

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. No. 988/92.

Dt. of Decision : 5-8-94.

1. C. Narayana
2. K. Chengalrayudu
3. Edward
4. S.C. Masthan
5. Venkataramana
6. Viswanath Kamath
7. Mohan
8. Ganesh
9. Hanumanthu
10. D. Mallikarjun
11. K. Kumaraswamy

.. Applicants.

vs

1. The General Manager,
SC Rly, Secunderabad.
2. The Chief Personnel Officer,
SC Rly, Secunderabad.
3. The Chief Commercial Superintendent,
SC Rly, Secunderabad.
4. The Sr. Divisional Personnel Officer,
SC Rly, Guntakal.
5. The Divisional Railway Manager,
SC Rly, Guntakal.

.. Respondents.

Counsel for the Applicants : Mr. S. Ramakrishna Rao
Counsel for the Respondents : Mr. N.V. Ramana, SC for Rlys.

CORAM:
THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN
THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

6. In the result, we follow the orders of this Tribunal in O.A.No.1169/91 and 86/92 and direct the respondents as follows:-

The respondents should consider the cases of all the applicants herein, even if they are engaged after 28.7.1987 for absorption either in a regular capacity or as casual labourer in the Guntakal Division of South Central Railway and prepare a list in the same manner as was done in the case of Catering Cleaners who were applicants in the above cited O.As. While preparing this list, the respondents have to give age relaxation to the extent of service they have put in as Catering Contract Cleaners till their services were terminated in 1991.

7. The above direction should be complied within a period of 3 months from the date of receipt of a copy of this order.

8. O.A. is ordered accordingly. No costs.

CERTIFIED TO BE TRUE COPY
Date.....
Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad
9/8/94

Copy to:-

1. The General Manager, South Central Railways, Secunderabad.
2. The Chief Personnel Officer, South Central Railways, Sec'bad.
3. The Chief Commercial Superintendent, South Central Railways, Secunderabad.
4. The Senior Divisional Personnel Officer, SC Rlys, Guntakal.
5. The Divisional Railway Manager, S.C.Rlys, Guntakal.
6. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT, Hyderabad.
7. One copy to Mr.N.V.Ramana, S.C. for Rlys, CAT, Hyderabad.
8. One copy to Library
9. One spare.

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[Signature]

candidates from among the existing catering cleaners violating the orders of the Supreme Court. It is also alleged that the respondents had arbitrarily framed rules stipulating that the age limit for Cleaners to be absorbed should not exceed the maximum of 28 years, thereby disqualifying the Canteen Cleaners. The services of the applicants were terminated with effect from 31.3.1991, though it is stated that number of persons junior to them were continued. Aggrieved by their termination, the applicants have represented to authorities; but there was no response. Hence, this OA is filed for issue of a direction as above.

4. When the O.A. came up for hearing, the learned counsel for the respondents fairly submitted that this case has been covered by the orders of this Tribunal in O.A.No.1169 of 1991 dt. 4.11.1991 and O.A.No.86/92 dt. 4.11.1992.

5. We have perused the above quoted judgments of this Tribunal and satisfied that this case is already covered by those judgments cited above. The only point for further consideration is in regard to the maximum age prescribed for engaging them as casual labourers in the Railways. It is by now well settled that the Casual Labourers should have been engaged initially before they attain the maximum prescribed age for employing them in Railways. While screening and absorbing them on a regular basis age relaxation has to be given to the extent of the service they have put in as Casual Labourer. In this case, the contract labourers who were engaged within the maximum prescribed age as Contract Cleaners should be given relaxation of age to the extent of their service they have put in as Contract Cleaners.

20-2-96

ORIGINAL

RAILWAY

Issue notice. Post it

on 19.3.96. Reply in the

meantime.

HRN
R(2)

THE CENTRAL ADMINISTRATIVE
TRIBUNAL. HYDERABAD BENCH

M.A.NO 57/96.

IN

O.A.NO 988/92.

Implementation Petition

Mr. S. Rama Krishna Rao

COUNSEL FOR THE APPLICANTS.

Mr. N.V. Ramana AND
Sr. Addl. Standing Counsel for
C.G. Rlys.

Notice in M.A.
20/2/96

