

FORM NO. 21
(See Rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL - HYDERABAD BENCH : HYDERABAD

OA / TA / DA / CP / MA / PT 1268 OF 1997

..... P...P...Rao Applicant(s)

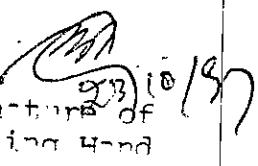
Versus

..... the Director of N.A. Inspection Respondent(s)
Name: Haji Newell & Sons

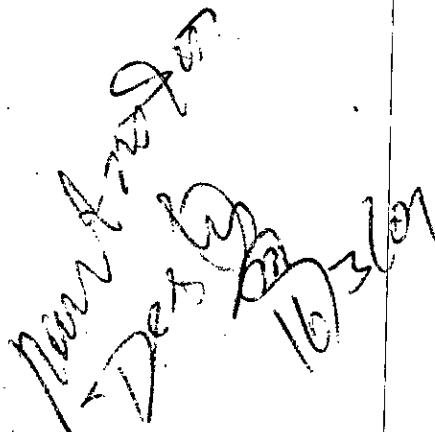
INDEX SHEET

Serial No.	Description of Documents	Pages
Pocket Orders	—	
Interim Orders	—	
Orders in MA (s)	—	
Orders in (Final Orders)	25-9-97	35639

Certified that the file is complete
in all respects.


Signature of
Dealing Hand
(In Record Section)

Signature of S.O.


Signature of S.O.
Date: 16/3/97

Central Administrative Tribunal Hyderabad Bench: Hyderabad.

O.A. No.

1268

of 1997

P. P. Rao & 6 Ors

Applicants(s).

VERSUS.

The Director of Naval Armament

Inspector, Naval H.Qs, New Delhi & A.W.
(Respondents).

Date	Office Note	ORDER
26/9/97		MA is allowed fix the OA for admission on 28/9/97
28/9/97		6.A. is disposed of with directions vide separate Judgment

JW
HOSOP
HJS

HERN
HCA

6.A. is disposed of
with directions
vide separate
Judgment

L
HOSOP
HJS

LDRW
HJS

868

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH : HYDERABAD

ORIGINAL APPLICATION NO.

OF 1997.

P. P. Rao & Ors

(Applicants(s))

VERSUS.

Union of India, Repd. by.

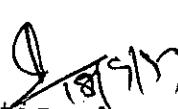
Director of Naval Armament Inspection

Naval HQs, New Delhi & anr

(Respondent(s)).

The application has been submitted to the Tribunal by
Shri K. Sudhakara 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 on


Scrutiny Asst.


DEPUTY REGISTRAR (JUDICIAL)

11. Have legible copies of the annexure duly attested been filed. *ry*
12. Has the applicant exhausted all available remedies. *ry*
13. Has the Index of documents been filed and pagination done properly. *7y*
14. Has the declaration as required by item No. 7 of Form 1 been made. *ry*
15. Have required number of envelops (file size) bearing full addresses of the respondents been filed. *ry*
16. (a) Whether the relief sought for, arise out of single cause of action. *ry*
(b) Whether any interim relief is prayed for, *ry*
17. (c) In case an MA for coronation of delay is filed, is it supported by an affidavit of the applicant. *ry*
18. Whether this cause be heard by single Bench. *NO*
19. Any other points.
20. Result of the Scrutiny with initial of the scrutiny clerk.
Scrutiny Assistant. *May be numbered.*

Section Officer.

Deputy Registrar.

Registrar.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD.

Case No. 2889/97

Report in the Scrutiny of Application.

Presented by S. K. Sudhakar Rao ^{Adv.} Date of Presentation.

Applicant(s) P P Rao & Sons

Respondent(s) Director of Naval Ammunition Inspection,
Naval Stores, New Delhi & Caw.

Nature of grievance Regular汨nys

No. of Applicants 1 No. of Respondents 2

CLASSIFICATION.

Subject Not Department Defence (Not)

1. Is the application in the proper form, (three complete sets in paper books form in two compilations). 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/Authorisation been filed. Y
8. Is the application maintainability. (U/S 2, 14, 18, or U/R. 8 Etc.,) Y
9. Is the application accompanied I.P.C/DO, for Rs.50/- Y
10. Has the impugned order's original, duly attested legible copy been filed. Y
no impugned order pl-

P.T.O.,

CENTRAL ADMINISTRATIVE TRIBUNAL (YOUSUFABAD BRANCH: HYDERABAD)

I N D E X S H E E T

O.A. NO. _____ OF 1997.

CAUSE TITLE P. P. Rao & 6 Ors

V E R S U S

The Director of Naval Assessment

Inspection, Naval HQs,

New Delhi & Agra

SL. NO.	Description of documents	Page No.
1.	Original Application	1 - 6
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4.	Objection Sheet	1
5.	Supp. Copies	2
6.	Covers	2

subeing a direction to regularise the service of the applicants from their entry date of appointment with 2
all conventional benefits etc

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH :AT HYDERABAD

Rebuttal

OA NO. of 1997

Regularisation

Between:

P.P.Rao and 6 others.

Defender (12)
..Applicants

A N D

DEFENCE

Director of Naval Armament
Inspection, Naval HQs,
New Delhi and another.

