
71	1-1-35	1-1-35	71	1-1-35	1-1-35
72	1-1-35	1-1-35	72	1-1-35	1-1-35
73	1-1-35	1-1-35	73	1-1-35	1-1-35
74	1-1-35	1-1-35	74	1-1-35	1-1-35
75	1-1-35	1-1-35	75	1-1-35	1-1-35
76	1-1-35	1-1-35	76	1-1-35	1-1-35
77	1-1-35	1-1-35	77	1-1-35	1-1-35
78	1-1-35	1-1-35	78	1-1-35	1-1-35
79	1-1-35	1-1-35	79	1-1-35	1-1-35
80	1-1-35	1-1-35	80	1-1-35	1-1-35
81	1-1-35	1-1-35	81	1-1-35	1-1-35
82	1-1-35	1-1-35	82	1-1-35	1-1-35
83	1-1-35	1-1-35	83	1-1-35	1-1-35
84	1-1-35	1-1-35	84	1-1-35	1-1-35
85	1-1-35	1-1-35	85	1-1-35	1-1-35
86	1-1-35	1-1-35	86	1-1-35	1-1-35
87	1-1-35	1-1-35	87	1-1-35	1-1-35
88	1-1-35	1-1-35	88	1-1-35	1-1-35
89	1-1-35	1-1-35	89	1-1-35	1-1-35
90	1-1-35	1-1-35	90	1-1-35	1-1-35
91	1-1-35	1-1-35	91	1-1-35	1-1-35
92	1-1-35	1-1-35	92	1-1-35	1-1-35
93	1-1-35	1-1-35	93	1-1-35	1-1-35
94	1-1-35	1-1-35	94	1-1-35	1-1-35
95	1-1-35	1-1-35	95	1-1-35	1-1-35
96	1-1-35	1-1-35	96	1-1-35	1-1-35
97	1-1-35	1-1-35	97	1-1-35	1-1-35
98	1-1-35	1-1-35	98	1-1-35	1-1-35
99	1-1-35	1-1-35	99	1-1-35	1-1-35
100	1-1-35	1-1-35	100	1-1-35	1-1-35

14/11/11

ATTESTED TRUE COPY

Abhaya Kumar
Abhaya Kumar D-1

HIGH COURT
LUCKNOW.

15

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---Claimant's

-----Respondent's

ANNEXURE NO: A-3

ANNEXURE NO: A-3
Causal Labour card of Ram Prasad

[illegible]

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Abhaya Kumar Datta

HIGH COURT
LUCKNOW.

16
 18/4/59

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH
 AT ALLAHABAD.

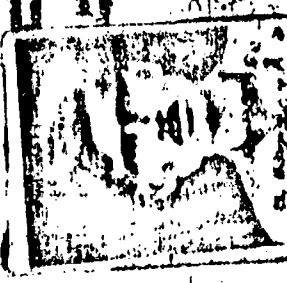
Chinna & Others. Versus.
 Divisional Rail Manager & Respondents.
 Others.
 ANNEXURE NO: A-4

ATTN

Abhi

HIGH COURT
 LUCKNOW

NAME OF SERVICE AS CASUAL LABOUR			Point of employment		Period of employment		Nature of employment		Period of employment	
1	2	3	4	5	6	7	8	9	10	
1. RAM BAJAJ	3/7/53	1/7/53	1/7/53	1/7/53	1/7/53	1/7/53	1/7/53	1/7/53	1/7/53	
2. GUN SINGH	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	
3. SURESH CHAND	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	
4. K. K. K.	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	
5. K. K. K.	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	
6. K. K. K.	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	
7. K. K. K.	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	
8. K. K. K.	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	
9. K. K. K.	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	
10. K. K. K.	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	2/7/53	



Signature & Stamp of
 Divisional Rail Manager

1/2/59 - 11/2/59 - 40 - 1,50,000 P

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH,
AT ALLAHABAD:

Chinna & Others. Versus.
Divisional Rail Manager &
Others.

ANNEXURE NO: A-5

Claimants:

Respondents:

RECORD OF SERVICE AS CASUAL LABOUR				RECORD OF SERVICE AS CASUAL LABOUR			
S. No.	Period of employment	Nature of employment	Signature and designation of Supervisor with date	S. No.	Period of employment	Nature of employment	Signature and designation of Supervisor with date
1	15/11/54	19/11/54		1	15/11/54	19/11/54	
2	15/11/54	19/11/54		2	15/11/54	19/11/54	
3	15/11/54	19/11/54		3	15/11/54	19/11/54	
4	15/11/54	19/11/54		4	15/11/54	19/11/54	
5	15/11/54	19/11/54		5	15/11/54	19/11/54	
6	15/11/54	19/11/54		6	15/11/54	19/11/54	
7	15/11/54	19/11/54		7	15/11/54	19/11/54	
8	15/11/54	19/11/54		8	15/11/54	19/11/54	
9	15/11/54	19/11/54		9	15/11/54	19/11/54	
10	15/11/54	19/11/54		10	15/11/54	19/11/54	
11	15/11/54	19/11/54		11	15/11/54	19/11/54	
12	15/11/54	19/11/54		12	15/11/54	19/11/54	
13	15/11/54	19/11/54		13	15/11/54	19/11/54	
14	15/11/54	19/11/54		14	15/11/54	19/11/54	
15	15/11/54	19/11/54		15	15/11/54	19/11/54	
16	15/11/54	19/11/54		16	15/11/54	19/11/54	
17	15/11/54	19/11/54		17	15/11/54	19/11/54	
18	15/11/54	19/11/54		18	15/11/54	19/11/54	
19	15/11/54	19/11/54		19	15/11/54	19/11/54	
20	15/11/54	19/11/54		20	15/11/54	19/11/54	
21	15/11/54	19/11/54		21	15/11/54	19/11/54	
22	15/11/54	19/11/54		22	15/11/54	19/11/54	
23	15/11/54	19/11/54		23	15/11/54	19/11/54	
24	15/11/54	19/11/54		24	15/11/54	19/11/54	
25	15/11/54	19/11/54		25	15/11/54	19/11/54	
26	15/11/54	19/11/54		26	15/11/54	19/11/54	
27	15/11/54	19/11/54		27	15/11/54	19/11/54	
28	15/11/54	19/11/54		28	15/11/54	19/11/54	
29	15/11/54	19/11/54		29	15/11/54	19/11/54	
30	15/11/54	19/11/54		30	15/11/54	19/11/54	

