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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 1561/94.

Dt. of Decision : 23.11.94.

1. K. Penchalaiah
2. M. Ramaiah
3. K. Adam
4. K. Rama Rao
5. K. Tirupathaiah
6. K. Nagabhushanam
7. G. Johan
8. G. Thirupel
9. P. Zinger

.. Applicants.

Vs

1. The Railway Board, rep.
by its Secretary,
Rail Bhavan, New Delhi.
2. General Manager,
SC Rly, Rail Nilayam,
Secunderabad.
3. Divisional Railway Manager,
SC Rly, Vijayawada.
4. Sr. Divisional Mechanical Engineer,
SC Rly, Vijayawada.
5. Sr. Divisional Personnel Officer,
SC Rly, Vijayawada.

.. Respondents.

Counsel for the Applicants : Mr. P. Krishna Reddy

Counsel for the Respondents : Mr. N.V. Ramana, Addl. CGSC.

CDRAM:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

THE HON'BLE SHRI A.B. GORTHY : MEMBER (ADMN.)

D.A.No.561/94

O R D E R

(As per Hon'ble Sri A.B.Gorthi, Member(A))

All the applicants herein are Sr. Safaiwalas working in the C&W Department of S.C.Rly. The relief claimed by them is for a direction to the respondents to utilise their services as Khalasi helpers on the basis of their seniority as Safaiwalas and continue them in the C&W Department and also consider them for promotion to the grade of Skilled Artisans.

2. The applicants joined Railway Medical Department as Safaiwalas and were subsequently transferred to C&W Department as regular Safaiwalas (Class-IV). In pursuance of the letter dt.22-7-86 volunteers were called for to work as Skid porters and the applicants who ~~were~~ volunteered for the same were being employed as Skid porters. The applicants felt aggrieved by the fact that they remained in the scale of pay of Rs.775-1025 whereas the salary of a Semi-skilled Khalasi (Khalasi helper) was Rs.800-1150. Moreover, a Khalasi helper had avenue for further promotion whereas there was no such prospect for the applicants.

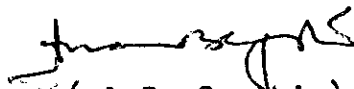
3. The respondents in their reply affidavit have clarified that ~~with~~ the introduction of cadre restructuring w.e.f. 1-3-93, the category of Safaiwala was restructured into two grades, viz. Sr. Safaiwala in the scale of Rs.800-1150, and Safaiwala in the scale of Rs.750-940. The applicants ~~who~~ were in the post of Sr. Safaiwala were thus brought at par with Khalasi helpers in the scale of pay of Rs.800-1150. The respondents further clarified that they are provided avenue for further promotion as Skilled Fitter Gr.III as per the integrated seniority of Khalasi helpers and Sr. Safaiwalas. Thus the contention of the respondents is that the applicants in the post of Sr. Safaiwalas suffered no such grievance as would warrant or require remedy. In fact, the respondents attended to this problem and took necessary remedial action ^{with} ~~after~~ the introduction of cadre restructuring w.e.f. 1-3-93.

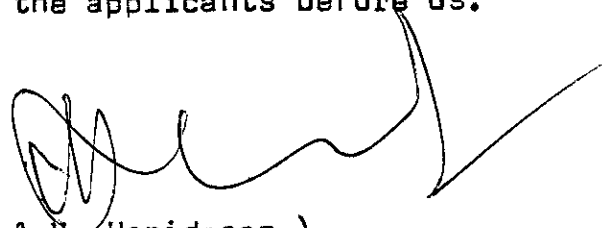
4. Heard learned counsel for both the parties. Sri P. Krishna Reddy, learned counsel for the applicants submits that in view of the categorical assertion made by the respondents in their reply affidavit with regard to creation of avenue of promotion for the applicants, and also for the maintenance of a common seniority list for Safaiwalas and Khalasi helpers, the applicants have no subsisting grievance.

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5. In view of the aforesaid facts, the application is disposed of without any specific directions to the respondents except for an observation that what has been stated by the respondents in their counter affidavit would be implemented in respect of the applicants before us. No order as to costs.


(A.B. Gorthi)
Member (A)


(A.V. Haridasan)
Member (J)

Dt. 23rd Nov., 1994
Open Court Dictation

kmv


Deputy Registrar (Judl.)

Copy to:-

1. Secretary, Railway Board, Rail Bhavan, New Delhi.
2. General Manager, South Central Railway, Railnilayam, Secunderabad.
3. Divisional Railway Manager, South Central Railway, Vijayawada.
4. Sr. Divisional Mechanical Engineer, South Central Railway, Vijayawada.
5. Sr. Divisional Personnel Officer, South Central Railway Vijayawada.
6. One copy to Sri. p. Krishna Reddy, Advocate, CAT, Hyd.
7. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One spare copy.

Rsm/-

561/94

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.A.V.HARIDASAN : MEMBER(J)

AND

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

DATED: 23/11/94

ORDER/JUDGMENT.

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

O.A.NO.

T.A.NO.

in 561/94

Admitted and Interim Directions
issued.

Allowed.

Disposed of with Direction.

Dismissed.

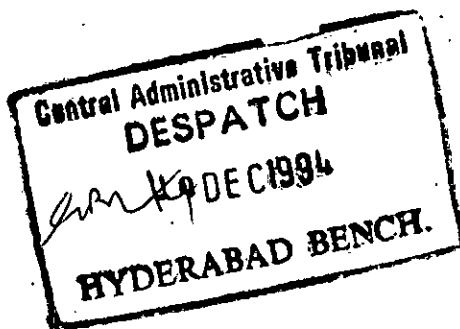
Dismissed as withdrawn

Dismissed for default

Rejected/Ordered

No order as to costs.

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YLR

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