..Respondents

CHRONOLOGICAL EVENTS

Sl. no	Date	Events
1.	6.7.95	Respondents extended the benefit or regularisation to non-petitioners
2.	2.1.96	Hon'ble Tribunal disposed of OA No.1043/94.

Hyderabad

Dated: 8.9.97

DR. B. R. Devaraj
COUNSEL FOR THE APPLICANTS



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA No. of 1997

Between:

P.P.Rao and 6 others.Applicants

A N D

Director of Naval Armament
Inspection, Naval HQs,
New Delhi and another.

....Respondents

I N D E X

Sl. No.	Documents relied upon	Page	Ann.
1.	Original Application	1-6	
2.	Service particulars of the applicants	7	I
3.	Judgement in OA No.1043/94	8 - 11	II
4.	Order No.CE/9303/170 dated 20.6.95.	12	III
5.	Order NO.CP(SC)/4834/Court case/NHQ/1375 dt. 20.6.95.	13	IV
6.	Order No.CE/9303/170 dated 6.7.95.	14	V
7.	Copies of Representations	15 to 30	VI

Certified that the above are true copies to
the originals.

Hyderabad
Dated: 8.9.97

COUNSEL FOR THE APPLICANTS

(4)

APPLICATION FILED UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNALS ACT

Date of filing:

or

Date of receipt:

By Post:

Registration :

SIGNATURE

REGISTRAR:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA No. of 1997

Between:

1. P.P.Rao, S/o late Suryachary,
aged about 45 years,
Sr.Chargeman (Mech)
2. P.S.Rao, S/o late Suryachary,
aged about 42 years,
Sr.Chargeman (Mech)
3. JVR Murthy, S/o JVSN Murthy,
aged about 40 years,
Sr.Chargeman (Mech)
4. S.P.Yedav, S/o SG Yadav,
aged about 40 years,
Sr.Chargeman (Mech)
5. A.Rajeswari, D/o A.Rajagopala Rao,
aged about 40 years,
Senior Chargeman (Mech)
6. M.Narayana, S/o M.Sangya,
aged about 40 years,
Examiner (Ammunition)
7. G.V.Geetha, D/o C.V.Lingam,
aged about 40 years,
Examiner (Ammunition)

all are working in the O/o the Senior
Inspector of Naval Armament, Naval
Armament Inspectorate, Kanchanbagh,
Hyderabad.

..Applicants

A N D

1. DIRECTOR OF NAVAL ARMAMENT INSPECTION
Naval HQrs, Ministry of Defence,
Sena Bhavan, New Delhi.
2. S r: Inspec tor of Naval Armement,
Naval Armement Inspectorate,
Kanchan Bagh, Hyderabad. .. Respondents

DETAILS OF APPLICATION:

1. PARTICULARS OF THE APPLICANTS:

The particulars of the applicants are the same as given in the cause title. The addresses for service of all notices etc on the applicants are that of their counsel Mr.K.S udhakar Reddy, Advocate, 1-3-37, Street No.5, Habsiguda, Hyderabad.

2. PARTICULARS OF THE RESPONDENTS :

The particulars and addresses of the respondents are the same as mentioned in the cause title. The addresses for service of all notices etc on the respondents are also the same as mentioned in the cause title.

3. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

a) Order No & Date: Nil

b) Passed by: Nil

c) Subject in brief: All the applicants herein are working in the second respondent office as Senior Chargemen and Examininers (Ammunition). Initially they were all engaged on casual basis on various dates and thereafter they were all regularised with effect from the dates given in the Annexure.I. The respondent authorities instead of regularising the services of the applicants with effect from their initial

engagement, they were all regularised on various dates ignoring their casual service. Similarly situated persons approached this Hon'ble Tribunal and this Hon'ble Tribunal directed the respondent authorities to regularise the services of the applicants in those OAs by taking into account the casual service for the purpose of regularisation, but whereas even though the applicants herein are similarly situated the respondent authorities are not regularising the services of the applicants herein by taking their casual service into account. Hence, this OA before the Hon'ble Tribunal.

4. JURISDICTION:

The applicants declare that the subject matter of the action of the respondents wants redressal is within the jurisdiction of the Hon'ble Tribunal under Section 14 of the A.T .Act.

5. LIMITATION:

The application is filed within the time prescribed in section 21 of the Administrative Tribunals Act, under section 21 (1) (A).

6. FACTS OF THE CASE:

6.1. It is submitted that all the applicants herein are working in the second respondent office and all of them were initially engaged on casual basis as Senior Chargeman (Mech) and Examiners (Ammunition and thereafter they were all regularised with effect from various dates as given in the Annexure.I. All the applicants herein are entitled for regularisation of their services w.e.f., the dates on which they were engaged on casual basis as done in the case of similarly situated

persons, who approached this Hon'ble Tribunal and obtained judgement and the judgments were implemented and seniority is given on the basis of judgment delivered by this Hon'ble Tribunal. The applicants herein are also similarly situated as the applicants in the OAs, which were disposed of by this Hon'ble Tribunal and they submitted representations to the respondent authorities to consider their cases for regularisation by taking into account the service rendered on casual basis and also to revise the seniority but the respondent authorities did not take any action since long time and are maintaining silence over the matter. The respondent authorities also issued several office orders including office order No. CE/9303/170 dated 6.7.95 extending the benefit of regularisation on casual service to non-petitioners from the dates of their initial appointment on casual basis and also asked all the relevant information in regard to the non-petitioners from various offices whether similarly situated persons are working but till today no action has been taken to regularise the services of the applicants w.e.f., their casual engagement. This Hon'ble Tribunal disposed of similar OA No. 1043/94 recently on 2.1.96. In view of the respondents' letter No. CE/9303/170 dt. 20.6.95; CP (SC)/4834/Court Case/NHQ/1375 dated 26.6.95 and CE/9303/170 dated 6.6.95, the applicants herein are entitled for the regularisation of their services with effect from the dates on which they were initially engaged on casual basis and also for revision of their seniority and all other consequential benefits. The applicants herein are not having any other alternative and effective remedy except to approach this Hon'ble Tribunal by invoking the jurisdiction of this Hon'ble Tribunal under section 19 of the A.T. Act, for redressal of their grievances. Hence, this OA before the Hon'ble Tribunal.

