

FORM NO. 21

(Sec Rule 114)

THE
IN/CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD.

OA / ~~TA/RA~~ / ~~CP~~ / ~~MA~~ / ~~PT~~ 1252 of 1997

..... I. Sriniva Applicant (s)

Versus

..... Mr. G.M. Sanyal Respondent (s).

..... Mr. Sanyal Respondent (s).

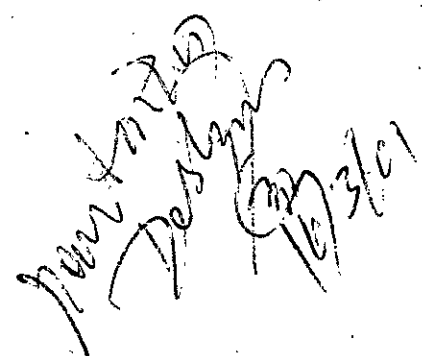
INDEX SHEET

Serial No	Description of Documents and Dates.	Pages.
Docket Orders.		1 to 3
Interim orders		
Orders in MA (s)		
Reply Statement		
Rejoinder		
Orders in (Final orders)	21-11-97	15 to 19

Certified that the file is Complete
In all respects.


Signature of
Dealing Hand
(In Record Section)

Signature of S.O.



Date	Office Note	ORDER
------	-------------	-------

22-10-97

Heard Mr. Krishna Reddy for Mrs. P. Sharada on behalf of the applicant and Mr. C.V. Malla Reddy on behalf of the respondents.

At the request of the Counsel for the applicant list it on Monday 27-10-97.

S
HHRP
M(A)

KSM

27-10-97

List it after 10 days to enable the learned Counsel for the applicant to gather some more relevant information about the applicant and her family and for Mr. Malla Reddy to file his counter. List it on 7th November, 1997.

S
HHRP
M(A)

KSM

7-11-97

Two weeks time granted at the request of Counsel for the applicant.

S
HHRP
M(A)

KSM

Central Administrative Tribunal Hyderabad Bench: Hyderabad.

D.A.No. 1252 of 1997.

J. Sivisho. Applicants(s).

VERSUS.

The General Manager, S.C. R.R.
Secbad & ors,

(Respondents).

Date	Office Note	ORDER
------	-------------	-------

24-9-97

To be listed alongwith the
Batch cases coming up for
Admission / Final Hearing
tomorrow i.e. 25-9-97.

SN

G. S. R.
HHRP
M(A)

25.9.97

Heard Mrs. Sarada for the applicant.
and Mr. C.V. Malla Reddy for the respondents.

This case may be posted
along with other similar cases
on 16.10.97.

G. S. R.
HHRP
M(A)

16/10/97. For it on 16-10-97

(80)

Dr

21/10/97

RSM

call on 22/10/97

G. S. R.
HHRP
M(A)

SMC

2-5

tm

25/9/97

21 11 97

OA disposed as per
order on separate sheets

KSM

2
21
HHRP
M(A)

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: SEICHHYDERABAD.

ORIGINAL APPLICATION NO. 1252 OF 1997.

J. Srinivas

(Applicants(sS))

VERSUS

Union of India, Repd., By.

The General Manager, SC Railway

Secunderabad 5200

Respondent(sS(S))

The Application has been Submitted to the Tribunal by Shri
Shri P. Krishna Reddy Advocate/Party-
in person Under Section 19 of the Administrative Tribunal
Act. 1985 and the same has been scrutinised with reference to
the points mentioned in the check list in the light of the
provisions in the administrative Tribunal(procedure) Rules
1987.

The application is in order and may be listed for Admission
No. _____

Scrutiny 19/9/97

Arts:
DEPUTY REGISTRAR(JUDL).

19. Is the application accompanied IPO/DD, for Rs.50/-.
- 10.
11. Have Legible copies of the annexure duly attested been filed.
12. Has the applicant exhausted all available remedies.
13. Has the Index of documents been filed and pagination done properly.
14. Has the declaration as a required by item No. 7 of form, I been made.
15. Have required number of envelopes (file six) bearing full addresses of the respondents been filed.
16. (a) Whether the relief sought form arise out of single cause of action.
(b) Whether any interim relief is prayed for.
17. In case an Ma for connoration of delay in filed, it supported b an affidavit of the applicant.
18. Whether t is cause ben hearded by a single bench.
19. Any other points.
20. Result of the scrutiny with initial of the scrutiny clerk.

Scrutiny Assistant.

Section Officer.

Deputy Registrar.

Registrar.

May be numbered

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

Dairy No. 3064/97

Report in the Scrutiny of Application.

Presented by By P. Krishna Reddy, Adv Date of presentation.

Applicant(s) J. Srinitha

Respondent(s) The General Manager, Railway, Secbad & 2m

Nature of grievance Appointment

No. of Applicants 1 No. of Respondents 3

CLASSIFICATION.