ATTESTED TO COPY.

Abhaya

HIGH COURT LUCKNOW.



Signature of claimant

Date: 15/11/54

17

84/28

ATTESTED TRUE COPY

Abhaya
12/10/21

Signature & Designation of
Authoritative Functionary



1000-1000-1000

RECORD OF SERVICE AS
CASUAL LABOUR

- 1. Name as full (in Hindi Letters) शिव
- 2. Father's Name शिव
- 3. Date of Birth
- 4. Age at initial casual employment
- 5. Personal marks of identification (i) (ii)
- 6. Nature of job on initial employment CL / HM

RECORD OF SERVICE AS
CASUAL LABOUR

S. No.	Period of employment		Nature of Assignment	Signature and designation of the Supervisor with date.
	From	To		
1	12/10/21	12/10/21	CL	
2	12/10/21	12/10/21	CL	
3	12/10/21	12/10/21	CL	
4	12/10/21	12/10/21	CL	
5	12/10/21	12/10/21	CL	
6	12/10/21	12/10/21	CL	
7	12/10/21	12/10/21	CL	
8	12/10/21	12/10/21	CL	
9	12/10/21	12/10/21	CL	
10	12/10/21	12/10/21	CL	
11	12/10/21	12/10/21	CL	
12	12/10/21	12/10/21	CL	
13	12/10/21	12/10/21	CL	
14	12/10/21	12/10/21	CL	
15	12/10/21	12/10/21	CL	
16	12/10/21	12/10/21	CL	
17	12/10/21	12/10/21	CL	
18	12/10/21	12/10/21	CL	
19	12/10/21	12/10/21	CL	
20	12/10/21	12/10/21	CL	
21	12/10/21	12/10/21	CL	
22	12/10/21	12/10/21	CL	
23	12/10/21	12/10/21	CL	
24	12/10/21	12/10/21	CL	
25	12/10/21	12/10/21	CL	
26	12/10/21	12/10/21	CL	
27	12/10/21	12/10/21	CL	
28	12/10/21	12/10/21	CL	
29	12/10/21	12/10/21	CL	
30	12/10/21	12/10/21	CL	
31	12/10/21	12/10/21	CL	
32	12/10/21	12/10/21	CL	
33	12/10/21	12/10/21	CL	
34	12/10/21	12/10/21	CL	
35	12/10/21	12/10/21	CL	
36	12/10/21	12/10/21	CL	
37	12/10/21	12/10/21	CL	
38	12/10/21	12/10/21	CL	
39	12/10/21	12/10/21	CL	
40	12/10/21	12/10/21	CL	
41	12/10/21	12/10/21	CL	
42	12/10/21	12/10/21	CL	
43	12/10/21	12/10/21	CL	
44	12/10/21	12/10/21	CL	
45	12/10/21	12/10/21	CL	
46	12/10/21	12/10/21	CL	
47	12/10/21	12/10/21	CL	
48	12/10/21	12/10/21	CL	
49	12/10/21	12/10/21	CL	
50	12/10/21	12/10/21	CL	
51	12/10/21	12/10/21	CL	
52	12/10/21	12/10/21	CL	
53	12/10/21	12/10/21	CL	
54	12/10/21	12/10/21	CL	
55	12/10/21	12/10/21	CL	
56	12/10/21	12/10/21	CL	
57	12/10/21	12/10/21	CL	
58	12/10/21	12/10/21	CL	
59	12/10/21	12/10/21	CL	
60	12/10/21	12/10/21	CL	
61	12/10/21	12/10/21	CL	
62	12/10/21	12/10/21	CL	
63	12/10/21	12/10/21	CL	
64	12/10/21	12/10/21	CL	
65	12/10/21	12/10/21	CL	
66	12/10/21	12/10/21	CL	
67	12/10/21	12/10/21	CL	
68	12/10/21	12/10/21	CL	
69	12/10/21	12/10/21	CL	
70	12/10/21	12/10/21	CL	
71	12/10/21	12/10/21	CL	
72	12/10/21	12/10/21	CL	
73	12/10/21	12/10/21	CL	
74	12/10/21	12/10/21	CL	
75	12/10/21	12/10/21	CL	
76	12/10/21	12/10/21	CL	
77	12/10/21	12/10/21	CL	
78	12/10/21	12/10/21	CL	
79	12/10/21	12/10/21	CL	
80	12/10/21	12/10/21	CL	
81	12/10/21	12/10/21	CL	
82	12/10/21	12/10/21	CL	
83	12/10/21	12/10/21	CL	
84	12/10/21	12/10/21	CL	
85	12/10/21	12/10/21	CL	
86	12/10/21	12/10/21	CL	
87	12/10/21	12/10/21	CL	
88	12/10/21	12/10/21	CL	
89	12/10/21	12/10/21	CL	
90	12/10/21	12/10/21	CL	
91	12/10/21	12/10/21	CL	
92	12/10/21	12/10/21	CL	
93	12/10/21	12/10/21	CL	
94	12/10/21	12/10/21	CL	
95	12/10/21	12/10/21	CL	
96	12/10/21	12/10/21	CL	
97	12/10/21	12/10/21	CL	
98	12/10/21	12/10/21	CL	
99	12/10/21	12/10/21	CL	
100	12/10/21	12/10/21	CL	