7. RELIEFS SOUGHT FOR:

MAIN RELIEF: HENCE, IN THE INTEREST OF JUSTICE, it is prayed that the Hon'ble Tribunal may be pleased to direct the respondent authorities to regularise the services of the applicants herein with effect from the dates of their initial casual engagement as per the dates given in the Annexure. I with all consequential benefits such as seniority, arrears of salary etc ^{as deemed fit} and pass such other orders as may be ~~necessary~~ necessary in the ^b circumstances of the case.

8. INTERIM RELIEF:

Pending disposal of the above OA, the Hon'ble Tribunal may be pleased to expedite the hearing of the OA and pass such other and further order or orders as the Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

9. REMEDIES EXHAUSTED:

The applicants herein are not having any other effective and alternative remedy except to invoke the jurisdiction of this Hon'ble Tribunal under section 19 of the A. T. Act for redressal of their grievances.

10. MATTERS NOT PENDING WITH ANY OTHER COURT:

The applicant declares that the matter regarding which this application has been made is not pending before any court of law and any other authority or any other bench of the Tribunal.

11. DEMANDS OF POSTAL ORDER:

a) IPO No:

8 12 68 7721

b) Date:

28/7/92

1 (Rs. 50/-) - A

12.

DETAILS OF INDEX:

Index in duplicate is enclosed.

13.

LIST OF ENCLOSURES:

Covers, material papers, postal order etc.


COUNSEL FOR THE APPLICANT

VERIFICATION

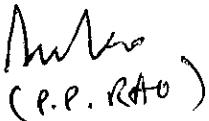
We, (1) P.P.Rao, (2) P.S.Rao, (3) JVR Murthy,
 4) S.P.Yadav, (5) A.Rajeswari (6) M.Narayana and
 (7) C.V.Geetha, the applicants above named, do hereby
 declare and verify that the contents of the paras 1 to
 13 are true to our knowledge and belief and I believe
 the same to be true and that we have not suppressed any
 material facts of the case.

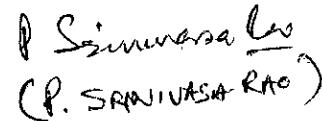
Hyderabad

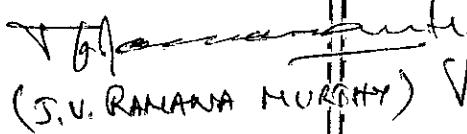
Dated: 8.9.97

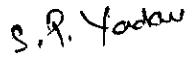
SIGNATURES OF THE APPLICANTS

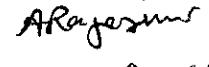
COUNSEL FOR APPLICANTS

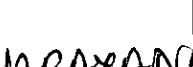
1. 
(P.P. RAO)

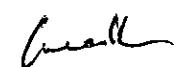
2. 
(P. SANIVASA RAO)

3. 
(J.V. RANANA MURTHY) ✓

4. 
(S. PRATHAPA YADAV)

5. 
(A. RAJESWARI)

6. 
(M. NARAYANA) M. Narayana

7. 
(C.V. GEETHA)

SERVICE PARTICULARS OF THE
APPLICANTS

Sl. No.	Name	Date of Initial Appointment	Date of Regulari- sation
1.	P.P.Rao Sr.Chargeman (Mech)	27.10.86	30.3.88
2.	P.S.Rao, Sr. Chargeman (Mech)	27.10.86	30.3.88
3.	JVR Murthy, Senior Chargeman (Mech)	27.10.86	30.3.88
4.	S.P.Yadav, Senior chargeman (Mech)	2.11.87	1.2.90
5.	Smt A.Rajeswari Senior Chargewomen (Mech)	2.11.87	1.2.90
6.	M.Narayana, Examiner (Ammn)	1.10.88	1.2.90
7.	C.V.Geetha, Examiner (Ammn)	3.1.89	1.2.90

B3
saf wa

JUDGMENT

1. as per Hon'ble Sri R.Rangarajan, Member(Administrative) I

Heard Sri K.Sudhakar Reddy for Sri P.S.N.Murthy, learned counsel for the applicants and Sri N.R.Devaraj, learned & Sr. Standing Counsel for the respondents.

2. This OA is filed praying for a direction to the respondents to regularise the services of the applicants herein from the date of their initial casual appointment condoning the breaks if any, with all service benefits including seniority as per the judgment in OA 259/91 dt. 27.10.1993.

