

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1122/93

Date of Order: 19.2.97

BETWEEN:

- | | |
|---------------------|--------------------|
| 1. P.Narayana Rao | 21. T.Tatabbai |
| 2. N.Appalanaidu | 22. T.Narayana |
| 3. T.Suryanarayana | 23. K.Prakashraju |
| 4. N.Srinivasarao | 24. A.Ivaraju |
| 5. B.Srinivasarao | 25. B.Apparao |
| 6. K.Harikrishna | 26. K.Sankarrao |
| 7. K.Sriramulu | 27. P.Appalanaidu |
| 8. N.Venkatamma | 28. G.Chandramohan |
| 9. G.Baburao | 29. P.Ramaprasad |
| 10. K.Venkataramana | 30. M.Apparao |
| 11. B.Satyanarayana | 31. S.Apparao |
| 12. B.Appalanaidu | 32. Ch.Apparao |
| 13. K.Joginaidu | 33. S.Tatarao |
| 14. M.Ivaraju | 34. J.Nookaraju |
| 15. N.Apparao | 35. Y.Apparao |
| 16. G.Dananjayarao | 36. A.Manikyalarao |
| 17. G.Srinivasarao | 37. K.Pydiah |
| 18. G.Ramanaidu | 38. P.Ramarao |
| 19. K.Kannaiah | 39. P.Ragavulu |
| 20. P.Kondiah | .. Applicants. |

AND

1. Union of India, repl by its
Chairman, Railway Board,
New Delhi, Rail Bhavan.
2. General Manager, S.C.Rly.,
Rail Nilayam, Secunderabad.
3. Divisional Rly. Manager, S.C.Rly.,
Vijayawada.
4. Regional Labour Commissioner Central
ATI Campus, Opp.Sivam Temple,
Vidyanagar, Hyderabad-7. .. Respondents.

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Counsel for the Applicants	.. Mr.K.K.Chakravarthy
Counsel for the Respondents	.. Mr.W.Satyanarayana for Mr.N.R.Devraj

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CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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O R D E R

X Oral order as per Hon'ble Shri B.S.Jai Parameshwar, Member (J) X

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Heard Mr. K.K. Chakravathy, learned counsel for the applicant and Mr. W. Satyanarayana for Mr. N.R. Devraj, learned standing counsel for the respondents.

2. There are 39 applicants in this OA. They claim to have been working as Licence Porters at Eluru Railway Station, S.C. Railway. It is their case that they have been doing the work of loading and unloading of the parcels at the break vans of the Passenger Trains at Eluru Railway Station and that they have been working 7 hours per day.

2. They have filed this OA for ^adirection to payment of 1/30th scale of pay of luggage porter for 8 hours duty per day as directed in TA.3/92 decided on 27.7.93.

4. The grounds (and contentions) raised in this OA are similar to TA.3/92 (W.P.213/92) decided by this Tribunal on 27.7.93. It is made clear that the applicants are entitled to the relief of 1/30th scale of pay of luggage porter provided they worked for 8 hours per day. We feel that the directions as issued in TA.3/92 be issued in this OA also. Accordingly we hold that wherever ^{we} a ^{applicants were engaged as} licenced porters ~~is engaged~~ by the railways for a minimum of eight hours per day for the work of loading and unloading of goods from the break wagons such ^{applicants} (licenced porter) would be entitled to be paid at the rate of 1/30th of the minimum of the scale of the pay of a luggage porter. This direction is only prospective in nature. Any amount ^{it has} ~~have~~ been paid on the basis of the above direction earlier to the disposal of this OA that amount may not be recovered.

5. With this direction the OA is disposed of with no costs.

(B.S. JAI PARAMESHWAR)
Member (Judl.)

(R. RANGARAJAN)
Member (Adm.)

Dated: 19th February, 1997

(Dictated in Open Court)

Copy to:-

1. The Chairman, Railway Board, Union of India, Rail Bhavan, New Delhi.
2. General Manager, S.C.Rlys, Rail Nilayam, Secunderabad.
3. Divisional Rly, Manager, S.C.Rly, Vijayawada.
4. Regional Labour Commissioner Central ATI Campus, Opp. Siva Temple, Vidyanagar, Hyd.
5. One copy to Sri. K.K.Chakravarthy, advocate, CAT, Hyd.
6. One copy to N.R.Devaraj, SC for Rlys, CAT, Hyd.
7. One copy to Hon'ble Mr. B.S.Jai Parameshwar, J.M., CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One copy to Deputy Registrar(A), CAT, Hyd.
10. One spare copy.

Rsm/-

9/3/97
19/12/97
TYPED BY _____ CHECKED BY _____
COMPARED BY _____ APPROVED BY _____

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
M(D)

DATED: 19/12/97

Order/Judgement

R.P./C.P./M-A-NO. _____

in

O.A.NO. 1122/97

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