Claimants:
Respondents:
Others:
Divisional Rail Manager
ANNEXURE NO. A-6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH
AT ALAHABAD

10/10
21

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH
AT ALLAHABAD

Chinna & Others. Versus
Divisional Rail Manager &
Others.

Claimants

Respondents

ANNEXURE NO: A-7

प्रति :- २७/०५/२०१२ कोर्ट के अगुआ के समक्ष प्रस्तुत किया गया।

ATTESTED

RECORD OF SERVICE AS
CASUAL LABOUR

MUNNA
BECHHOO

1. Name in full (in Block Letters)
2. Father's Name
3. Date of Birth
4. Age at initial casual employment
5. Personal marks of identification
6. Name of job on initial employment

15/10/54

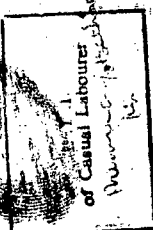
Years Months

18 years

(0)

CL 144

Verifies



Signature & designation of
authorizing officer

प्रति रत - १२/०५/२०१२

11/1245-66-1,50,000 P

S. No.	Period of employment		Nature of assignment	Signature and designation of the supervising officer	Remarks and date of completion of the work
	From	To			
1	15/10/54	31/12/54	...	...	...
2	15/10/54	31/12/54	...	...	...
3	15/10/54	31/12/54	...	...	...
4	15/10/54	31/12/54	...	...	...
5	15/10/54	31/12/54	...	...	...
6	15/10/54	31/12/54	...	...	...
7	15/10/54	31/12/54	...	...	...
8	15/10/54	31/12/54	...	...	...
9	15/10/54	31/12/54	...	...	...
10	15/10/54	31/12/54	...	...	...
11	15/10/54	31/12/54	...	...	...
12	15/10/54	31/12/54	...	...	...
13	15/10/54	31/12/54	...	...	...
14	15/10/54	31/12/54	...	...	...
15	15/10/54	31/12/54	...	...	...

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, NATIONAL BENCH,
AT ALLAHABAD.

China & Others. Versus.
Divisional Rail Manager &
Others.
Respondent.

APPEAL NO. 12-8

ATTA-45732 30/01/2011 11/01/2011

RECORD OF SERVICE AS
CASUAL LABOUR

1. Name in full (in Block Letters) *Abhay Kumar*
2. Fathers' Name *Devi*
3. Date of Birth *10-10-53*
4. Age at initial casual employment *19* Years *2* Months
5. Personal marks of identification *(i) (ii)*
6. Nature of job on initial employment *CH/KA*

Verified

Abhay Kumar
Signature & designation of
casual labourer.



18/01/11 14:05:43 1.50.00

ATTESTED TRUE COPY

Abhay Kumar

HIGH COURT
LUCKNOW.

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH,
AT ALLAHABAD.**

Claimants: Chinna & Others. Versus: Respondents:
 Divisional Rail Manager &
 Others.

ANNEXURE NO. A-9

21/11/2014 - 20/7/2014

**RECORD OF SERVICE AS
CASUAL LABOUR**

**RECORD OF SERVICE AS
CASUAL LABOUR**

S. No.	Name in full (In Block Letters) 20/11/2014	Fathers' Name. 20/11/2014	Date of Birth 20/11/2014	Age at initial casual employment. 20/11/2014	Personal marks of identification. (i) (ii)	Nature of job on initial employment. CL 14H	Period of employment		Nature of Assignment	Signature and designation of the Supervisor with date.	S. No.	Period of employment	Nature of Assignment	Signature and designation of the Supervisor with date.
							From	To						
1							2	3						
2							2	3						
3							2	3						
4							2	3						
5							2	3						
6							2	3						

ATTESTED

Abhaya 24/11/2014

HIGH COURT
LUCKNOW.

Signature of
Divisional Rail Manager
Allahabad
20/11/2014

R.P.W. - 11 1245-64-1,50,000 P.