3. All the applicants herein were initially appointed as Casual Mechanic Examiners. (subsequently redesignated as Senior Charman (Mechanical)) on various dates as indicated in para-4 (page-3) of the O.A. They were all regularised on various dates during the years 1981 and 1990. The dates of regularisation of each applicant except in case of Sri T.Basavanna (Applicant No.8) are furnished in para-4 (page-3) of the O.A. Though the date of regularisation of Applicant No.8 (Sri T.Basavanna) is not furnished, it is stated for the said applicant that he has also been regularised. The said relevant date has to be ascertained from the records. The relief prayed in this OA is for regularisation of applicant from the dates of their initial casual appointment as was done in the case of applicants in OA 259/91 which was decided on 27.10.1993.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A.NO.1043 of 1994.

Dated: 2.1.1996.

Between

1. S.V.Ramanamurthy.
2. P.Ramakrishna Rao.
3. G.Gopal.
4. MVR. Manohar.
5. B.Soleman Raju.
6. PKRP Gandhi.
7. B.Venkata Rao.
8. T.Basavanna

Applicants

And

1. Secretary, Ministry of Defence, Govt. of India, New Delhi.
2. Chief of Naval Staff, NHQ, DHO, PO, New Delhi.
3. Flag Officer Commanding in Chief, HQENC, Visakhapatnam.
4. Director of Naval Armament Inspection, NHQ, New Delhi.
5. Chief Inspector of Naval Armament, NAI, Visakhapatnam.

... Respondents

Counsel for the Applicants : Sri. P.S.N.Murthy & Sri. K.S.P.

Counsel for the Respondents : Sri. N.R.Devaraj, Sr. CGSC.

CORAM:

Hon'ble Mr. Justice V.Neeladri Rao, Vice Chairman

Hon'ble Mr. R.Rangarajan, Administrative Member

Contd:..

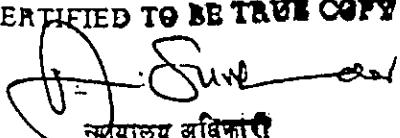
- 11 - : 4 : (14)

6 Copy

The applicants are entitled to all consequential benefits including seniority as a result of their regularisation. However, we make it clear that the financial benefits accrued by way of arrears if any will be paid to them only from 17.8.1993 (i.e. a year prior to the date of filing of this O.A. The seniority list has to be recast expeditiously as per the directions given above preferably within a period of 3 months from the date of receipt of ~~xxix~~ a copy of this judgment.

8. The OA is ordered accordingly. No costs.

इसका यह शब्द
CERTIFIED TO BE TRUE COPY


Susarla R. Reddy
1/2/96
न्यायालय अधिकारी
COURT OFFICER
केन्द्रीय प्रशासनिक अधिकारी
Central Administrative Tribunal
हैदराबाद न्यायालय
HYDERABAD BENCH

Copy to :-

1. Secretary, Ministry of Defence, Government of India, New Delhi.
2. Chief of Naval Staff, NHQ, DHQ, PO, New Delhi.
3. Flag Officer Commanding in Chief, HQENC, Visakhapatnam.
4. Director of Naval Armament Inspection, NHQ, New Delhi.
5. Chief Inspector of Naval Armament, NAI, Visakhapatnam.
6. One copy to Mr. P.S.N. Murthy & Sri K.S. Reddy, Advocates, 1-142, Susarla Colony, Baji Junction, Visakhapatnam-27.
7. One copy to Mr. N.R. Devaraj, Sr. OGSC, CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One spare copy.

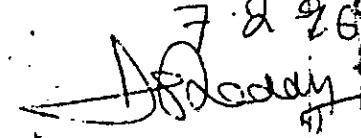
Kia.



08/10/93/94

2/1/96

7/2/96



4. The applicants numbering 33 in OA 259/91 were also appointed as Casual Mechanic Examiners who were subsequently redesignated as Sr.Chargeman (Mech.). Relying on the circulars issued by Ministry of Defence dt. 26.9.1966, 24.11.1967 and 19.11.1983 it was decided by this Tribunal in the above quoted OA that the applicants therein should be regularised from the dates of their initial casual appointment ignoring the artificial breaks in service with all consequential benefits such as seniority, arrears of pay etc.

5. Sri N.R.Devaraj, learned Standing Counsel for respondents argued this case on the basis of draft reply statement which was reported to have been sent for approval to the concerned.

6. After going through the judgment in OA 259/91 we come to the conclusion that the prayer in this OA is same as prayed for in OA 259/91 and also the applicants herein are similarly situated and hence this OA is covered by the judgment in OA 259/91 decided on 27.10.93 wherein both of us were parties to the judgment.

7. In view of the above, we follow the judgment in the above referred OA 259/91 dt. 27.10.93 and direct as follows:

In the conspectus of the facts and circumstances of this case, we are of the opinion that the applicants herein are entitled for regularisation from the date of their initial appointment in service. R-1 to 3 have to regularise their services from the date of their initial appointment ignoring the artificial breaks in service.

125/10/2/1995
15
Amu

No. CP(SC)/4834/Court Case/NHQ/1375/
DO(P)/D(N-II)
Government of India
Ministry of Defence
New Delhi, the 26 June 1995

The Chief of the Naval Staff
New Delhi - (25 copies)

Subject : IMPLEMENTATION OF JUDGEMENT OF CAT, NEW BOMBAY BENCH
IN OA NO.306/88, 516/88 AND 732/88 REGARDING REGULARISATION OF CASUAL SERVICE.