Subject Comp. Appointment (1) No. (1) Department Railways (32) (NO)

1. Is the application in the proper form, (three complete sets in paper, books form in the two completions). Y
2. Whether name description and address of all the parties been furnished in the cause title. Y
3. (a) Has the application been fully signed and verified. Y
(b) Has the copies been duly signed. Y
(c) Have sufficient number of copies of the application been filed. Y
4. Whether all the necessary parties are impleaded. Y
5. Whether English translation of documents in a Language, other than English or Hindi been filed. Y
6. Is the application on time, (see section 21) Y
7. Has the Vakalatnama/Memo of appearance/Autorisation been filed. Y
8. Is the application maintainability. (U/S 2, 14, 18, or U/R. 8 Etc.,) Y
9. Is the application accompanied, duly attested legible copy been filed. Y

CENTRAL ADMINISTRATIVE TRIBUNAL - HYDERABAD BENCH: HYDERABAD

I N D E X

O.A.NO. 1252 of 1997.

CAUSE TITLE

T. Srinisha.

V E R S U S

The General Manager,
S.C. Rly. I. ae.

SL.NO.	Description of Documents	Page No.
1.	Original Application	1-7
2.	Material Papers	8-12
3.	Vakalat	1
4.	Objection Sheet	
5.	Spere Copies	-3-
6.	Covers	-3-

T. Re-Statement filed by M.
C.V. Malle Reddy M. Thirumala

to direct the respondents to appoint the applicant
in any post either in grade or grade for which she is
eligible on compassionate grounds. (4)

smth

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD.

O.A.No.

1252

of 1997.

int. Amendment (1)

Between:

Jetti Sirisha.

.. .. Applicant.

And:

1. The General Manager,
South Central Railway,
Secunderabad and 2 others.

.. .. Respondents.

Railways (B2)

RAILWAY

MATERIAL PAPER INDEX AND CHRONOLOGICAL EVENTS

S1.No.	Date.	Description of the Document.	Pg.No.
1.	-----	Original Application.	1 -- 7
2.	24--5--1989.	<u>Annexure-I</u> Certificate issued by the Spl. Tahsildar, Vijayawada.	8
3.	12--8--97.	<u>Annexure-II</u> Representation of the Applicant filed before the 3rd respondent.	9 -- 10
4.		<u>Annexure-III</u> Transfer Certificate.	11 -- 12

Hyderabad,
Dt. 16--9--97.

P. Seader
Counsel for the Applicant.



Ad. accepted.
G. N. S.
19/9/97
CLA for pay

3

APPLICATION UNDER SECTION 19 OF THE
ADMINISTRATIVE TRIBUNALS ACT, 1985.

FOR USE IN TRIBUNAL OFFICE:-

DATE OF FILING
OR
DATE OF RECEIPT
BY POST.

REGISTRATION NO.

SIGNATURE:
REGISTRAR:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD.

O.A.No. 1252 of 1997.

Between:

Jetti Sirisha,
D/o, Jetti Sitharamaiah,
aged about 19 years,
R/o, Elaprolu village,
Ibrahimpattanam Mandalam,
Krishna District.

.. .. Applicant.

And:

1. The General Manager,
South Central Railway,
Rail Nilayam, Secunderabad.
2. The Chief Personnel Officer,
South Central Railway,
Rail Nilayam, Secunderabad.
3. The Deputy Chief Mechanical Engineer,
Guntupalli Wagon Workshop,
South Central Railway,
Guntupalli, Krishna District.

.. .. Respondents.

DETAILS OF THE APPLICATION

1. PARTICULARS OF THE APPLICANT:-

The particulars of the applicant is same as given
in the cause-title.

The address for service of all notices and process on
the above named applicant is that of her counsel M/s. P. Krishna
Reddy & Smt. P. Sarada, Advocates, 3-5-899, Himayathnagar,
Hyderabad-29.

2. PARTICULARS OF THE RESPONDENTS:-

Address for service of all notices and process on the above named respondents are same as given in the cause-title.

3. Particulars of the order against which application is made:-

i) Order No.

ii) Date.

---: NIL :---

iii) Passed by.

iv) Subject in Brief:- To direct the respondents to appoint the applicant on land losers quota.

4. Jurisdiction of the Tribunal:-

The applicant declares that the subject matter of the present O.A. is within the jurisdiction under Sec.14(1) of the Administrative Tribunals Act, 1985.

5. Workability of Limitations:-

The applicant further declares that this O.A. is filed is within the limitation as prescribed in Sec.21 of the Administrative Tribunals Act, 1985.