21
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~~28~~

China & Others:

2017-10-10

Casual labour card of Boeth Lal

Q.L. Page - Page 16

UNIT TWO: NORTHWARD: 2001-1997

[illegible]

244-319
263 dya

ATTESTED

~~Abha Kanta Das~~
HIGH COURT
LUCKNOW.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, COCHIN
AT ALLAHABAD.

Claimant

Chinna & Others. Versus.

Divisional Rail Manager &

Others.

Respondent

AMENDRE NO: 2-11

Chotey Lal - Vill. Kaktara, P.O. Tondawali, Tehsil Sarsa Dist - Muzaffarpur

RECORD OF SERVICE AS CASUAL LABOUR

(Chotey Lal)
CHOTEY LAL S. No.

1. Name in full (in Block Letters) **Mohakum**

2. Father's Name **1-3-1958**

3. Date of Birth **Year Month**

4. Age at initial casual employment

5. Personal marks of identification

(1) **Khallari**



Signature & designation of
authorizing officer
[Signature]
[Designation]

RECORD OF SERVICE AS CASUAL LABOUR

Sl. No.	Period of employment	Nature of Assignments	Signature and designation of Supervisor or other authority
	From To		
1	25-11-57 to 25-11-57	Khallari	[Signature]
2	18-10-57 to 18-10-57	Khallari	[Signature]
3	17-12-57 to 17-12-57	Khallari	[Signature]
4	16-1-58 to 16-1-58	Khallari	[Signature]
5	15-3-58 to 15-3-58	Khallari	[Signature]
6	15-9-58 to 15-9-58	Khallari	[Signature]
7	15-11-58 to 15-11-58	Khallari	[Signature]
8	15-12-58 to 15-12-58	Khallari	[Signature]
9	15-1-59 to 15-1-59	Khallari	[Signature]
10	15-2-59 to 15-2-59	Khallari	[Signature]
11	15-3-59 to 15-3-59	Khallari	[Signature]
12	15-4-59 to 15-4-59	Khallari	[Signature]

RECORD OF SERVICE AS CASUAL LABOUR

Sl. No.	Period of employment	Nature of Assignments	Signature and designation of Supervisor or other authority
	From To		
1	25-11-57 to 25-11-57	Khallari	[Signature]
2	18-10-57 to 18-10-57	Khallari	[Signature]
3	17-12-57 to 17-12-57	Khallari	[Signature]
4	16-1-58 to 16-1-58	Khallari	[Signature]
5	15-3-58 to 15-3-58	Khallari	[Signature]
6	15-9-58 to 15-9-58	Khallari	[Signature]
7	15-11-58 to 15-11-58	Khallari	[Signature]
8	15-12-58 to 15-12-58	Khallari	[Signature]
9	15-1-59 to 15-1-59	Khallari	[Signature]
10	15-2-59 to 15-2-59	Khallari	[Signature]
11	15-3-59 to 15-3-59	Khallari	[Signature]
12	15-4-59 to 15-4-59	Khallari	[Signature]

ATTESTED TRUE COPY

Abhaya Kumar Dixit
Advocate
HIGH COURT
LUCKNOW

22/11/58

25

A4
20

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AT ALLAHABAD.

Chinna & Others. Versus,
Divisional Rail Manager &
Others.

ANNEXURE NO. A-13

सं. 220-6.अ.-11. (इ.एम.सी. 2) 37 मद्रास रेल मंडल कायदा.
3.8. गुरायाबाद 19.11.82

समस्त अधिकारीगण, गुरायाबाद मद्रास
समस्त प्रत्येक अधिकारी, गुरायाबाद मद्रास
समस्त अधिकारी, सहायक अधिकारी, प्रधान लिपिक, क्लर्क आदि।
प्रतिलिपि- मद्रास सचिव, यू.आर.एम. गुरायाबाद
मद्रास सचिव, एम.आर.एम. गुरायाबाद।

TOP PRIORITY

Subj: Regularisation of casual labour appointed after
1.8.78.

Attention is invited to this office letter of even number
dated 29.10.82 and telegraphic reminders dated 16.12.82,
21.1.83 and 1.6.83 but the information has not so far been
furnished by you. Headquarter is pressing hard for
Regularisation of casual labour appointed after 1.8.78 i.e.
between 1.8.78 to 4.10.78. It is, therefore, requested to
furnish the information on the following proforma immediately.

Separately (Annexure 'B')

[Signature]

for Divl. Railway Manager,
Moradabad.

ANNEXURE 'A'

S.No.	Name	Father's name	Designation	Station	Date of engagement	Reasons due to which engaged.
-------	------	---------------	-------------	---------	--------------------	-------------------------------

1	2	3	4	5	6	7
---	---	---	---	---	---	---

Authority for engagement.	Temporary sanction if any (No. and date should be given).	Date of discharge.
---------------------------	---	--------------------

8	9	10
---	---	----

Certified that all C/labour/Substitute who have been engaged
between 1.8.78 and 4.10.78 who had not worked prior to 1.8.78
have been included and no one have been left out.

