

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.

* * *

O.A. 483/94.

Dt. of Decision : 29.4.1994.

Kumari Kamarunnisa Begum

.. Applicant

Vs

1. Chief Personnel Officer,
SC Rly, Secunderabad.
 2. Divisional Railway Manager/BG
SC Rly, Secunderabad Divn.,
Sanchalan Bhavan, SEcunderabad.
- .. Respondents.

Counsel for the Applicant : Mr. N.Raghavan

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

CORAM:

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

J U D G M E N T

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

Heard Sri N.Raghavan, learned counsel for the applicant and Sri N.R.Devaraj, learned Standing Counsel for respondents.

2. The applicant in this O.A. was appointed as a Substitute Teacher in the scale of Rs.1200-2040(RSRP) in the Railway Upper Primary (T.M.) School, Nizamabad by order dt. 29.12.1989. She reported for duty at Nizamabad on 2.1.1990. Subsequently the applicant was transferred to various places and presently she is working in Railway High School, Kazipet as Substitute Teacher.

3. This O.A. has been filed praying for a direction to the respondents for filling up the vacancies that are in existence prior to the change of policy against which the applicant and other Substitute Teachers are working should be filled by Local Screening Committee as per the existing policy and procedure and that the new policy should be applied to Substitute Teachers from the date of introduction of new policy by the 1st respondent and for a consequential direction to regularise the services of the applicant and to regularise her services by Local Screening Committee.

4. Substitute Teachers who filed a similar O.A. bearing O.A.No.354/93 on the file of this Bench, was disposed of with the following directions by judgment dt. 16.8.1993:-

- (i) To initiate action to screen all the applicants through a duly constituted screening committee.

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Copy to:-

1. Chief Personnel Officer, S.C.Railway, Secunderabad.
2. Divisional Railway Manager/BG, S.C.Railway, Secunderabad Division, Sanchalan Bhavan, Secunderabad.
3. One copy to Sri. N.Raghavan, advocate, CAT, Hyd.
4. One copy to Sri. N.R.Devaraj, SC for Rlys, CAT, Hyd.
5. One copy to Library, CAT, Hyd.


Rsm/-


- (ii) To absorb those found suitable against the regular vacancies, either those remaining after direct recruitment in response to a notification dt. 28.2.1993, or likely to arise due to normal wastage upto end of next year i.e. 31st December, 1994,
- (iii) To reckon the period of service as Substitute Teachers for the purpose of pensionary benefits,
- (iv) To take into consideration the period of service rendered by the applicants, in determining the maximum age limit for the appointments, and
- (v) In the mean time the applicants shall be allowed to continue in their posts so long as they are not replaced by the regularly selected candidates and so long there are vacancies existing.

5. The learned counsel for the ^{respondent} ~~applicant~~ also submitted that a direction similar to what was given in O.A.No.354/93 may be followed in this case. However, the direction given to the applicants in O.A.No.354/93 will be applicable only to those who had joined earlier to pronouncement of the Judgment in O.A.No.354/93 dt. 16.8.1993. As the applicant herein also joined on 2.1.1990, about 3½ years earlier to the date of Judgment dt. 16.8.1993, she is eligible to get the same benefits as given to the applicants in the above referred O.A.

6. In the result we direct the respondents not to terminate the services of the applicant till she is replaced by a Teacher selected in pursuance of the Recruitment as per rules and also direct them to consider the applicant for regularisation in the remaining existing ^{vacancies} and also in the vacancies that may arise upto 31.12.1994.

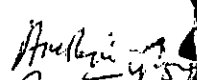
5. The O.A. is ordered accordingly at the admission stage itself. No costs.


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice Chairman

Dated ^{25th} April, 1994.

Grh.


Dr. Raghav

O.A. 483/94

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
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (AD)

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

AND

THE HON'BLE MR. R. RANGARAJAN : M (ADMN)

Dated: 29/4/1994

ORDER/JUDGMENT

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

in

O.A. No.

483/94

T.A. No.

(w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