6. Brief Facts of the case:-

(a) The applicant submits that her father owned Ac. 4.76 $\frac{1}{2}$ cents of land in R.S.No.194/2 of Elaprolu village, Ibrahimpatnam Mandalam, Krishna District. The said land was acquired by the Railways for the purpose of construction of Wagon Workshop. Award No. 4/75 was passed on 20.3.1975. Even though the compensation amount was paid to the applicant's father he was not assigned any land by the State Government. The applicant's family was mainly living on agricultural and there is no other source of living. Under those circumstances the Railway Board in its letter dt. 31-12-82/1-1-83 prescribed certain guidelines for the rehabilitation of persons whose lands were acquired

19 97 (7)
19
78

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for the construction of the Carriage Repair Workshop.

(b) The applicant may be permitted to extract the relevant conditions of the letter which are as follows:-

- "1. The individual concerned should have been displaced himself or he should be the son/daughter/ward/wife of a person displaced from land on account of acquisition of the land by the Railways for the project.
2. Only the job on such preferential treatment should be offered to the family.
3. This dispensation should be limited to recruitment made from outside in direct recruitment categories and to the first recruitment or within a period and two years after the acquisition of the land whichever is later.
4. It must also be ensured that, the displaced person did not derive any benefit through the State Government in the form of alternative cultivable land etc.
5. The person concerned should fulfil the qualifications for the posts in question and also be found suitable by the appropriate to recruitment committees. In the case of Group 'C' post for which recruitment to be made through the Railway Service Commission, Chairman or the member of the Railway Service Commission should be associated in the recruitment."

(c) The applicant submits in July, 1985 the applications were called for from the land displaced persons/or his wife/or his son/or daughter. By the time of acquisition as the applicant was a minor. The applicant further submits that she was studied upto 10th class. As soon as the applicant has become major, she approached the 3rd respondent, but she has not received any reply from the 3rd respondent.

(d) The applicant reliably learnt that when the applications for appointment filed by some of the land losers were rejected on the ground that the applications were filed after cut-off date that is on 31-3-1981, they approached this Hon'ble Tribunal. The Hon'ble Central Administrative Tribunal, Hyderabad was pleased to allow all those original applications. The 1st order of the Hon'ble Tribunal was delivered on 12-12-1987 in Review Application No.2/86 in T.A.No.677/86. The relevant portion of the order is as follows:-

"One common objection has been taken in regard to all the applicants, i.e., that all of them have applied after the due date i.e. 31-3-1981 and hence cannot be considered for employment even if they have satisfied the other conditions. We are satisfied that this objection for excluding the applicants is untenable as admittedly the department has entertained the application of Smt.V.Savitri after 31.3.1981. It is stated that her case was treated as a Special case and she was given appointment. In regard to public appointments, it is not open to the appointing authority to discriminate between citizen and citizen and treat one individual as a special case. If relaxation can be given to one person for appointment then there appears no reasons why the applicants should be given the same benefit, though they had applied after the due date i.e. 31-3-1981."

Under similar circumstances the Hon'ble Tribunal had an occasion to deliver judgement in O.A.No.765 of 1988 on 18-7-1990 and in O.A.No.841/88 on 18-9-1990.. Under those circumstances the Hon'ble Tribunal was pleased to hold that the cut off date is not followed land loser who filed the application for jobs beyond the date were also directly appointed in the land losers quota by the administration. The Hon'ble

Tribunal in O.A.No.765/88 was pleased to pass the following orders:-

"At the same time we are however not unmindful of the consequences. We agree with the respondents that the question cannot be kept open for all time to come. In the course of the hearing the respondents apprehended that if the applicants succeed in this case they may have to keep the gate open indefinitely. They were afraid that even persons who are infants at present, may, on attaining majority and acquiring suitable qualifications stake their claims for jobs on the quota system of one job per displaced family. Though this may be an extreme case such a possibility cannot be ruled out. We therefore give the Railways the liberty to indicate a fresh cut off date and notify it adequately. They may however note that the present situation in their own creation by departing from the guidelines leading to the judgments of this Tribunal to avoid discrimination. If they want to succeed in their attempts with the new cut off date, they have to follow the cut off date strictly to avoid the type of situation they apprehend."

It is clear from the above order of the Hon'ble Tribunal that the administration is bound to give only one job for a family whose lands were acquired by the administration.

(e) The applicant further submits that it is clear from the orders referred to above that the cut off date fixed earlier as 31-3-1981 was relaxed. In spite of the observation of the Hon'ble Tribunal that it is always open for the Railway Administration to prescribe other cut off date and adhere to the same, the Railway Administration has not chosen to introduce any cut off date so far. Evidently the Railway Administration might have thought that in the interest of

the persons whose lands were acquired and who were deprived of their source of living should be helped by implementing Railway Board orders by giving one appointment for one family.