ATTESTED TRUE COPY

[Signature]
Signature of Sr. Subordinate
Seal/Design/Station and date

Abhaya Kumar Dixit

HIGH COURT
LUCKNOW

[Signature]

सम्पन्न:- केन्द्र सेवा अधिकरण, इलाहाबाद ।

चिन्ना आदि -----याचीगता ।

विस्तृत

डिवीजनल रेल प्रबंधक आदि -----विपक्षीगता ।

संलग्नक संख्या- A-14

रेलवे बोर्ड पत्रांक ई०एनजी० ११-७८/सो एल/२ दिनांक ४/३/८७ की प्रतिलिपि

विषय :- नैमित्तिक श्रमिक-जीवन्त नैमित्तिक श्रमिक पंजिका मेन्टेन करना ।

रेलवे बोर्ड के पत्र सं०-ई०एनजी० एव-७८/सो एल/२ दिनांक २५/१/८६ पृष्ठ सं० ८९८९० द्वारा प्रेषित निर्देशों की तरफ ध्यान आकर्षित किया जाता है । जहां तक परियोजना के नैमित्तिक श्रमिकों का संबंध है निर्देश प्रधान कार्यालय के मु०सं० ९०१८ में उनके वरिष्ठता सूची तथा अस्थाई ओहदा देने के निर्देश दिए जा चुके हैं । इसी क्रम में रेलवे बोर्ड से पुनः परियोजना के नैमित्तिक श्रमिक जो १-१-८१ से पहले कार्य कर चुके हैं और काम समाप्त होने पर निकाले जा चुके हैं और उनको पुनः काम पर नहीं लगाया गया है । उनको नौकरी में लगाने तथा मु०सं०-९०४८ में दिये गये निर्देशों के अनुसार प्राप्त लाभ का अक्सर देने से संबंधित निर्देश इस कार्यालय के पत्र सं० २२०ई/१९०×११०ई-११० दिनांक ११/३/८७ मु०सं० ९१९१० द्वारा अभी प्रेषित किया गया है । तदनुसार यह लाभ रेलवे बोर्ड ने ओपन लाइन के नैमित्तिक श्रमिकों को देने का विनिश्चय किया है इस संबंध में रेलवे बोर्ड के पत्र सं० ई०एनजी० ११-७८/सो एल/२ दिनांक ४/३/८७ की प्रतिलिपि सूचना मार्गदर्शन एवं आवश्यक कार्यवाही हेतु प्रेषित की जा रही है ।

इस पर तदनुसार व्यपक प्रचार के साथ जारी करे ताकि सबको उसकी जानकारी हो सके तदनुसार आवश्यक कार्यवाही की जाए ।

पत्र का हिन्दी अनुवाद भेजा जायेगा ।

इसकी पावती अवश्य भेजि ।

संलग्न/यथोक्त
ATTESTED

Abhijit Singh
14/3/87

HIGH COURT
LUCKNOW.

ह० राहुल झा०

कृते महाप्रबंधक का०

सम्प्रा:- केन्द्र सेवा अधिकरण, इलाहाबाद ।

by
22

चिन्ना आदि -----याचीगता ।

विस्तृत

डिवीजनल रेल प्रबंधक आदि ----विपक्षीगता ।

संलग्नक संख्या- - A - 15

उत्तर रेलवे,

मंडल रेल प्रबंधक कार्यालय,

उत्तर रेलवे/मुरादाबाद ।

दिनांक: 1-6-1987,

पत्र संख्या: ई/ई टी-2/स्कोनिंग/चतुर्थ श्रेणी/86

मुरादाबाद मण्डल के सभी स्टेशन अधीक्षक ।

स्टेशन मास्टर, यातायात निरीक्षक एवं वाणिज्य निरीक्षक ।

मुख्य कन्ट्रोलर, रोजा, मुरादाबाद ।

कार्यालय अधीक्षक मण्डलकार्यालय, मुरादाबाद ।

विषय :- परिवहन और वाणिज्य विभागों में एकजी तथा कार्यरत श्रमिकों को नियुक्ति ।

परिवहन एवं वाणिज्य विभाग के चतुर्थ श्रेणी के रिक्त स्थानों को भरने हेतु पैनल बनाने के लिए इन विभागों को केजुएल लेवरो एवं एक्जिज्यों से आवेदन पत्र आमंत्रित किए जाते हैं जिन्होंने 31/5/87 तक इन विभागों में 120 दिन लगातार, यदि लगातार न हो तो 121 दिन या अधिक मण्डल में 4/10/78 से पूर्व भी कार्य किया हो । कोई भी कर्मचारी जिसने 4/10/78 से पूर्व मण्डल के किसी विभाग में कार्य नहीं किया है, उनका आवेदन पत्र इस कार्यालय को न भेजा जाय ।

केवल ऐसे कर्मचारी जो अनुसूचित जाति/अनुसूचित जनजाति के अन्तर्गत हैं तथा उनके दिनांक 31/5/87 तक परिवहन व वाणिज्य विभाग में कार्य दिवस 120 दिन से कम भी हैं, आवेदन कर सकते हैं लेकिन इन प्रार्थना पत्रों पर विचार बाद में आवश्यकता पडने पर किया जायेगा ।

सभी पात्र कर्मचारी आवेदन पत्र संलग्न प्रपत्र "अ" पर पूर्णरूप से भरकर दिनांक 15/6/87 तक अपने अन्तिम कार्य किये गये स्टेशन के इन्चार्ज को दे दें एवं उनसे पावती प्राप्त कर लें । कर्मचारी अपने आवेदन पत्रों के साथ सभी प्रमाण पत्रों को सत्यापित प्रतिलिपियों संलग्न करें ।

