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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD  
MA 123/94 in D.A.NO.1522 of 1993. AND O.A.NO.1448/93

Between

Dated: 25.2.1994.

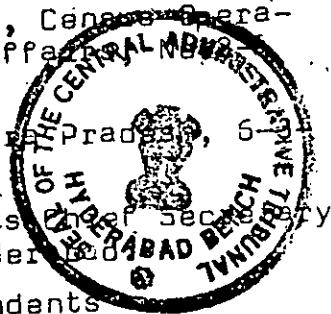
G.Mahashwar & 99 others

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Applicants in the main CA on the file of the Tribunal

And

1. Union of India represented by its Secretary, Ministry of Personnel & Training, South Block, New Delhi.
2. Registrar General and Census Commissioner, Census Operations, Govt. of India, Ministry of Home Affairs, Mansingh road, New Delhi.
3. The Director of Census Operations in Andhra Pradesh, 653, Pioneer House, Somajiguda, Hyd.
4. State of Andhra Pradesh represented by its Chief Secretary to Government, Secretariat Buildings, Hyderabad.



... Respondents

Counsel for the Applicants : Sri. V.Rajagopal Reddy  
 Counsel for the Respondents. : Sri. N.R.Devaraj, Sr. CGSC  
 : Sri. D.Panduranga Reddy, Spl. counsel for A.P.State

O.A.No.1448/93

BETWEEN:

- |                             |                                     |
|-----------------------------|-------------------------------------|
| 1. Smt. K.Aruna Bai         | 17. Smt. V.Radhamma                 |
| 2. Smt. A.Vijayalakshmi     | 18. Sri Hussain Baig                |
| 3. Smt. A.Uma               | 19. P.Rami Reddy                    |
| 4. Smt S.Durga Kumar        | 20. M.Kamakrishna                   |
| 5. Smt. S.Devaki Devi       | 21. D.Chenna Kesava Rao             |
| 6. Smt. S.Sarada            | 22. M.K.Outbuddin                   |
| 7. Smt. P.Mangamani         | 23. R.Balasundaram                  |
| 8. Smt. C.Kanakavalli       | 24. Mohd. Ali Khan                  |
| 9. Smt. A.Lakshmi Bai       | 25. G.Sudhakar                      |
| 10. Smt. N.Kanaka Mahalaxmi | 26. C.Rajyalaxmi                    |
| 11. Smt. M.Bramaramba       | 27. Ch.Gopal                        |
| 12. Smt. P.Rajyalaxmi       | 28. P.Sudhekar                      |
| 13. Smt. B.Savitri          | 29. G.Somasunder                    |
| 14. Smt. M.Bhagya Laxmi     | 30. Smt. P.Mary Jansi Kumari        |
| 15. Smt. A.Andalu           | 31. K.Durgaprasad Rao               |
| 16. V.Rajyalaxmi            | 32. K.Malleswara Rao .. Applicants. |

A N D

1. The Registrar General & Census Commissioner India, Ministry of Home Affairs, Govt. of India, 2A, Mansingh Road, New Delhi - 110 001.
2. The Director of Census Operations, A.P., Ministry of Home Affairs, Govt. of India, Hyderabad. .. Respondents.

COUNSEL FOR THE RESPONDENTS: Shri N.V.Ramana, Addl.CGSC

CORAM: Hon'ble Shri Justice V.Neeladri Rao, Vice Chairman,  
Hon'ble Shri R.Rangarajan, Member (Admn.)

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M.A.No.123/94 in OA 1522/93  
and  
O.A.NO.1448/93

ORDERS

DT: 25.2.1994

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

The applicants in OA 1522/93 were engaged for 1991 Census as Coders on a consolidated pay. Some of them were also engaged for 1981 Census. The applicants in OA 1448/93 were engaged both for 1991 Census and also 1981 Census on a consolidated pay. The engagement was on contract basis for a specific period. All these applicants are now facing retrenchment as the contract period is going to end on the afternoon of 28.2.1994. The applicants in OA 1448/93 also prayed for ~~reinstatement~~ of the age for consideration of their cases for the posts of Data Entry Operators sanctioned by the office of the Director, Census, Hyderabad.

2. MA 123/93 is filed praying for a direction to the respondents to continue the applicants till the disposal of the OA 1522/93.

It is not in controversy that the special work for census for which these applicants were engaged <sup>was/were in</sup> there for two to three years from the time each <sup>is</sup> disann<sup>ed</sup> census work is undertaken. These posts were sanctioned till the end of February 1994. Thus, there are no sanctioned posts in regard to the work for which the applicants were

4. But it is stated that out of 62 posts of Data Entry Operators Grade-A announced for the office of the

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Director, Census, Govt. of India, Hyderabad, 29 posts are still remained unfilled and steps are being taken or they are going to be taken for filling up those 29 posts. It is stated that many if not all the applicants in OA 1448/93, and about 50 of the applicants in OA 1522/93, are having the requisite minimum educational qualification prescribed for the post of Data Entry Operator Grade-A<sup>and in</sup>. In view of their training, they can able to make 6000 depressions if not more. The respondents themselves prescribed for the retrenched census employees the standard of 6000 depressions for <sup>regular</sup> appointment subject to the condition that their services will be terminated if they do not reach 8000 depressions on the expiry of one year from the date of