(f) As submitted above nobody in the family of the applicant has been appointed in land losers quota or in any other manner. The applicant's parents have also become aged. In the interest of the family, the Hon'ble Tribunal may be pleased to direct the respondents to provide the applicant with a suitable job in the Wagon Workshop, Guntupalli, Krishna District.

7. Relief Sought:-

In view of the facts mentioned in para 6 above, the applicant herein prays that this Hon'ble Tribunal may be pleased to direct the respondents to appoint the applicant in Wagon Workshop, Guntupalli, Krishna District in any post either Group 'D' or Group 'C' for which she is eligible based on the educational qualification and pass such other order or orders in the interests of justice.

8. Interim Relief:-

It is also prayed that this Hon'ble Tribunal may be pleased to fix an early date for final hearing of the above O.A. and pass such other order or orders in the interests of justice.

9. Details of remedies exhausted:-

The applicant humbly submits that she has no other alternative or efficacious remedy except to approach this Hon'ble Tribunal by way of filing this O.A.

10. Matter not pending with any other court etc:-

The applicant further declares that the matter regarding

which this application has been made is not pending before any court of law or any other authority or any other bench of the tribunal.

11. Particulars of the postal order in respect of the

Application Fee:-

- i) Postal Order No. 812687130 ii) Date.: 19-9-97
iii) Amount of Rs. 50/- (Rupees fifty only).

12. Details of Index:-

An Index in duplicate containing the details of the documents to be relied upon is enclosed.

13. List of Enclosures:-

All the material papers are filed duly indexing the same.

Verification

I, J. Sirisha, d/o. Sitharamaiah, aged about 19 years, R/o. Elaprolu village, Ibrahimpatnam Mandalam, Krishna District, do hereby declare that the contents stated above in paragraphs 1 to 13 are true to the best of my knowledge, belief and information.

APPLICANT.

P. Sadasu
COUNSEL FOR THE APPLICANT.

HYDERABAD,
Dt. 16-9-1997.

To
The Registrar,
Central Admn. Tribunal,
Hyderabad.

---: B :---

Annexure-I

F.Dis.202/89

Dt.24-5-1989.

Office of the Special
Tahsildar, (Land Acquisition),
Vijayawada.CERTIFICATE

This is to certify that the extent of Ac.4.76 cents in R.S.No.194/2 of Elaprolu village of Mylavaram Taluq belonging to Jatti Seetaramaiah s/o.Nagabhushanam of Elaprolu (V) was acquired i.e. Award No.4/75 dt.20-3-1975 for the construction of Railway Wagon Repair Workshop, Vijayawada.

Sd/- x x x x x,
Special Tahsildar,
(Land Acquisition),
Vijayawada.

// True Copy //

P. Seetha

16
: 2 :

any cut off date. Hence your honour may be pleased to entertain my application to join in any Class IV employee in your Railway Wagon repair workshop. I studied upto Xth Class. I qualified for being appoint any Class IV employee in Wagon Repair work shop.

Hence I may be pleased to appoint as in any Class IV employee.

Eelaprolu,

Dt; 12.8.1997.

Be pleased to consider,

Jetti Sirisha

(JETTI SIRISHA)
Applicant.

Address for Correspondence:-

Jetti Sirisha,
D/o. Sri Jetti Sitharamaiah,
Eelaprolu-521 228,
Via Kondapalli,
Krishna Dist.

Copies submitted to:-

1. The General Manager,
South Central Railway,
Rail Nilayam,
Secunderabad (A.P).
2. The Chief Personnel Officer,
South Central Railway,
Rail Nilayam,
Secunderabad (A.P).

TLC
P. S. S.

9 Annexure - II 13

Regd. Post with Ack, due:

- - -

Before the Deputy Chief Mechanical Engineer,
Wagon Repair workshop,
South Central Railway,
Guntupalli,
Ibrahimpattanam Mandalam,
Krishna District.

Respected Sir,

My father, Sri Jetti Sitharamaiah who was the owner of Ac. 4-76½ cents of land in R.S.No.194/2 of Eelaprolu Village, Ibrahimpattanam Mandalam, Krishna District. The land was acquired for the purpose of construction of Railway Wagon Repair workshop at Guntupalli under Award No.4/75.

According to Railway Board instructions one job can be given for family of land looser in addition to payment of compensation. Land was assigned to provide job to the land looser or any member of the family by the State Government. I submit that none of members of my family i.e. my father, my mother are assigned any by the State Government. Hence, I am eligible for being given a job in your Wagon Repair Workshop.

Earlier there was some doubt about entertainment of applications for appointment under land losers quota beyond 31.3.1981. But the Hon'ble Central Administrative Tribunal, Hyderabad in T.A No.677/86 was pleased to hold as the cut off date prescribed by the administration was not adhere to the administration. The applications of the land losers can be entertained without restrictions what-so-ever regarding limitation. But the Hon'ble Tribunal was pleased to observe that it is always open to the Railway administration prescribed cut off date and adhere the same. But in the interests and welfare of land losers the administration was not choosen to prescribed

P.T.O.

