

26

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.P.No. 71/94

in

O.A.No.1145/93.

Dt. 8P Decision : 09-03-95.

- | | |
|------------------------|------------------------|
| 1. J.Gangu Naidu | 56. G.Somulu |
| 2. K.Suri | 57. G.Govinda |
| 3. N.Ramana | 58. V.Kurmarao |
| 4. S.Ramunaidu | 59. G.Venkatswamy |
| 5. M.Suri | 60. P.Lovaraju |
| 6. D.Demudu | 61. D.Venkunaidu |
| 7. K.Surya Rao | 62. B.Ramakrishna |
| 8. K.Krishna | 63. B.Guruvulu |
| 9. Ch.Pentaiah | 64. B.Yarriah |
| 10. M.Laxman Rao | 65. G.Kanna Rao |
| 11. K.Suri | 66. E.Satyanarayana |
| 12. L.Appalanaidu | 67. T.Srinivasa Rao |
| 13. B.Apparao | 68. G.Ramachander Rao |
| 14. E.Sanyasappadu | 69. E.Appalasuri |
| 15. K.Simhadri | 70. B.Arjuna |
| 16. A.Harikrishna | 71. N.Nookaraju |
| 17. M.Satyam | 72. B.Suri |
| 18. M.Govinda Suribabu | 73. A.Prasad |
| 19. D.Ramu | 74. P.Laxminarayana |
| 20. D.Sanyasi Rao | 75. Ch.Murali |
| 21. B.Appa Rao | 76. M.Narasimha Murthy |
| 22. E.Srinivasa Rao | 77. B.Suri |
| 23. B.Chinna Rao | 78. T.Appalanaidu |
| 24. M.Sannibabu | 80. N.Musalaiah |
| 26. K.Appanna | 81. N.Appa Rao |
| 27. Ch.Dorappa | 82. E.Apparao |
| 28. A.Gurayya | 83. S.Ammathali |
| 29. M.Bangari | 84. K.Domudu |
| 30. A.Mutyalu | 85. K.Ramu |
| 31. G.Ramu | 86. T.Satyanarayana |
| 32. G. Moses | 87. N.Raju |
| 33. P.Ramu | 88. M.Sankararao |
| 34. M.Apparao | 89. A.Ramachandra Rao |
| 36. D.Appanna | 91. N.Appalanaidu |
| 37. B.Samudram | 92. R.Ramu |
| 38. M.Yellarao | 93. S.Sannibabu |
| 39. E.Demudu | 94. M.Ramu |
| 40. P.Gurayya | 95. D.Appalaswamy |
| 41. B.Chind Demudu | 96. S.Naidu |
| 42. M.Appala Naidu | 97. G.Muthyalu |
| 43. N.Sannibabu | 98. T.Suryarao |
| 44. B.Appalanaidu | 99. S.Bangari |
| 45. B.Appa Rao | 100. G.Sreenu |
| 46. E.Ramunaidu | 101. K.Pydichetti |
| 48. B.Mutyalu | 102. P.Krishna |
| 48. B.Jagannadhan | 103. D.Pydiragu |
| 49. O.Mallunaidu | 104. D.Narayanarao |
| 50. E.Sannibabu | 105. Ch.Apparao |
| 51. N.Appanna | 106. A.Suri |
| 52. P.Narsamma | 107. M.Tendu |
| 53. S.Kanakaraju | 108. M.Ramu |
| 54. B.Venkatrao | 109. J.Lovaraju |
| 55. G.Samudram | 110. S.Ramulu |