Sir,

The undersigned is directed to refer to the judgements of the Central Administrative Tribunal, New Bombay Bench, mentioned above and to say that these judgements regarding regularisation of service from the date of initial appointments on casual basis, were implemented in respect of petitioners only vide Government of India, Ministry of Defence letters No. CP(SC)/4834/Court Case/NHQ/2309/D(N-II) dated 24 August 1994 and No. CP(SC)/4828/DV/Court Case/NHQ/3035/DO(P)/D(N-II)/94 dated 21 Nov 1994. The question of extending the benefits of the above judgements of the CAT, New Bombay Bench to the non-petitioners, who are similarly placed, has also been considered by the Government in accordance with CAT directives and it has been decided to implement the CAT, Bombay directions. The undersigned is therefore, directed to convey the sanction of the President to the grant of benefits as extended to the petitioners in the above O.A.s to the other similarly placed non-petitioners working in Naval Establishments belonging to Groups 'C' and 'D' not exceeding 4813 employees (inclusive of those who have got such benefits by filing fresh petitions and implementation of the same by the Govt. after issue of letters mentioned above).

2. The expenditure incurred will be debit able to Major Head 2077, Minor Head 104(F) 3 Code Head of 621/03 of Defence Services (Navy) during 1995-1996 as 'Charged Expenditure'.

3. This issues with the concurrence of the Ministry of Defence (Fin/Naval) vide their u.o. No. 700/NA of 1995.

Yours faithfully,

sd/ x x x

(MN Sukumaran)
Desk Officer

Copy to:

The CGDA, R.K.Puram, New Delhi
The DGADS, New Delhi; The JDAS(Bombay)
The CDA(N), Bombay - 2 copies (one copy signed in ink)
The ACDA(H), Kochin - 2 copies (one copy signed in ink)
The CDA(HQs), 'G' Block, New Delhi

Ministry of Defence(Fin/Budget), Min. of Def (Fin/Naval), NHQ(DNP)
(2 copies) (2 copies) (1 copy)

// true copy

Rehman

Telephone 578000 Extn 2515

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Mukhyalaya
Poov Nausena Kavan
Nausena Base
Visakhapatnam

20 Jun 95

All Establishments: SINA, Hyderabad

EXTENSION OF BENEFITS OF REGULARISATION OF
CASUAL SERVICE TO NON-PETITIONERS

The issue regarding extension of benefits of regularisation of casual service from the date of initial appointment has been under consideration of the Government for quite some time. Naval Headquarters have informed that the Government have accepted the proposal of NHQ for extending the said benefit to the non-petitioners also in principle and would like to know the actual financial implication for considering issue of formal sanction.

2. It is accordingly requested that cases of all employees be verified at your end and information in respect of the non-petitioners who are initially appointed on casual basis be furnished in the following format:-

Sl No.	Name of the Govt servant	Present Desig	Date of initial appt on casual basis and post in which employed	Date of regularisation in the course	Date of regularisation from the date of initial appt	Amount of arrears payable consequent on regularisation
1	2	3	4	5	6	7

3. It is further requested that based on the information at Col.6 by extending the benefit of regularisation from the date of initial appointment, the increments be sanctioned retrospectively and pay fixation from time to time (i.e. at the time of promotion and at the time fixation of pay under CCS(RP) rules) be revised on notional basis, taking the audit concurrence in each case. Thereafter, once the pay is notionally arrived at, the due drawn statements be prepared and the difference of amount payable be furnished in Col.7 in each case.

on
(TVK Ram)
Administrative Officer
Staff Officer (Civilians)
for Flag Afsar Kaman-in-Chief

Adm/SKS

Adm/11/95

26/1/95

5347

11/01/95

Rej

Conc of his

Telephone 578000 Extn 2515

MOST IMMEDIATE

Mukhyalaya
Poorv Nausena Kaman
Nausena Base
Visakhapatnam

CE/9303/170

06 Jul 95

All Establishments: SINA (Hyd)

EXTENSION OF BENEFITS OF REGULARISATION OF
CASUAL SERVICE TO NON-PETITIONERS

Refer to this Headquarters letter CE/9303/170 dated 20 Jun 95.

2. A copy of the Govt sanction issued vide MOD letter CP(SC)/4834/Court Case/NHQ/1375/DO(P)/D(N-II) dated 26 Jun 95 extending the benefit of regularisation from the date of initial appointment on casual basis to similarly placed non-petitioners is forwarded. A copy of the signal DTG 282340/Jun from CDA(N) according clearance for sending the due drawn statements in respect of the Non-petitioners to the concerned audit authorities for pre-audit is also forwarded.

3. It is requested that:-

- (a) The cases of petitioners in whose case judgements have already been delivered for regularisation of service and necessary CE Orders also published need not be included.
- (b) Cases of employees who filed OAs for regularisation of service from the date of initial appointment on casual basis and are pending in the Courts for disposal be prepared separately indicating the details of OA in each case and marked as enclosure-I.
- (c) Cases of non-petitioners who have not filed any case in the courts be prepared in the format enclosed in this Headquarters letter of even number dated 20 Jun 95 ibid and marked as enclosure-II.
- (d) Draft CE Orders be published in each case indicating that formal CEOs would be published on final acceptance by the Competent Authority. The audit be requested to clear the pay fixation proposals and also to audit the due drawn statements on provisional basis based on the draft CE Orders.
- (e) In the past details of non-petitioners were furnished by each of the establishments and the Government has agreed in principle for regularisation of their cases only. While preparing the details now, the information furnished in the past be locked into.