- 10) పాఠశాలలో తొలిసారి విద్యార్థి/విద్యార్థిని చేర్చుకొనబడిన తరగతి సంవత్సరం
Class and year in which the pupil was first admitted into the school.
- 11) పై తరగతికి ప్రమాణ అగుటకు తగిన అర్హత కలిగి యున్నాడా? (ఎస్. ఎస్. ఎల్. సి లేక హెచ్. ఎస్. సి. లేక ఎస్. ఎస్. సి. పరీక్ష కొరకు సంపాదించిన విద్యార్థి/విద్యార్థిని విషయంలో ఆ విద్యార్థి/విద్యార్థిని కాలేజీ కోర్సు చేదువుటకు అర్హత కలిగి యున్నట్లుగా నిశ్చయించునట్లుగా గాని ఉత్తీర్ణుడైనట్లుగా గాని ప్రకటించిన విషయమును గురించి తెలియజేయవలెను.)
Whether qualified for promotion to a higher class (in the case of pupil presented for the S. S. L. C. or H. S. C. or S. S. C. Whether the pupil has been declared eligible for College Course of study or passed or not has to be stated)
- 12) విద్యార్థి/విద్యార్థిని పాఠశాలకు చెల్లించవలసిన రుసుములన్నింటినీ చెల్లించినాడా?
Whether the pupil has paid all the fee due to the School.
- 13) ఎ) విద్యార్థి/విద్యార్థిని ఏదయినా స్కాలర్‌షిప్, ప్రాధికారముండేనా (స్కాలర్‌షిప్ వివరములు తెలుపవలెను)
a) Whether the pupil was in receipt of any Scholarship (Nature of scholarship to be specified)
బి) విద్యార్థి/విద్యార్థిని ఏదయినా ఇవ్వబడినదా? రాయితీ ప్రాధికారమును తెలుపవలెను.)
Whether the pupil was in receipt of any concession (Nature of concession to be specified)
- 14) సంవత్సరములో విద్యార్థి/విద్యార్థిని వైద్యపరీక్ష చేయించుకొన్నా? వైద్యపరీక్ష మొదటిసారి జరిగినదా? తిరిగి తిరిగి జరిగినదా? తెలుపవలెను.
Whether the pupil has under gone Medical Inspection during the year first or repeat to be specified.
- 15) విద్యార్థి/విద్యార్థిని యొక్క గుర్తింపు చిహ్నములు :
Personal Marks of Identification :
1. A mole on the left side of the air line.
2. A mole on the left side of the neck.
- 16) విద్యార్థి/విద్యార్థిని పాఠశాలను వాస్తవముగా వదిలిపెట్టిన తేదీ
Date on which the pupil actually left the school
- 17) విద్యార్థి/విద్యార్థిని తరఫున ఆతని/ఆమె తల్లి/తండ్రి లేక సంరక్షకుడు బదిలీ పర్మిట్‌కు కొరకు దరఖాస్తు పెట్టిన తేదీ
Date on which application for transfer certificate was made on behalf of the pupil his/her Parent/Guardian.
- 18) బదిలీ పర్మిట్‌కు తేదీ
Date of the transfer certificate
- 19) ప్రవర్తన
CONDUCT
- 20) i) విద్యార్థి/విద్యార్థిని విడచుచున్న తరగతిలో హాజరు
Attendance in the class of leaving
ii) విద్యార్థి/విద్యార్థిని హాజరయిన దినముల సంఖ్య
Number of days present
- 21) పాఠశాల పనిచేసిన దినముల మొత్తము సంఖ్య
Total Number of Working days
- 22) ప్రధానోపాధ్యాయుని సంతకం
Signature of the Head of the School

2-7-90. VI class

Appeared S.S.C. public Examination March 1996.

Roll No: 0222952.

But, No. not qualified.

Yes

Pre-Education

Yes

of the air line
of the neck

23-04-96

25-06-97

25-06-97

విద్యాసహాయక
అధ్యక్షుడు
ఆంధ్రప్రదేశ్ శాసనసభ
కొండ్లపల్లి

గమనిక : విద్యార్థి అంగీకారం తర్వాత వదిలి వెళ్ళుచున్న పరిస్థితులలో తనదే సంబంధించిన అధికారి ద్వారా సంతకము దానిని లేనియెడల ఆ పర్మిట్‌కు చెల్లబడి కావదు.

Note : In case the pupil is leaving the state of Andhra Pradesh this certificate will not be valid without the counter Signature of the Inspecting officer concerned.

TIC
P. S. S. S.