मण्डल के सभी स्टेशन अधीक्षक, मुख्य कन्ट्रोलर तथा कार्यालय अधीक्षक मण्डल कार्यालय मुरादाबाद अपने कर्मचारियों को सूची प्रपत्र "बी" पर सीधे ही इस कार्यालय को श्रीमति के.एल.गोयल वरिष्ठ हित निरीक्षक मंडल कार्यालय

400



मुरादाबाद के नाम से भेजें। लिफाफे के ऊपर "परिवहन एवं वाणिज्य विभाग में चतुर्थ श्रेणी कर्मचारियों की स्क्रीनिंग" लिखा होना किसी भी दशा में प्रार्थना पत्र सीधे इस कार्यालय को न भेजें जाए।

इस पत्र के तथ्यों का भली प्रकार प्रचार किया जाये। छण्ड के यातायात वाणिज्य निरीक्षक यह सुनिश्चित करें कि उनके छण्ड के प्रत्येक स्टेशन मास्टर ने अपने स्टेशन का विवरण आवेदन पत्र जो 10/6/86 दिनांक तक प्राप्त किया है, सत्यापित करके उन्हे दिनांक 15/6/87 तक भेज दिया है। दिनांक 10/6/87 के सशचात आवेदन पत्र स्वीकार नहीं किए जायें।

अपूर्ण आवेदन पत्रों पर विचार नहीं किया जायेगा। आवेदन पत्रों के साथ सभी आवश्यक प्रमाणपत्रों को सत्य प्रतिलिपियां संलग्न होनी चाहिए।

इसे व्यापक प्रचार के लिए नोटिस बोर्ड पर भी लगाया जाय।

कृते मण्डल रेल प्रबन्धक,
उ० र०, मुरादाबाद।

प्रतिलिपि: मण्डल सचिव एवं समस्त मुख्य सचिव एन्०आर०एम०यू एवं यू०आर०एम०यू आप सभी से भी अनुरोध है कि इस पत्र का व्यापक प्रचार किया जाय जिससे सभी पात्रता रखने वाले कर्मचारी आवेदन कर सकें।

सिन्हा

ATTESTED TRUE COPY

Abhaya Kumar

H.C. ...
LUCKNOW.

By
33

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH
AT ALLAHABAD.

Chinna & Others. Versus.
Divisional Rail Manager &
Others.

ANNEXURE NO. 17

NO. 1166 Stamps affixed except in case of uniformity of red letters of not more than the weight prescribed in the Guide on which no acknowledgment is required.

Received a V.P. registered addressed to 15/11/08

Signature of Receiving Officer with the word "Insured" before it when necessary.

To be filled in only when the article is to be insured; otherwise to be crossed out by two diagonal lines.

Insured for Rs. (in figures) 15/11/08

Insurance fee Rs. 15/11/08 (in words) 15/11/08

NO. 1167 Stamps affixed except in case of uniformity of red letters of not more than the weight prescribed in the Guide on which no acknowledgment is required.

Received a V.P. registered addressed to 15/11/08

Signature of Receiving Officer with the word "Insured" before it when necessary.

To be filled in only when the article is to be insured; otherwise to be crossed out by two diagonal lines.

Insured for Rs. (in figures) 15/11/08

Insurance fee Rs. 15/11/08 (in words) 15/11/08

पिना

ATTESTED TRUE COPY

Abhaya Dixit
Advocate
HIGH COURT
LUCKNOW.

SPECIAL POWER OF ATTORNEY:

In the Central Administrative Tribunal Allahabad Bench
O.A. No. 1109 of 87
Chinna & Others Plaintiff
Appellant
Petitioner

V E R S U S

DRM/ & others

Defendant
Respondent
Opposite Party.

KNOW all men by these present that I Sukh Dev Gupta, Div. Rly. Manager.
Northern Railway Moradabad do hereby appoint and authorise
s/Sri S. P. Sinhasan, Advocate to appear, plead, and
act for me jointly or severally in the above noted case and to
take such steps and proceedings as may be necessary for the
prosecution or defence of the said matter, as the case may be and
for the purpose to make sign, verify and present all necessary plai
petitions, written statements and other documents to compromise the
suit admit the claims and to lodge and deposit money in Court and
to receive payment from the court of money deposited and to file
and withdraw documents from Court and Generally to set in the
premises and in all proceedings arising thereout whether by way of
execution and or others se or in any manner connected there
with as effectually to all intents and purposes as I could act if
personally present I hereby agree to ratify and confirm whether
shall be lawfully done by virtue of these presents.

In witness where of I hereinto set my hand this
day of 198

Accepted
S. P. Sinhasan
Advocate
counsel for the Petitioner

Sukh Dev Gupta
Divisional Railway Manager
Northern Railway
Moradabad

53

BS
1

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD

WRITTEN REPLY

ON BEHALF OF THE RESPONDENTS No. 1, 2 and 3

IN

REGISTRATION No. 1109 OF 1987

Chinna and others Applicants

Versus

Divisional Rail Manager and others . . . Respondents

The written reply on behalf of the
above named respondents is as under:

1. That in regard to the allegations made in paragraph 3 of the application it is stated that a joint application by 12 persons is not maintainable, as all of them have separate cause of action. It is further stated that the applicants were engaged as casual labourers on daily wage basis to discharge the duties of Khalasi only. Since the applicants have not paid fee separately the application deserves to be rejected on this ground alone.