The above works be completed on PRIORITY BASIS.

(TVK Rao)

Administrative Officer

Staff Officer (Civilians)

Ministry of Defence
Flag Afsar Kaman-in-Chief

Controller
Co-ordination of Naval Armament Inspection
Headquarters - C.G.C. RIN

forwarded please
By S.P(N) 18-1-94

THROUGH PROPER CHANNEL

Respected Sir,

REGULARISATION OF CASUAL SERVICES

Please refer to:

(a) NHQ letter CP(SC)/4834/Court Case dated 25 Sep 92.

(b) Honourable CAT, Hyderabad judgement pronounced on OA 259/91 on 27 Oct 93.

2. It is submitted that I Smt. A. RAJESWARI, Scm(tech) joined in NAI(H) as Casual Scm(tech) 2-11-1987 and continued upto 31-1-1990 without breaks. Subsequently, my services have been regularised w.e.f. 01-02-1990. The details of casual service are enclosed for your kind perusal.

3. It is requested that benefits mentioned via NHQ letter under reference at 1(a) above be extended to me in the same scale, from the date of initial appointment. Further, it is mentioned that Honourable CAT, Hyderabad had pronounced at para 7 of their judgement under reference at 1(b) above as "Time and again tribunals are emphasizing that the employees should not be allowed to run to the tribunals for the redressal of their grievances, if such grievances were decided in favour of similarly placed other employees".

4. It is, therefore, requested your goodself to take necessary favourable action at an early date for regularising my services from the date of initial appointment with all consequential benefits.

Thanking you,

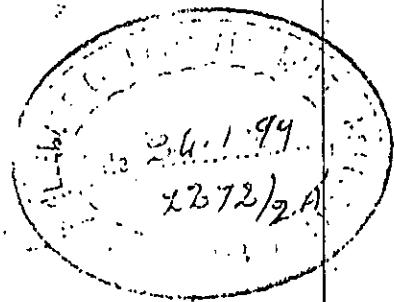
Yours faithfully,

Rajeswari

(A. RAJESWARI)

Scm(tech)

18-1-94



Rajeswari
Scm(tech)

16
19
the Controller
Controllerate of Naval Armament Inspection
Hyderabad - 500 258

(Through Proper Channel)

REGULARISATION OF CASUAL SERVICE - REGARDING

Respected Sir,

1. Please refer to :

(a) NHQ letter No.CP(SC)/4834/Court Case dt. 25 Sep 92
(b) Honourable CAT, Hyderabad Judgement pronounced No.01/259/91 on 2. Oct 93 in the cases of SCM(M).

2. It is submitted that I have joined in NAI Organisation as Examiner(Amm) on 01 Oct 88 and continued upto 31 Jan 90 without breaks. Subsequently, my services have been regularised with effect from 01 Feb 90. In the seniority roll of Exr(A) promulgated by DNAT, NHQ, New Delhi, it is observed that I was placed at serial No.35, which is not correct.

3. It is further submitted that the delayed regularisation of my services resulted that some of the examiners borne at Bombay, Visakhapatnam and Alwaye, who are in fact junior to me are shown as seniors, as they were regularised from the date of their initial appointment. This irregularity caused me great injustice resulting in loss of seniority.

4. It is requested that the benefits mentioned in NHQ letter under reference at para 1(a) above (copy enclosed), be extended to me from the date of initial appointment. Here it may be pertinent to mention that the CAT, Hyderabad had pronounced at para 7 of their judgement under reference at para 1(b) above (copy enclosed).

"Time and again Tribunals are emphasising that the employees should not be allowed to run to the Tribunals for the redressal of their grievances, if such grievances were decided in favour of similarly placed other employees".

5. In view of the above, it is further requested your kind self to take action as deemed necessary for regularising my services from the date of initial appointment and the seniority roll of examiners may also be reviewed, for which act of kindness, I shall be ever grateful to you.

Thanking you, Sir.

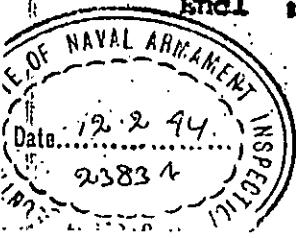
Yours faithfully,

M. Narayana
(M. Narayana)
Examiner (Amm.)

Place : Hyderabad

Date : 12.2.94

Encl : 1. Copy of NHQ letter
2. Copy of CAT, Hyderabad
Judgement in case of
SCM(Moch)



To ~

The Controller,
Controllerate of Naval Armament Inspection,
HYDERABAD- 500 258.

THROUGH PROPER CHANNEL!

forwarded for up
by 20
31/1/94

Respected Sir,

REGULARISATION OF CASUAL SERVICES

1. Please refer to:

(a) NHQ letter CP(SC)/4834/court case dated 25 sep 92.

(b) Honourable CMT, Hyderabad judgement pronounced on OA 259/91 on 27 Oct 93.

2. It is submitted that I S. PRATAP YADAV have joined in NAI(H) as casual. SCM(H) on 2-11-87 and continued upto 31-1-90 without breaks. Subsequently services have been regularised w.e.f. 1-2-90.