11-

Annexure-III

146

అనుబంధము 16
APPENDIX - 16

8వ అధ్యాయము, 99వ నియమము (Rule 99, Chapter III)

D. E. O. Krishna
ORIGINAL

S. No. 198157

బదిలీ సర్టిఫికేటు

FORM OF TRANSFER CERTIFICATE

విద్యార్థి పరిచయ పత్రము

Transfer Certificate No.

57/97-98

అడ్మిషన్ నెం.

Admission No.

308

3478

1) పాఠశాల పేరు (స్థలము, జిల్లా)

a) Name of the School (Place and District)

Z.P.P.H. SCHOOL. (G)

KONDAPALLI.

బ) పాఠశాలలోని పెద్ద తరగతి

b) Highest Class in the School

X.C. (C)

స) ప్రభుత్వ పాఠశాల కానిచో ఏ తరగతి వరకు రికగ్నిషను పొందియుండెను. రికగ్నిషను ఆర్డరు నెంబరు, తేది.

c) If Non-Government, Class upto which recognized. No. & Date of recognition order.

RC. No. 150/A4/DI. 20.10.83

of the D.E.O KRISHNA.

2) విద్యార్థి/ విద్యార్థిని పేరు
Name of the Pupil

Jatti. Suresha.

3) తండ్రి లేక సంరక్షకుని పేరు
Name of the Parent or Gaurdian

Sitarumalai.

4) జాతీయత, మతము Nationality and Religion

5) అభ్యర్థి పెద్దాళ్లు కులము లేక పెద్దాళ్లు తెగ లేక ముక్క జాతులు లేక ఆంధ్రప్రదేశ్ విద్యానియమావళిలో నిర్దిష్టపరచబడిన సాంఘికముగాను, విద్యాసంబంధముగాను వెనుకబడిన ఇతర తరగతులకు చెందిన వ్యక్తయో? లేక పెద్దాళ్లు కులములు లేక పెద్దాళ్లు తెగల మండి అన్యమతమును స్వీకరించిన వ్యక్తయో? అయినటులయితే అందుకు సంబంధించిన వివరము తెలియచేయవలెను.

Indian. Hindu. Kannan.

Whether the candidate belongs to Schedule Castes or Scheduled Tribes of Vimukta Jathies or other Socially and Educationally Backward Classes specified in the Andhra Pradesh Educational Rules or he is a convert from the Scheduled Castes or the Scheduled Tribes. If so the particulars thereof

6) జన్మించిన తేది ప్రవేశముల రిజిస్టరులో నమోదయిన ప్రకారము (వెదములలో)
Date of Birth (in words) as entered in the Admission Register

14-06-78.

(Forthenth June Seventy Eight)

7) a) పాఠశాల వరలి వెళ్ళునపుడు విద్యార్థి/విద్యార్థిని చదువుచున్న తరగతి (వెదములలో)

X class

a) Class in which the pupil was reading at the time of leaving (in words)

b) 1) ప్రథమ భాష First Language

Telugu.

2) ద్వితీయ భాష Second Language

Hindi

స) 1) తీసుకొన్న కోర్సు పాఠాంశ విద్యా? వృత్తి విద్యా? (వృత్తి విద్య అయిన పాఠ్యాంశం?)

Academic

c) i) Course offered ie, whether Academic or Bifurcated and the subject offered under the bifurcated course:

mathematics.

2) చదివినది సమ్మిరిత గణితమా? సామాన్య గణితశాస్త్రమా?
ii) Whether studied Composite or General Mathematics.

Telugu.

8) 1) మాతృభాష 2) బోధనా భాష 3) చెప్పకముగా తీసుకొన్న భాష
Mother Tongue, Medium of instruction optional

9) అ తరగతిలో చేర్చుకొనబడిన లేక ప్రవేశించు చేయబడిన తేది (సంవత్సరము మాటలలో నమోదు చేయవలెను)

June - 95 (Ximetyfian)

(Date of admission or promotion to that class (the year to be entered in words)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL::: HYDERABAD BENCH
AT HYDERABAD.

O.A.NO. 1252 of 1997

Between:

J. SIRISHA

..

..

APPLICANT

a n d

The GENERAL MANAGER, South Central Railway
SECUBDERABAD and 2 others

..

..

RESPONDENTS.

I N D E X

Sl. No.	Description of documents	Page Nos.
1.	COUNTER	1 to 3

Hyderabad,

Date:

C. Venkateswara Reddy

COUNSEL FOR RESPONDENTS.

(16)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ::: HYDERABAD BENCH :::
AT HYDERABAD.

O.A. No. 1252 of 1997

Between:

Jetti Sirisha

a n d

The GENERAL MANAGER, South Central Railway,
Secunderabad and 2 others ...

