

(53)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

OA No. 198/92

Date of judgement: 10-2-93.

Between

Cherukuri Udyo Lakshmi : Applicant
And

1. General Manager, South Central Railway, Rail Nilayam, Secunderabad.
2. Chief Personnel Officer, South Central Railway, Rail Nilayam, Secunderabad.
3. Deputy Chief Mechanical Engineer, Guntapalli Wagan Workshop, South Central Railway, Mylavaram Taluk, Krishna Dist. : Respondents

COUNSEL FOR THE APPLICANT : Shri T.L.N. Chary

COUNSEL FOR THE RESPONDENTS : Shri D. Francis Paul

CORAM

Hon'ble Shri V. Neeladri Rao, Vice-Chairman

Hon'ble Shri R. Balasubramanian, Member (Admn.)

(Judgement of the division bench as delivered by Shri
V. Neeladri Rao, Vice-Chairman)

The applicant's paternal grand-father is Shri Ch. Ramaiah. A land to the extent of 87 cents in RS 82/5 in Guntapalli was acquired by the Railways in 1974. As per the Railway Board's letter No. EE(WG/II/32/RC-1/85 dated 21-12-82/1-1-83, the scheme provides to one member of the family of the person displaced has been given a job in the Railways in Group C or Group D cadre

subject to the condition that the member is having requisite qualifications. Another condition stipulated therein is that the job will be provided to the son, daughter wife or ward of the person whose land was acquired besides himself. It does not refer to the grand daughter. Hence it is submitted by the learned counsel for the respondents that the applicant even though she is having the requisite qualifications, she is not eligible for the job under the scheme referred to. But the learned counsel for the applicant submitted that as it is a relief, rehabilitation and welfare measure ^{and} when there is no other member in the family who is eligible for the job, even the grand daughter becomes eligible. We feel that the said condition is not tenable ^{tenable} permitted. It may be noted that even the husband is not referred to when it is a case where the land is acquired from the woman member of the family. Instead of referring to spouse it is specifically mentioned as wife. So we feel in that in the context that it is not just and proper to hold that the daughter or son includes grand daughter or grandson ~~as the case may be~~ ^{in the scheme}. Hence this OA is dismissed with no costs.

H/
(V. Neeladri Rao)
Vice-Chairman

R. Balasubramanian
(R. Balasubramanian)
Member (Admn.)

(Dictated in the open court)

Dated 10th February, 1993.

NS

8/3/93
Deputy Registrar (7)