3. It is requested that benefits mentioned vide NHQ letter under reference at 1(a) above be extended to me from the date of initial appointment. Further, it is mentioned that Honourable CMT, Hyderabad had pronounced at para 7 of their judgement under reference at 1(b) above "Time and again tribunals are emphasising that the employees should not be allowed to run to the Tribunals for the redressal of their grievances, if such grievances were decided in favour of similarly placed other employees."

4. It is, therefore, requested your goodself to take necessary favorable action at an early date for regularising my services from the date of initial appointment with all consequential benefits.

Thanking you,

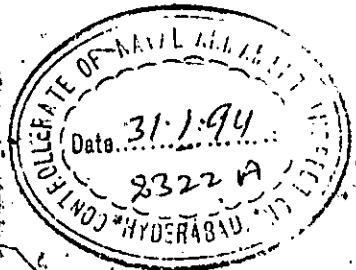
S. Pratap

Yours faithfully,
(S. PRATAP YADAV)

SCM(H)

Date: 31-1-94

Place: Hyderabad



B.S.B
C.R.M

W.D. 1/2

18
The Senior Inspector of Naval Armament
Naval Armament Inspectorate
H Y D E R A B A D

// Through Proper Channel //

sir,

SENIORITY ROLL OF EXAMINERS (AMMN) AS ON
30 JUN 95 - REGARDING

1. Refer to DNAI letter AI/1355 dated 16 Nov 95.
2. On verification of seniority roll of examiners published as on 30 Jun 95, following discrepancies have been found against my name (sl.no.26).

<u>Column no.</u>	<u>published as</u>	<u>to be shown as</u>
(2)	Smt CV Lingam Geeta	Miss CV Geetha
(8)	01-02-90	02-01-89
(9)	01-02-90	02-01-89

3. In view of the above, it is requested that necessary action may be taken for correct the entries as shown against each in the seniority Roll of Examiners (Amnn) against my name i.e. sl.no.26.

Thanking you, sir,

yours faithfully,

C.V. Geetha

(C.V. GEETHA)
Exr (Amnn.)

place : Hyderabad
Date : 12-12-95

Caril [Signature]

23

- 02 -

TABLE - I

Sl. No.	Details of HQ, WNC Appointment Orders	Period of Appointment		Remarks
		From	To	
1.	CS/II/1300/4 dt. 27 Oct 86	29 Oct 86	23 Jan 87	Appointed as Casual SCM(Mech)
2.	CS/II/1300/4 dt. 27 Jan 87.	28 Jan 87	27 Feb 87	against existing vacancies.
3.	CS/II/1300/4 dt. 02 Mar 87	03 Mar 87	01 Apr 87	do-
4.	CS/II/1300/4 dt. 01 Apr 87	03 Apr 87	30 Jun 87	do-
5.	CS/II/1300/4 dt. 30 Jun 87	02 Jul 87	24 Sep 87	do-
6.	CS/II/1300/4 dt. 23 Sep 87	28 Sep 87	30 Nov 87	do-
7.	CS/II/1300/4 dt. 30 Nov 87	02 Dec 87	29 Jan 88	do-
8.	CS/II/1300/4 dt. 29 Jan 88	02 Feb 88	31 Mar 88	do-
9.	CS/II/1300/4	30 Mar 88	Two years probation period from 30 Mar 88	Services have been regularised against existing vacancies

4. Though, I was appointed initially against the existing vacancies, I was given intermittent artificial service breaks due to which many individuals who were recruited between November 1986 and Mar 1988 from Naval Armament Depots, Naval Dockyards and other allied establishments have become seniors to me in service though they have entered into this NAI Organisation after my entry.

From :

P P Rao
Senior Chargeman (Mech)
Naval Armament Inspectorate
KARANJA

14 Jun 90

To

The Flag Officer Commanding-in-Chief
(for Staff Officer (Civilians)
Headquarters, Western Naval Command
Shahid Bhagat Singh Road
BOMBAY - 400 001

(THROUGH PROPER CHANNEL)

Sub :- REQUEST FOR REGULARISATION OF SERVICES
FROM THE DATE OF INITIAL APPOINTMENT

Respected Sir,

1. I would like to submit the following few lines regarding my date of regularisation for your kind consideration and favourable action.

2. I was appointed as a casual Senior Chargeman (Mech) on 27 Oct '86 vide Headquarters, Western Naval Command, Bombay appointment Order No.CS/II/1300/4 dated 27 Oct 86 against existing vacancies. Since then, my services were being terminated with artificial service breaks and I was being re-appointed in the same post with fresh appointment orders.

3. Later, my services were regularised w.e.f. 30 Mar 88 vide Headquarters, Western Naval Command, Bombay letter No. CS/II/1300/4, dated 28 Mar '88. The details of the appointment orders issued by the Headquarters, Western Naval Command, Bombay from the date of my initial appointment to the date of my regularisation are appended below in Table-I for your kind reference.

contd.....2

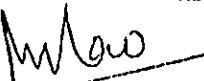
9. In this connection, I would like to bring to your notice the Judgement given by "The Central Administrative Tribunal" Hyderabad bench at Hyderabad on 14 May 1987 (Thursday) in which the Judgement was given in favour of the individuals who were working under Eastern Naval Command, Visakhapatnam and were given all consequential service benefits alongwith service regularisation from the date of their initial appointment, ignoring the artificial service breaks given to them. As my case is also a similar one, the Xerox copy of the above mentioned Judgement is enclosed herewith for your kind reference and favourable action.