APPLICANT

.. RESPONDENTS

REPLY STATEMENT FILED ON BEHALF OF THE RESPONDENTS

That I am the Respondent No.3 herein and I, MANDAVA KRISHNA RAO, Son of Sri M. VEERABHADRAIAH, aged 53 years, working as CHIEF WORKSHOP MANAGER, 'WAGON WORKSHOP, SOUTH CENTRAL RAILWAY, GUNTUPALLI-521 241, and as such I am well acquainted with the facts of the case. I am filing this reply statement on my behalf as well as on behalf of other Respondents as I am authorised to do so.

2. I submit that I have read the contents of O.A. filed by the applicant and deny each and every allegation and averments made therein except those which are specifically admitted hereunder. The applicant is put to strict proof of all allegations and averments. The O.A. does not disclose any valid and substantial grounds for the grant of relief prayed for and it is barred by limitation.

3. In reply to Para-6(a) and (b), it is submitted that an extent of Ac.4.76½ cent of land in R.No.194/2 was acquired for Railways by passing Award No.4/75 on 20-3-'75 for the construction of Wagon Workshop at Guntupalli and compensation amount was paid to the father of the applicant Sri Jetti Seetharamaiah.

4. It is submitted that the General Manager, South Central Railway

1st Page:

Corres. :


ATTESTOR.

मालविज्ञा कारखाना
१. म रेलवे, गुंटुपल्ली
Chemist & Metallurgist
Wagon Workshop
S. C. Railway Guntupalli

DEPONENT.

मुख्य कार्यखाना प्रबन्धक
Chief Workshop Manager
मालविज्ञा कारखाना
WAGON WORKSHOP 2
म रेलवे गुंटुपल्ली
S. C. RAILWAY GUNTUPALLI

(1st Respondent)/Secunderabad issued guide-lines for the rehabilitation of persons, whose lands were acquired for the establishment of Wagon Workshop at Guntupalli. It is true that subsequently Railway Board issued Lr.No. E/NG/11/82/PC/1/95, dt.31-12-82/1-1-83 prescribing certain guide-lines for rehabilitation of persons whose lands were acquired for the establishment of projects.

5. It is submitted that the applicant was born on 14-6-'78. The land was acquired by Railways before the applicant was born. As such the applicant has no locus standi to file this O.A. as she was not born on the date of acquisition i.e., 20-3-'75 on this ground alone, this O.A. may be ~~DMT~~ dismissed in limini.

6. It is further submitted that the condition No.3 of Railway Board's Lr.dt. 31-12-82/1-1-83 prescribed limitation of two years from the first recruitment or from the acquisition of land whichever is later. The first recruitment in this Workshop was made during the year 1981. Hence the limitation period was over in the year 1983 itself.

7. In reply to Para-6(c) it is submitted that the contention of the applicant that the applications were called for in July 1985 from the land displaced persons is not correct.

8. It is submitted that the object of providing employment to the land displaced families is to enable the family to tide over and to relieve the family from the financial crisis. With a view to rehabilitate the displaced families as a result of acquisition of the land for Wagon Workshop at Guntupalli, a decision was taken to provide one job for each family. The Respondent No.1 i.e., General Manager/South Central Railway/Secunderabad issued guide-lines for providing jobs to the land losers.

2nd Page:

Corres. :

[Signature]
ATTORNEY
 दालडिंबा कारखाना
 द. म. रेलवे, गुंटुपल्ली
 Chemist - Metallurgist
 Wagon Workshop
 S. C. Railway, Guntupalli

[Signature]
DEROENT
 Workshop Manager
 दालडिंबा कारखाना
WAGON WORK SHOP
 द. म. रेलवे, गुंटुपल्ली
S.C. RLY, GUNTUPALLI
 Contd....3

In the CAT HYD Bench
HYD

○ AND 1252 of 97



Counter Affidavit

Received
7/11/97

P Krishna Reddy

Copy filed
21/11

C.V. Halla Reddy

S. Chandra Reddy

9. It is further submitted that the acquisition of land as well as the offering of employment and last date for receipt of the application in the Wagon Workshop/Guntupalli was completed prior to the issuance of the Railway Board's Lr. dt. 31-12-82/1-1-'83.

10. It is true that the applicant has submitted application in the month of Aug. 1997 i.e., more than 15 years after the last date.

For the reasons stated above, there are no merits in the O.A. It is, therefore, prayed that this Hon'ble Tribunal may be pleased to dismiss the O.A. with costs.

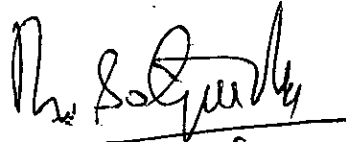
3rd & last Page:

Corres. :

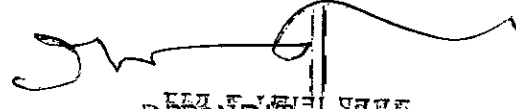
VERIFICATION

Solemnly affirmed and signed on this the
day of Nov....November 1997 at
WAGON WORKSHOP, GUNTUPALLI.