111. M. Eswarao
112. M. Eswarao
113. R. Tata
114. S. Suryanarayana
115. A. Suri
116. P. Pentaiah
117. G. Somulu
118. B. Appalanaidu
119. G. Satyanarayana
120. P. Yarukunaidu
121. A. Sriramulu
122. P. Ramu
123. A. Kondal Rao
124. R. Ramu
125. K. Pentaiah
126. P. Domudu
127. P. Narsimhamurthy
128. G. Tata
129. E. Kanakarao
130. P. Appalanaidu
131. G. Sreeramulu
132. K. Appalanaidu
133. S. Ramulu
134. B. Appalanaidu
135. P. Nookaraju
136. G. Laxmaiah
137. E. Kannayya
138. N. Chinnarao
139. P. Suribabu
140. S. Appalaswamy
141. B. Ramu
142. K. Ramarao
143. R. Satyam
144. M. Chinnarao
145. N. Mahalaxmi
146. P. Ramunaidu
147. P. Arjuna
148. A. Sanyasi
149. A. Ramu
150. N. Ramulu
151. L. Ramu
152. B. Suridemudu
153. Ch. Apparao
154. N. Domudu
155. P. Appalanaidu
156. B. Bangaraiah
157. P. Suri
158. N. Appalaswamy
159. S. Appalanaidu
160. B. Suryanarayana
161. M. Ramana
162. B. Bangaraiah
163. K. Ammathalli
164. B. Appalanaidu
166. K. Suryanarayana
167. K. Suri
168. K. Suryanarayana
169. G. Ramu
170. D. Bangarayya
171. M. Durgayya
172. D. Sundaram
173. M. Muthyalu
174. M. Chinnarao
175. S. Suridemudu
176. K. Bangari
177. K. Bangaraiah
178. G. Sivannarayana
179. S. Sannibabu
180. S. Gurayya
181. P. Apparao
182. Ch. Sanyasi
183. S. Satyam
184. J. Domudu
185. N. Chinnodu
186. S. Appalanaidu
187. S. Ramu
188. B. Ramu
189. P. Polesu
190. B. Puspanadham
191. B. Ramana
192. N. Musalayya
193. S. Mutalarao
194. M. Appanna
195. A. Koteswarao
196. S. Sanyasi
197. G. Eshwarao
198. T. Pakeer
199. B. Sundaram
200. M. Ramulu
201. Y. Chinna Rao
202. S. Venkatrao
203. B. Demudu
204. U. Apparao
205. B. Valangiraju
206. K. Sanyasi
207. Ch. Ramulu
208. Ch. Appalanaidu
209. D. Apparao
210. M. Sanyasirao
211. K. Gangunaidu
212. K. Satyanarayana
213. K. Suribabu
214. N. Adinarayana
215. A. Ramana
216. K. Venkatramana
217. R. Tatababu
218. Ch. Pentaiah
219. Sheikh Mohiuddin
220. B. Narsing Rao
221. A. Apparao
222. D. Appalanaidu
223. R. Mahalaxmi
224. P. Ramu
225. Ch. Satyanarayana
226. G. Muthyalu
227. P. Venkatramana
228. B. Ramu
229. R. Appalanaidu
231. Ch. Appalasuryanarayana
232. G. Kondalrao
233. J. Sanjeevi
234. B. Chinna Rao
235. P. Eshwarao
236. G. Yarrinaidu
237. G. Eshwarao
238. V. Solapuri
239. Ch. Satyanarayana
240. Ch. Ramu

