

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH

AT HYDERABAD.

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O.A.No.353/94.

Date of decision: 3--4--1997

Between:

G.Narasimha Reddy. .. Applicant.

And

1. The General Manager, Ordnance
Factory Project, Ministry of Defence,
Govt. of India, Eddumailaram,
District Medak, Andhra Pradesh.
 2. The District Employment Officer,
Ranga Reddy District Employment
Exchange, Ranga Reddy (A.P.)
 3. The Special Deputy Collector,
Land Acquisition (Industries),
Govt. of A.P., Hyderabad.
- Respondents.

Counsel for the applicant: Shri Phaniraj for Mr. Meharchand
Noori.

Counsel for the Respondents: Sri V.Bhimanna.

CORAM:

~~HON'BLE SHRI B. S. JAI PARAMESHWAR, Member (A)~~

HON'BLE SHRI B.S. JAI PARAMESHWAR, Member (J)

JUDGMENT.

(per Hon'ble Shri B.S.Jai Parameshwar, Member (J))

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Heard Shri Phaniraj for Mr. Meharchand Noori *learned*
Counsel for the applicant and Sri V.Bhimanna *learned Counsel* for the respondents.

This O.A., is filed praying for a direction to
the respondents to consider the case of the applicant
for appointment to any of the posts borne on the


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establishment of the 1st respondent-Factory and to appoint him according to his eligibility and qualifications, if necessary, by creating supernumerary post in the said Factory establishment.

The case of the applicant is that he belongs to a family owning lands measuring Ac.2--36 in S.No.134/2 and 141/2/A which were acquired for the purpose of construction of Railway Station at Ordnance Factory Project. It is submitted that the above acquisition was part of the process initiated during the year 1982-83 to establish Ordnance factory Project at Eddumailaram, that the lands stood in the name of his father and he was shown as his dependent, that his name was registered with the District Employment Exchange, Sangareddy as a land displaced person and his Reg.No. is 23138.

It is his case, that a Scheme was prepared by the Government of India in consultation with the state Government of Andhra Pradesh for providing employment to the land displaced persons in the Ordnance Factory. Accordingly, a list of Land displaced persons and their dependents was prepared by the Revenue Department of Government of Andhra Pradesh



and that the land displaced persons and their dependents were asked to register their names with the Employment Exchange at Sangareddy, that later he made several representations to the Ordnance Factory to provide him an appointment, that no proper procedure was followed in providing employment to the land displaced persons and that he has been constrained to file this O.A.

The respondents have filed their counter stating that the Ordnance Factory Project is a Defence Production Unit in the Department of Defence Production and Supplies and that the said Factory was established at Yeddumailaram, Indrakaran, Kyasaram and Cheriyaal In connection with acquisition of lands by the Govt. of Andhra Pradesh for the establishment of the Ordnance Factory, a meeting was held on 20-5-1982 and in that meeting, it was agreed to give priority to provide appointment to one member from each land displaced Pattadar of Medak District, that the list of land displaced persons of Medak District was forwarded to the Respondent Factory, by the Collector of Medak District in 1983, that the said list consisted of 491 names of LDPs., (Land Displaced Persons), that in accordance with the decision taken in the meeting held on 20-5-1982, efforts are being made by the

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Respondent-Factory to provide appointment to one eligible person from each land displaced patta-holder, that with regard to the acquisition of lands in question an extract of the relevant land acquisition Proceedings No.B/371/87/22 was forwarded to the Respondent-Factory, that in the said acquisition proceedings, there were 8 persons as awardees, that a sum of Rs.71,550.25 was paid by the Government to them towards compensation for the lands acquired, that the name of the applicant figured at Sl.No.3 in the acquisition proceedings, that one member from the land displaced pattadars by name Sri Ram Reddy, S/o Parma Reddy was provided appointment in the Respondent-Factory effective from 26--12--1989, that the said person Sri Ram Reddy belonged to the Land displaced Pattadar's family to which the applicant belongs, that therefore, they have complied with the obligation of providing appointment to a person in the family of land displaced person, that subsequently the Central Government imposed a ban ^{for} ~~to~~ fresh recruitment of personnel in the Respondent Ordnance Factory except filling up backlog vacancies and that therefore, the claim of the applicant cannot be accepted.



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It is an admitted fact that the Ordnance Factory committed itself to provide appointment to a member of the family of the Patta Holder whose land came to be acquired for construction of Ordnance Factory at Yeddumailaram. It is also admitted that the lands in S.Nos., 134/2 and 141/2/A were acquired and that the applicant belonged to the family of the said lands. In the counter the main contention is that one Sri Ram Reddy S/o Parma Reddy who was also a member of the family of the lands acquired was given appointment. It is submitted that the said ~~Reddy~~ and the applicant belong to the same village.

The learned counsel for the respondents failed to furnish any records in support of the said contention. It is not made clear as to the manner in which Sri Ram Reddy belonged to the family of the lands in question. It is for the respondents to make factual verification and provide appointment to one member of the family to which the lands in question belonged. If the said Sri Rama Reddy, S/o Parma Reddy does not belong to the family of the lands in question, then the applicant is eligible for consideration for appointment, under the Land Displaced



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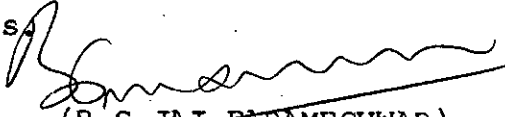
persons' Quota. In case, on verification, it is found that Sri Rama Reddy actually belonged to the family of lands in question, then, the applicant is not eligible for appointment under the Land Displaced Persons' Quota. In which event, the respondents shall send a suitable reply to the applicant.

Hence, the following directions are given:

- (a) The respondents shall consider in the light of the observations made above, the case of the applicant for appointment in the Factory under the Land Displaced Persons' Quota and decide the issue within a period of two months from the date of receipt of the copy of this Order;
- (b) A reply in this connection be issued to the applicant thereof.

The O.A. is ordered accordingly. No order

as to costs.

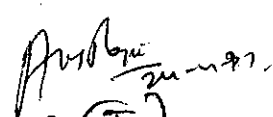

(B.S. JAI PARAMESHWAR)
MEMBER (J)


(R. RANGARAJAN)
MEMBER (A)

Date: 3--4--1997.

Dictated in open Court.

SSS.


D.R. (J)

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TYPED BY

CHECKED BY

COMPHRED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED:

3/4/92

ORDER/JUDGEMENT

R.A/C.P/M.A.No.

in

D.A.No.

358/94

ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/~~REJECTED~~

NO ORDER AS TO COSTS

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
हैदराबाद (DESP)
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