1.3.1994 and as the right to live which includes the right to living and the right to work is <sup>cherished</sup> our ~~our~~ <sup>cherished</sup> ~~judiciary~~ goal of our constitution, <sup>we feel</sup> we feel that it is just and proper to direct the respondents to allow such of the applicants who satisfy the minimum requirement for the posts of Data Entry Operators, other than the aged, to work in the unfilled posts of Data Entry Operators till regular selectees are appointed. On the inquiry, it is stated that it is possible to conduct the test on 15.3.1994 in regard to their capacities for making 6000 depressions to such of the applicants who are going to express their willingness for consideration for adhoc appointment for those posts without any right for regularisation and subject to replacement by the regular appointees. It is also stated that such applications can be handed-over to Shri K.K.Sarma, Assistant Director in the office of the Director, Census Operations, Hyderabad

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between 2 PM and 5 PM on 28.2.1994. In case the successful candidates are going to be more than 29, they have to be considered on the basis of their length of service. As such, those who are willing to give such applications have to give the particulars in regard to their length of service and the respondents have to get it verified even before 15.3.1994 so as to take the length of service into consideration, if necessary.

6. We feel that in the circumstances it is just and

Such of the applicants in OA 1522/93 and OA 1448/93 who satisfy the minimum educational qualifications prescribed for the post of Data Entry Operator Grade-A and who feel time, may apply by giving their applications to Shri K.K. ~~Assistant Director~~ Director in the office of the Director of Census Operations, Government of India, Hyderabad between 2 PM and 5 PM on 28.2.1994, and therein they have to state with regard to their total service for the census work. ~~XXXXXXXXXXXXXXXXXXXX~~ The applicants can verify from the notice board to be <sup>affixed on the Notice Board</sup> fixed in the office of the Director, Census Operations, Hyderabad in regard to the time and the venue of the test. If necessity arises, they can even approach Shri K.K.Sarma, Assistant Director on that day for any other particulars. In the paper that has to be set, the letters 'X' and 'Y' or any other letter should not be interspersed in the lines. Result has to be announced on 18.3.1994 for the remaining 29 posts or such of the posts that are remained unfilled on that date

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and the same has to be published by way of ~~fixing it~~ <sup>affixing notice</sup> on the notice board of the office. Successful candidates can approach Shri K.K.Sarma, Assistant Director by 10 AM on 21.3.94 to take the appointment orders and to report for joining. It has to be stated in the appointment order itself that the appointment is given in pursuance of the interim ~~condition~~ Bench and thereby he/she will not acquire any right for regularisation and it is subject to ~~condition~~ condition of replacement by regular appointee to the post of Data Entry Operator, ~~Grade~~.

7. The MA is ordered accordingly. These orders should be ~~sent~~ in OA 1448/93 also. Post the OAs for final hearing on 8.4.1994.

*[Signature]*

(R.RANGARAJAN)

(V.NEELADRI RAO)  
VICE CHAIRMAN

DATED: 25th February, 1994.  
Open court dictation.

*[Handwritten note]* 25.2.94

To VSN

1. The Secretary, Ministry of Personnel & Training, South Block, Union of India, New Delhi.
2. The Registrar General and Census Commissioner, Ministry of Home Affairs, Gt. India.
3. The Director of Census Operations in A.P., 6-3-653, Pioneer House, Somajiguda, Hyd-482.
4. The Chief Secretary to Govt., State of A.P., Secretariat Buildings, Hyderabad.
5. One copy to Mr. v.Rajagopal Reddy, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, SE.IGSC. CAT.Hyd.
7. One copy to Mr.D.Panduranga Reddy, Spl.Counsel for A.P.CAT.H.
8. One copy to Mr.Y.Suryanarayana, Advocate, CAT.Hyd.
9. One copy to Mr.N.v.Ramana, Adl.IGSC.CAT.Hyd.
10. One spare copy.

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c-c today  
25/12/94

TYPED BY \_\_\_\_\_ COMPARED BY \_\_\_\_\_  
CHECKED BY \_\_\_\_\_ APPROVED BY \_\_\_\_\_

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO

AND

THE HON'BLE MR. A. E. GORTHI : MEMBER (A)

THE HON'BLE MR. T. CHANDRASEKHAR REDDY  
MEMBER (JUDL)

AND

THE HON'BLE MR. R. RANJARANAN : MEMBER  
(ADMN)

Dated: 25-2-1994..

ORDER/JUDGMENT:

M.A./R.A./C.A. No. 123/94

O.A.No. 1522/93 & 14818/93  
T.A.No. (W.F.No. )

Admitted and Interim Directions  
issued.

Allowed.

Disposed of with directions:

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

No order as to costs.

Central Administrative Tribunal  
DESPATCH  
1 MAR 1994  
HYDERABAD BENCH.

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