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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

OA No. 1506/95

Date of Decision: 7th August, 1997

BETWEEN:

M. Krishnaiah,
V. Narasimha,
P. Kalavathi and
Sarvanna

.. Applicants

AND

1. The Divisional Manager,
Personnel Branch, Hyderabad (MG),
SC, Secunderabad.

2. Sr. Divisional Personnel Officer (MG)
South Central Railway,
Secunderabad .. Respondents.

Counsel for the Applicant : Mr. J. Kanakaiah

Counsel for the Respondents: Mr. V. Bhimanna

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.)

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.)

Heard Mr. J. Kanakaiah and Mr. V. Bhimanna for the applicant and respondents respectively.

The applicants were engaged on casual basis during the summer months, for limited periods, during 1987 & 88. They were dis-engaged from 1995. Their engagement had been due to the fact that, prior to 1995, only casual labour was being employed for the purpose of supply of water to the travelling public during summers. By this mode of engagement they also ^{were} ~~also~~

J. Kanakaiah

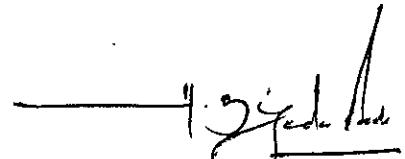
granted temporary status in 1987-88 by ignoring breaks intervening different spells of engagement. Sometime later many of the casual labourers were screened for appointment and absorbed in the Commercial Branch and also as Yard Porters in the Operating Department, where the minimum educational qualification required was a pass in 7th standard, which the present applicants did not possess. In 1995, the Department totally abolished the system of engagement of casual labour for supplying water to the passengers during summer months. Furthermore, on account of gauge conversion and consequent closure of some stations, some staff had also become surplus in Group-D. Some of the casual labourers, who were engaged and dis-engaged like the present applicants, were also given duties, wherever possible, on monsoon patrolling parties. It is stated by the respondents that an effort is being made to bring applicants 1 & 4 on the live register of the Engineering Branch with a view to engaging them as casual labourers, and to eventual absorption as Gangman, subject to their medical suitability and fulfilment of other essential prescribed conditions.

In view of what has been stated by the Respondents, I regard the position as having been satisfactorily explained. All that remains to be said is that an effort should be made in respect of applicant-3 as well and accommodate her in a suitable capacity under any relevant scheme subject to her fitness and fulfilment of conditions attached thereto, since only she seems to have been left out of consideration from all measures now being contemplated in respect of the remaining applicants on the sole ground of her being a woman. It would be proper if some relief in a suitable form under a proper scheme can be given to her on continuous basis to the extent possible.

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Pending the inclusion of their names in the Engineering Branch/Operating Branch/Commercial Branches, as the applicants 1, 2 and 4 case may be, an attempt may be made to provide casual engagement whenever work is available. This may be done within a reasonable time.

Thus the OA is disposed of.


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)

Date: 7th August, 1997

*Prashant
12832.*
Deputy Registrar (D) ce.

KSM

C.A. 1506/95.

To

1. The Divisional Manager
Personnel Branch, Hyderabad (MG),
SC, Secunderabad.
2. The Sr. Divisional Personnel Officer (MG)
SC Rly, Secunderabad.
3. One copy to Mr. J. Kanakaiah, Advocate, CAT. Hyd.
4. One copy to Mr. V. Bhimanna, SC for Rlys, CAT. Hyd.
5. One copy to HHRP. M. (A) CAT. Hyd.
6. One copy to D R. (A) CAT. Hyd.
7. One spare copy.

pvm.

~~100~~ T COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE
VICE-CHAIRMAN

and

THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

Dated: 7-8-1997

ORDER/JUDGMENT

M.A./R.A./C.A.NO.

in

C.A.No. 1506/95

T.A.No.

(w.p.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

केंद्रीय प्रशासनिक विधिकर्म
Central Administrative Tribunal
देशज/DESPATCH

22 AUG 1997

हैदराबाद न्यायपीठ
HYDERABAD BENCH