

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.552-of 1994

DATE OF ORDER:- 12th December, -1996

BETWEEN:

1. Liyakath Ali Khan,
2. Syed Mahaboob Vali.



APPLICANTS

AND

1. The Ministry of Home Affairs,  
Rep. by its Principal Secretary,  
Govt. of India, New Delhi,
2. The Director of Census Operations,  
Andhra Pradesh, Somajiguda, Hyderabad,
3. The State of Andhra Pradesh represented by  
the Chief Secretary, Secretariat,  
Hyderabad,
4. The District Collector,  
Kurnool District,  
Kurnool, A.P.

.. Respondents

COUNSEL FOR THE APPLICANTS: SHRI BHR CHOWDARY

COUNSEL FOR THE RESPONDENTS: SRI N.R.DEVARAJ, Sr.CGSC

*In govt. mnty. Secy to govt.*

CORAM:

HON'BLE SHRI R.RANGARAJAN, ADMINISTRATIVE MEMBER

HON'BLE SHRI B.S.JAI PARAMESHWAR, JUDICIAL MEMBER

JUDGEMENT

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

None for the applicants. Mr.N.R.Devaraj, Sr.CGSC  
for the respondents.

2. There are two applicants in this OA who <sup>had</sup> ~~are~~  
<sup>ed</sup> working in 1991 Census operations as Temporary employees in

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*[Signature]*

Commission may also consider giving weightage to the previous service record in the Census Department for the purpose of their selection to the regular posts. It is directed accordingly."

7. We also feel that the same direction can be given in this case also so far in absorbing the applicants in the vacancies that arise in the Census Department of Andhra Pradesh.

8. In the result, we follow the directions given by the Apex Court in the reported case supra and direct the concerned respondents of the Census Department to adhere to the directions as given by the Apex Court and take further action on that basis.

9. The OA is ordered accordingly. No order as to costs.

प्रमाणित प्रति  
CERTIFIED TO BE TRUE COPY

*[Signature]*  
न्यायालय अधिकारी  
COURT OFFICER  
केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
हैदराबाद बेंच  
HYDERABAD BENCH

केस नम्बर	CASE NUMBER	002-552/04
निर्णय का तारीख	Date of Judgement	12/12/04
प्रति तय्यार किया गया दिन	Copy Made Ready on	30/12/04
अनुभाग अधिकारी (न्यू बिक) Section Officer (J)		

Department of Uttar Pradesh Government reported in (1995) 3 SCC 401 (Union of India and others v. Dinesh Kumar Saxena) may be followed in this case. In that reported case, the applicants therein were also retrenched employees of the Census Department of U.P. State. The Apex Court has directed in that case to form a scheme for absorption of those retrenched employees against the vacancies in the Department and give priority over the others called from open market. The relevant paragraph of the judgement is reproduced below:-

"Ends of justice will be met if the Directorate of Census Operations, U.P. is directed to consider those respondents, who have worked temporarily in connection with 1981 and/or 1991 Census operations and who have been subsequently retrenched, for appointments in any regular vacancies which may arise in the Directorate of Census Operations and which can be filled by direct recruitment, if such employees are otherwise qualified and eligible for these posts. For this purpose the length of temporary service of such employees in the Directorates of Census Operations should be considered for relaxing the age bar, if any, for such appointment. Suitable rules may be made and conditions laid down in this connection by the appellants. The appellants and/or the Staff Selection

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