Before me.




ATTESTOR
मालडिब्बा कारखाना
इ. म. रेलवे, गुंटुपल्ली
Chemist & Metallurgist
Wagon Workshop
(C. Railway Guntupalli)


DEPONENT.
Chief Workshop Manager
मालडिब्बा कारखाना
WAGON WORK SHOP
इ. म. रेलवे, गुंटुपल्ली
SC RLY, GUNTUPALLI

6. Any other condition stipulated by Board or conditions locally made may be included which may be deemed to be fit.
7. No applications should be considered which are received after the cut off date under any circumstances.

Screening may be conducted for eligible candidates. Proposals may be sent to this office for the candidates who are found suitable for Group 'C' and Group 'D' categories keeping in view para 5 of Railway Board's letter dated 31.12.81/1.1.83.

The last date for reckoning the age may be fixed as 31.12.97.


(L.B.T. NAIR)
Dy. CPO/M, EN & PC
for Chief Personnel Officer.

C/- ALO/SC:for information.

enb/-
15/11

SOUTH CENTRAL RAILWAY

Headquarters Office,
Personnel Branch,
Secunderabad.

Dated: 4-11-97

No: P.263/Mech/RYPS/18/Vol.IV.

CWN/TPTY, CWN/RYPs,
WPO/TPTY, WPO/RYPs

Sub: OA No:1101/97 filed by Shri M.Lokesh and
OA No:1102/97 filed by Shri L.Chengaiiah
before CAT/Hyderabad.

.....

In compliance with the direction given Hon'ble CAT/HYB in O.A.No:1101/97 and 1102/97, CPO has decided 31.12.1997 as fresh cut off date for both CWS/EPTY and WWS/ETPL for calling applications from the Land Losers for appointment in Group 'C' and Group 'D' categories against the quota in their turn.

In view of above applications may be called for from Land Losers fixing the date as 31.12.1997 subject to the following conditions:-

1. The individual concerned should have been displaced himself or he should be the son/daughter/ward/wife of a person displaced from land on account of acquisition of the land by the Railways for the project.
2. Only one job on such preferential treatment should be offered to one family.
3. It must also be ensured that the displaced person did not derive any benefit through the State Government in the form of alternative cultivable land etc.,
4. The person concerned should fulfil the qualification for the post in question and also be found suitable by the appropriate recruitment committees. In the case of Group 'C' posts for which recruitment is made through the Railway Recruitment Board, the Chairman or the Member of the Railway Recruitment Board should associate in the recruitment.
5. This scheme will not be applicable to persons whose wards against the vacancies of Direct recruitment quota have already been appointed or whose cases have been rejected earlier due to failure in the test or medical unfitness etc.

contd...2

20

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A. No. 1252 of 1997 ✓

Date of Decision:
21st November, 1997

Between:

Jetti Sirisha ✓

.. Applicant

AND

1. The General Manager,
South Central Railway,
Rail Nilayam, Secunderabad

2. The Chief Personnel Officer,
South Central Railway,
Rail Nilayam, Secunderabad.

3. The Deputy Chief Mechanical Engineer,
Guntupalli Wagon Workshop,
South Central Railway
Guntupalli, Krishna District.

.. Respondents

Counsel for the Applicant: Mrs. P. Sharada

Counsel for the Respondents: Mr. C.V. Malla Reddy

CORAM:

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

ORDER

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

1. Heard Mr. P. Rama Rao for Mrs. Sarada on behalf of the applicant and Mr. C. Venkata Malla Reddy for the Respondents.


2. It is submitted that in respect of providing appointment to one member of a land-losing family in connection with the establishment of Carriage & Repair Workshop at Settipally and Guntupalli, the S.C. Railway Headquarters have now taken a decision to extend the dead-line for submission of applications from eligible candidates upto the end of December, 1997. The candidature of all such candidates would be examined subject to usual conditions governing the scheme. Mr. C.V. Malla Reddy produces a copy of letter No.P-263/Mech/RYPS/18/Vol.IV Dt.14.11.1997 which confirms the above disclosure made by him.

21

3. In view of this submission nothing survives in the O.A. The petitioner may submit an application within the date prescribed which would be scrutinised and decided as per the rules of the scheme in the normal course.

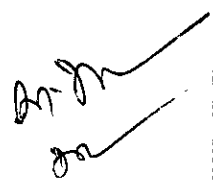
4. Any further litigation arising out of non-submission by an eligible candidate, of a proper application before the last date fixed for the purpose, shall not be entertained.

Thus the O.A. is disposed of.


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)

Date: 21st November, 1997
Dictated in the open court.

KSM





6/12/97
3/12/97

I 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:- 21/11/97

ORDER/JUDGMENT.

M.A.,/RA.,/C-A.No..

in

O.A.No. 1254/97.

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.

