

(22)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.6/96

Date of Order : 20.9.96

BETWEEN:

1. Geological Survey of India
Employees Association, (Recognised
by Govt. of India), Southern Region,
Bandlaguda, GSI Comple, Hyderabad-60.
represented by its General Secretary
Sri K.Krishna Prabhu.

2. Rajesh Singh

.. Applicants.

AND

1. Union of India, rep. by its
Secretary, Ministry of Mines,
Dept. of Mines, Shastri Bhavan,
New Delhi.

2. The Director-General Geological
Survey of India, 27.
Jawaharlal Nehru Road,
Calcutta.

3. Deputy Director-General,
Geological Survey of India,
Southern Regional Office,
Bandlaguda, Hyderabad-68.

.. Respondents.

Counsel for the Applicants

.. Mr. M. Surender Rao

Counsel for the Respondents

.. Mr. V. Rajeswara Rao

CORAM:

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

O R D E R

{ Oral order as per Hon'ble Shri R. Rangarajan, Member (Admn.) }

Heard Mr. M. Surender Rao, learned counsel for the
applicant and Mr. V. Rajeswara Rao, learned standing counsel
for the respondents.

2. The first applicant in this OA is Geological Survey of India Employees Association represented by its General Secretary Sri K. Krishna Prabhu and the second applicant is the one of the casual labourers who it is reported is entitled for the relief. It is further stated that the affected people whom the Employees Association of Geological Survey of India represents is given at Annexure-1 page-6 of the OA. As per this Annexure the Association represents only 16 people and they are only eligible for getting any relief if the OA is decided in their favour.

3. The 16 applicants in this OA represented by the Association were employed as casual labour on various dates as per A-1. They now pray for a direction to the respondents to pay daily wages to them including HRA, CCA and Dearness Allowance calculated at the minimum scale of pay of the employees who are the holder of regular post. They seek benefit from the date of their appointment together with arrears.

4. The applicants in this OA submit that the casual labourers similarly situated filed OA.214/91 seeking similar relief. That OA was disposed of by an order of this Tribunal dated 6.4.94. giving some directions to the respondents in that OA. The applicants in this OA pray that similar direction may be given in this also as their case is similar to the OA.214/91.

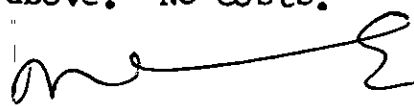
5. The learned counsel for the respondents submits that all the 16 applicants should file the OA either individually or together and they cannot be represented by an Association. The above contention is not valid as the OA had already been admitted. At the time of admission itself the learned standing counsel could have objected. The names of the beneficiaries (16 applicants) are given in Annexure-1 and if the OA is disposed of in their

favour, only those 16 casual labourers are eligible to get the relief. In view of the above there may not be any need to insist on filing of an application either individually or collectively by the 16 casual labourers mentioned in Annexure-1.

6. No reply has been filed in this connection. Hence no definite direction can be given. It is seen from the Annexure-6 at page-16 that a recommendation has been sent by Director GSI Calcutta addressed to Director Ministry of Mines, New Delhi for implementing the judgement in OA.214/91 and also extend the benefit to similarly situated casual labour employees. In view of the above the case has to be looked into by R-3 and if the applicants in this OA namely the 16 casual labourers mentioned in A-1 are similarly situated as applicants in OA214/91 the case of the applicants in this OA also should be disposed of in accordance with the directions as given in OA.214/91.

7. However, the monetary benefits if any accrued to the 16 casual labourers in view of the directions as above is to be given only from 1.12.94 i.e. one year prior to the filing of this OA (This OA was filed on 1.12.95). However, if they were given the monetary relief already earlier to 1.12.94 no recovery for excess payment should be made.

8. The OA is disposed of in terms of above. No costs.



(R. RANGARAJAN)
Member (Admn.)

Dated: 20th September, 1996

(Dictated in Open Court)

For filing
DY. Registrar (3)

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Copy to:-

1. The Secretary, Ministry of Mines, Union of India, Dept. of Mines, Shastri Bhavan, New Delhi.
2. The Director General, Geological Survey of India, 27, Jawaharlal Nehru road, Calcutta.
3. Deputy Director General, Geological Survey of India, Southern Regional Office, Bandlaguda, Hyderabad.
4. One copy to Sri. M.Surender Rao, advocate, CAT, Hyd.
5. One copy to Sri. V.Rajeswara Rao, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

15/10/96
Typed By
Compared by

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Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 20/9/96

ORDER/JUDGEMENT
R.A./C.P./M.A. NO.

D.A. NO.

in
6/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT

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