*Copied for office use
Service will be made
effected by post
Regd. 25/11/87
B.H. S. S. Sinha
R.P.*

[Signature]

AS
2

-2-

2. That in regard to the allegations made in paragraph 5 of the application it is stated that so far as the applicants No. 2 to 12 are concerned, the application is clearly barred by time.

3. That in regard to the allegations made in paragraph 6.1 of the application it is stated that the applicants were engaged to discharge their duties of Khalasi merely as casual labourers on daily wage basis.

4. That in regard to the allegations made in paragraph 6.2 of the application it is stated that casual labourer cards only show that the applicants were engaged as casual labourers on daily wage basis and ceased to work long ago as is apparent from the figures given in paragraph 6.1 of the application itself.

5. That in regard to the allegations made in paragraphs 6.3, 6.4, 6.5 and 6.6 of the application it is stated that the names of all the twelve applicants have been entered in the live register and in the seniority list for future engagements.

6. That in regard to the allegations made in paragraph 6.7 of the application it is

AS
3

-3-

stated that as has already been indicated above the names of the applicants have been included in the live register and the seniority list.

7. That the allegations made in paragraph 6.8 of the application are absolutely incorrect and are emphatically denied. It is further stated that the names of all these applicants are continuing in the above documents right from the year 1985.

8. That the allegations made in paragraph 6.9 of the application are absolutely incorrect and are emphatically denied. It is further stated that the applicants were work-side casual labourers and they will be considered for employment on the work-side, if any requirement arises.

9. That the allegations made in paragraph 6.10 of the application are absolutely incorrect and are emphatically denied. No ground at all has been made out for any interference by this Hon'ble Tribunal and the application being devoid of merits is liable to be rejected.

VERIFICATION

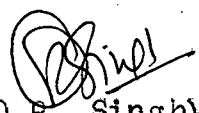
I, O.P. Singh, Assistant Engineer,

h

15/4

-4-

Northern Railway, Hardoi, do hereby declare
that the contents of this written reply are
true to my knowledge and belief.

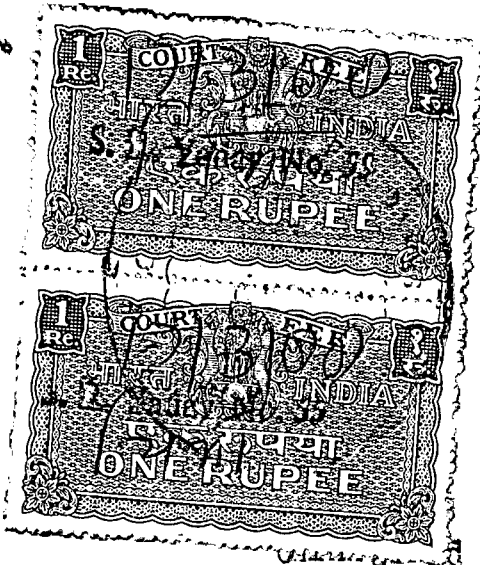

(O.P. Singh)
Assistant Engineer,
Northern Railway,
Hardoi

Place of verification: *Hardoi*

Date of Verification: *24-12-87*

H/c

In The Central Administrative Tribunal, Additional Bench,
at
ALLAHABAD.



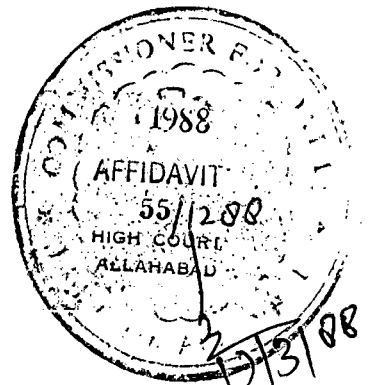
REJOINDER AFFIDAVIT
ON BEHALF OF CLAIMANTS

Inre:

Regis. No. 1109 of 1987

Filed on 18.3.88

oths..



..Applicants.

Vs.

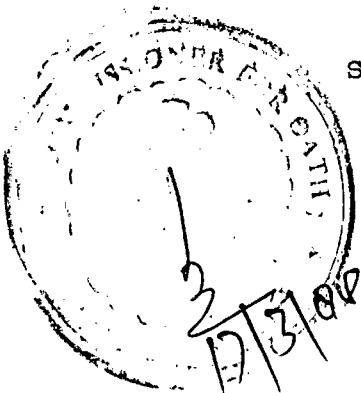
Divisional Rail Manager & oths..

..Respondents.

I Chinna aged 28 years son of Sri Hansa,
resident of village Terwa Post Kachhona, District
Hardoi, do hereby solemnly affirm and state on
oath as under:-

1. That deponent is applicant no. 1 in the
above mentioned claim petition and he has been
instructed on behalf of all the claimants to
file this rejoinder in response to the written
reply filed on behalf of respondents No.1,2
and 3.
2. That contents of para 1 of written reply filed
on behalf of respondents No.1,2 and 3, here -
inafter referred as reply, it is submitted that
specific reasons have been given for presenting

.. /2.