- | | |
|-----------------------|-----------------------|
| 241. S. Apparao | 267. D. Ramu |
| 242. B. Ramu | 268. E. Ramulu |
| 243. R. Sriramu | 269. K. Ramu |
| 244. J. Chinnaramana | 270. L. Suryanarayana |
| 245. B. Kondalrao | 271. M. Gurumurthy |
| 246. U. Suryanarayana | 272. M. Ramu |
| 247. O. Suryanarayana | 273. O. Mahalaxmi |
| 248. P. Ramakrishna | 274. P. Kanakaraju |
| 249. Ch. Narsingarao | 275. G. Venkaidu |
| 250. B. Demudu | 276. E. Appalanaidu |
| 251. V. Domudu | 277. B. Ramu |
| 252. B. Appalanaidu | 278. P. Guruvulu |
| 253. K. Kanakarao | 279. T. Chinnarao |
| 254. B. Apparao | 280. A. Gangunaidu |
| 255. K. Apparao | 281. L. Lakshmmrao |
| 256. P. Gurunathrao | 282. K. Satyanarayana |
| 257. V. Tatarao | 283. S. Sanyasirao |
| 258. B. Nageswarao | 284. R. Narayana |
| 259. D. Venkatrao | 285. K. Ramayya |
| 260. A. Raminaidu | 286. D. Eshwarrao |
| 261. P. Apparao | 287. Ch. Apparao |
| 262. K. Suryanarayana | 288. A. Appalaidu |
| 263. P. Nookaraju | 289. M. Appalaraju |
| 264. K. Pydikonda | 290. N. Satyanarayana |
| 265. K. KnnamNaidu | 291. D. Apparao |
| 266. S. Bhimanna | 292. Ch. Nagaraju |
- .. Applicants.

Vs

1. Union of India rep. by its Chairman
Shri AM. Shukla, Rly. Board, New Delhi.
 2. Shri A.N. Sinha, General Manager,
SE Rky, Calcutta-43.
 3. Shri T. Stanley Babu, Asst. Rly. Manager,
SE, Rly, Visakhapatnam.
- .. Respondents.

Counsel for the Applicants : Mr. K.K. Chakravarthy
Counsel for the Respondents : Mr. N.R. Devaraj, Sr. CGSC.

CORAM:

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

4
C.P.No.71/94 in
OA No.1145/93.

(25)
Date: 9.3.1995.

O R D E R

X as per Hon'ble Sri R.Rangarajan, Member(Administrative) X

The applicants in OA No.1145/93 filed this CP by alleging that even though they worked for more than 8 hours a day, they were not paid at the rate of 1/30th of the minimum basic pay and the D.A. etc. as ordered in OA No.1145/93.

2. The petitioners herein are the Licenced Porters at Visakapatnam and Srikakulam. A declaratory relief was given by order dt. 16.9.1993 in OA 1145/93 to the effect that whenever a licenced porter is taken for lifting the departmental luggage of the Railways, he has to be paid at the rate of 1/30th of the minimum of the scale of the pay of the luggage porter if he works for a minimum of 8 hours a day.

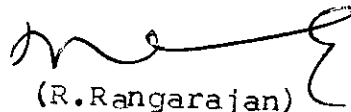
3. While it is contended for the petitioners that they were not paid at the rate of 1/30th of the minimum scale of the luggage porter eventhough they worked for a minimum of 8 hours a day, the plea of the respondents is that the petitioners have not worked for 8 hours a day on any day, and hence, they are not entitled for payment of the minimum wages at the rate of 1/30th of the minimum of the scale of the pay of a luggage porter. When the question as to whether the petitioners in fact worked for 8 hours a day or not is ^{an} issue, it is not a matter for consideration in a contempt petition for the relief granted in OA 1145/93 is merely declaratory.

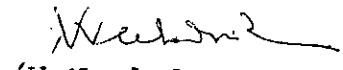
...3/-
D

30

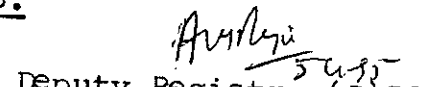
If in fact the petitioners worked for 8 hours a day, and if it is denied for the respondents, the applicants are free to file an application under sec.19 of the A.T.Act.

4. Subject to the above, the CP is dismissed.
No costs./


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice Chairman

Dated 9th March, 1995.


Deputy Registrar (J) CC

Grh.

To

1. Sri A.M. Shukla, Chairman, Union of India,
Railway Board, New Delhi.
2. Sri A.N. Sinha, General Manager
S.E. Rly, Calcutta-43.
3. Sri T. Stanley Raghunam.
4. One copy to Mr. K.K. Chakravathy, Advocate, CAT. Hyd.
5. One copy to Mr. N.R. Devraj, SC for Rlys, CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

pvm