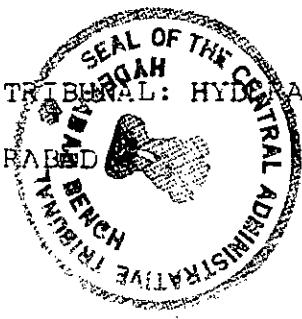


IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD



OA.601/94

dt. 30-4-97

Between

1. J. Arthur
2. C. PrabhakaranRao
3. Sri S. Nayab
4. E. Vesudevan
5. B. Raju
6. P.V. Gangadharan : Applicants

and

1. Union of India, rep. by
its General Manager
Rail Nilayam, SC Rly.
Secunderabad
2. Chief Comml. Supdt.
Catering, SC Rly., Rail Nilayam
Secunderabad
3. Sr. Divnl. Personnel Officer
SC Rly., Guntakal Divn.
Guntakal
4. Sr. Divnl. Comml. Supdt.
SC Rly., Guntakal Divn.

5. Veerasekhar
Commission Bearer/VRR/RC at
Dharmavaram Railway Station
Guntakal Divn. Dharmavaram : Respondents

Counsel for the applicants : P. Sriraghuram
Advocate

Counsel for the respondents : J.R. Gopal Rao
SC for Railways

CORAM

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

HON. MR. B.S. JAI PARAMESHWAR, MEMBER (JUDL)

R D

on 30-7-1987 and 31-7-1987. As stated earlier the applicants have not brought out any of their juniors who have superceded ~~in any form in the list~~ for filling up 34 vacancies as stated above except the case of R-5.

6. The respondents in their reply stated that while screening and absorbing Commission vendors cum Bearers as Catering Cleaners 100 point roster was followed. In that there were 3 points to be filled up by ST and 5 backlog vacancies ~~are~~ to be filled up by ST points. R-5 was an ST candidate and hence his services were regularised against roster point ear-marked for ST.

7. In view of above, learned counsel for the respondents submit that there is no irregularity in absorbing R-5 regularly.

8. The submission made by the respondents in absorption of R-5 against ST roster point is ~~purely~~ ^{perfectly} in order. The applicants cannot challenge the regularisation of ST candidate against roster point ear-marked for STs. The applicants have not filed any rejoinder indicating that even OC juniors were absorbed against vacancies indicated above. As there is no rejoinder filed it has to be held that R-5 is an ST candidate and he was absorbed against ST roster point.

9. In view of what is stated, there is no merit in the OA. Hence, the OA is dismissed for ~~lack~~ ^{lack} of merit. No costs.

STATEMENT : TO BE TRUE COPY

135
नामांकन अधिकारी
COURT OFFICER
राज्य नामांकन अधिकारी
Central Administrative Tribunal
कूटनीति बोर्ड
HYDERABAD BENCH

प्रमाण पत्र
CAST No. OA-601/87
Date 30/1/87
Date of filing 19/5/97
Copy No. 30/1/87
Signature (J)

Guntakal Division and they were being utilised as Commission bearers at the time of exigencies. Thus on ^{basis of the} ~~the~~ above submission they are ~~only~~ in the Commission cadre of bearers who are also called Commission vendors depending upon nature of duties entrusted ^{to} upon them. When they supply food articles in a running train they are called Commission bearers and when they are discharging duties on platform selling food items, beverages etc. then they are called Commission Vendors. From the above, it is presumed that there is only one category of Commission bearers-cum-vendors in Guntakal Division of South Central Railway and their seniority is a combined one based on the norms prescribed for fixing interse seniority between them. Their regular absorption as Catering Cleaners has to be done ~~from their seniority list as per the norms~~ ^{regularisation} observation of the ~~reserve~~ roster.

4. The applicants have not pointed out in their OA that any of ~~the~~ juniors to them have been given permanent post of catering cleaners overlooking their seniority except R-5. Thus it would mean that the case is related to the extent of impugning the regularisation of R-5 as Catering Clearner in the Guntakal Division.

5. It is stated in ~~their~~ reply that a Screening was ^{conducted} for filling up vacancies of Catering Cleaners from the seniority list of Commission bearers and Vendors (Annexure R-4 to the OA). There were total 34 posts vacant for regular filling up. Eight posts ~~were~~ filled duly conducting screening on 18-5-1985 and the rest of the 26 vacancies were filled up by conducting screening

.... 3.

Per

D