[Handwritten signature]

*Received Copy
(Ravi KANUNJIA)
B.H. S. S. P. Sinha*

Mc
2

joint petition on single set of fee in para 3 of the claim. Since claim has been admitted by the Hon'ble Tribunal, respondents have nothing to do with this aspect of case which is a matter between claimants and the court. Apart from it in view of Principle of law laid down in Full Bench decision of Hon'ble Allahabad High Court (Lucknow Bench) reported in 1984 L.L.J. 18, such sort of joint petition on single set of court fee is perfectly maintainable.

3. That contents of para 2 to the reply are denied since relief of Mandamus has been sought for which claimants have got a legal right and respondents have legal obligation to perform, and in view of directions of high level Railway authorities contained in Annexures A-6 to A-9 the cause of action is continuous.
4. That contents of para 4 of reply are matter of records.
5. That contents of paras 5, 6 and 7 to the reply being evasive and vague are denied. It is not sufficient simply to say that name of claimants have been included in the list without disclosing the full details of list i.e. its number, date of issue, gradation number of claimants said to have been included in the list. As a

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16/3

-3-

matter of fact entire list should have been annexed with the reply so that claimants would have been in a position to disclose before this Hon'ble Tribunal as to which person Junior than claimant has been engaged. As a matter of fact such list has never been brought to the notice of claimants nor it has been published or pasted on notice Board. It is highly essential that respondents be ordered to produce the said list before this Hon'ble Tribunal after supplying a copy of the same to the claimants for which a separate application is being moved.

6. That contents of paras 7 , 8 and 9 to the reply are denied and those stated in claim petition are reiterated to be correct. Deponent is hereunder giving names of few juniors than claimants who have not only been engaged but regularised. Deponent reserves his right to disclose further names after list is supplied to them:-

12/3/80

चिन्ता

../5.



1. Munshi s/o Rahman Vill. Terwa
2. Bashir s/o Abdulla Vill. Terwa
3. Babu s/o Sumer Vill. Newada
4. Ram Kishor s/o Balak Vill. Terwa
5. Majeed s/o Piarey Vill. Terwa
6. Kamlesh s/o Kashi Nath Vill. Patseni
7. Naseer s/o Subrati Vill. Takia
8. Santosh Vill. Newadia.

Deponent,

17 March, 1988.

(Chinna) applicant No.1

Verification

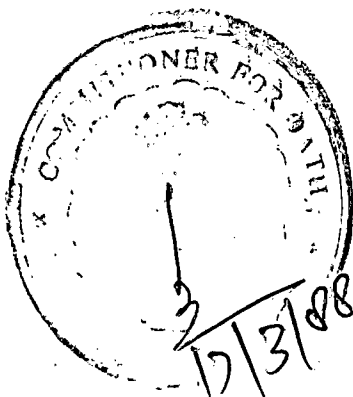
I above named deponent do hereby verify the contents of paras 1 to 8 of this affidavit to be true from my personal knowledge. No part of it is false and nothing material has been concealed. So help me God.

Deponent,

17 March, 1988.

(Chinna)

I know and identify the deponent Chinna who has signed on this affidavit in my presence.



(A.K. Dixit)

Advocate.

Particulars to be ExaminedEndorsement as to result of Examination

- 7 (c) Are the documents referred to in (a) above neatly typed in double space? *Yes (Photo Copies filed)*
8. Has the index of documents been filed and paging done properly? *Index filed, Paging done in two copies.*
9. Have the chronological details of representation made and the outcome of such representations been indicated in the application? *Yes*
10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal? *No*
11. Are the application/duplicate copy/spare copies signed? *Two copies signed.*
12. Are extra copies of the application with Annexures filed? *Yes*
- (a) Identical with the original? *Yes.*
- (b) Defective? *Yes*
- (c) Wanting in Annexures
Nos.....12...../Pages Nos.. 24...? *wanting.*
13. Have file size envelopes bearing full addresses, of the respondents been filed? *No*
14. Are the given addresses, the registered addresses? *Yes*
15. Do the names of the parties stated in the copies tally with those indicated in the application? *Yes*
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true? *N.A.*
17. Are the facts of the case mentioned in item No. 6 of the application? *Yes*
- (a) Concise? *Yes*
- (b) Under distinct heads? *Yes*
- (c) Numbered consecutively? *Yes*
- (d) Typed in double space on one side of the paper? *Yes*
18. Have the particulars for interim order prayed for indicated with reasons? *No*

19. Whether all the remedies have been exhausted.

If approved the case may be listed on 2.12.87,

*Submitted by
Chandra*

20/11/87

17/3/88

Solemnly affirmed before me on 17/3/88
day of March, 1988 at 11-10 a.m./p.m. by the
deponent Sri ~~Mr~~ Chinna who is identified by Sri
A.K. Dixit, Advocate, High Court (Lucknow Bench)
I have satisfied my self by examining the deponent
that he understands the contents of this affidavit
which have been read out and explained by me to
him.

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17/3/88

OATH COMMISSIONER.
17/3/88
(K. C. SRIVASTAVA)
Advocate Oath Commissioner
Allahabad High Court
Lucknow, U.P. India.
No. 55/1288
Date 17/3/88