10. It is therefore requested that the artificial service breaks given to me may please be condoned by adjusting with equivalent earned leaves and my services may be regularised from the date of my initial appointment (i.e., 27 Oct 86) and all other consequential service benefits be given to me from the date of my initial appointment (i.e., 27 Oct 1986).

11. It is further requested that the action taken against this application may please be intimated to me at the earliest for information.

Thanking you,

Yours faithfully,


(P P Rao)
Senior Chargeeman (Mech)

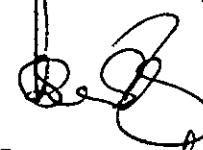
Encl : Xerox copies of

- 1) Appointment Orders
- 2) Concerned Seniority list
- 3) Judgement given by the Central Administrative Tribunal Hyderabad on 14 May 1987.

Copy to :

The Director of Naval Armament Inspection
Naval Headquarters, West Block V
Wing No.1, First Floor, RK Puram
NEW DELHI - 110 066

- For information and favourable action


Acct | hpr

121

5. The above mentioned discrepancy has been clearly explained in Table - II.

TABLE - II

Sl. No.	Name of the Individual and designation	Station Where Serving	Date of initial Appointment as SCM (M)	Date of Regularisation as on Dec 1989	Seniority Number
1.	P P Rao, SCM(M)	KARANJA	27/10/86	30/03/88	120
2.	BB Dhepe, SCM(M)	KARANJA	01/12/86	01/12/86	120
3.	ND Mhatre, SCM(M)	KARANJA	27/04/87	27/04/87	121
4.	N Sasidharan, SCM(M)	ALWAYE	07/07/87	07/07/87	122
5.	PH Pande, SCM(M)	KARANJA	21/08/87	21/08/87	123
6.	OT Jacob, SCM(M)	KARANJA	21/08/87	21/08/87	124
7.	Vijayan Pillai, SCM(M)	BOMBAY	01/09/87	01/09/87	125

6. I would further like to bring to your notice that, when I have joined into the NAI Organisation as a casual Senior Charge-man (Mech) on 27 Oct 1986, the individuals who were mentioned in the above Table-II were working in much lower cadre than my cadre (i.e. Sr. Chargeman (Mech) as Fitters, Mechanics and Chargeman etc., and were much juniors to me in service as Senior Chargeman (Mech).

7. The seniority list of Senior Chargeman (Mech) published by the Director of Naval Armament Inspection, New Delhi as on Dec 1989, indicated that my name is placed at Sl.No.127 in seniority. Had my service's been regularised w.e.f. 27 Oct 1986 I would have become Senior to all the individuals mentioned in the above Table - II and my name in the seniority list would have been placed at Sl.No.120.

8. I would further like to add that, apart from seniority I have lost the other consequential service benifits such as annual increments, Bonus, Earned Leaves, half-pay leaves and LTC etc., Had I not been given artificial service breaks, I would have had continuous service and would have been entitled for all the benifits of regularisation.

TABLE - I

Sl. No.	Details of HQ, WNC Appointment Orders	Period of Appointment		Remarks
		From	To	
1.	CS/II/1300/4 dt. 27 Oct 86	29 Oct 86	23 Jan 87	Appointed as a Casual bcm(Mach) against existing vacancies.
2.	CS/II/1300/4 dt. 27 Jan 87	28 Jan 87	27 Feb 87	
3.	CS/II/1300/4 dt. 02 Mar 87	03 Mar 87	01 Apr 87	-do-
4.	CS/II/1300/4 dt. 01 Apr 87	03 Apr 87	30 Jun 87	-do-
5.	CS/II/1300/4 dt. 30 Jun 87	02 Jul 87	24 Sep 87	-do-
6.	CS/II/1300/4 dt. 23 Sep 87	28 Sep 87	30 Nov 87	-do-
7.	CS/II/1300/4 dt. 30 Nov 87	02 Dec 87	29 Jan 88	-do-
8.	CS/II/1300/4 dt. 29 Jan 88	02 Feb 88	31 Mar 88	-do-
9.	CS/II/1300/4	30 Mar 88	Two years probation period from 30 Mar 88	Services have been regularised against existing vacancies.

4. Though, I was appointed initially against the existing vacancies, I was given intermittent artificial service breaks due to which many individuals who were recruited between November 1986 and Mar 1988 from Naval Armament Depots, Naval Dockyards and other allied establishments have become seniors to me in service though they have entered into this NAI Organisation after my entry.

From 1
23
26

P S Rao
Senior Chargeman (Mech)
Naval Armament Inspectorate
KARANJA

13 Jun 90

TO

The Flag Officer Commanding-in-Chief
(for Staff Officer (Civilian))
Headquarters, Western Naval Command
Shahid Bhagat Singh Road
BOMBAY - 400 001

(THROUGH PROPER CHANNEL)

Sub :- REQUEST FOR REGULARISATION OF SERVICES
FROM THE DATE OF INITIAL APPOINTMENT

Respected Sir,

1. I would like to submit the following few lines regarding my date of regularisation for your kind consideration and favourable action.
2. I was appointed as a casual Senior Chargeman (Mech) on 27 Oct '86 vide Headquarters, Western Naval Command, Bombay appointment Order No.CS/II/1300/4 dated 27 Oct 86 against existing vacancies. Since then, my services were being terminated with artificial service breaks and I was being re-appointed in the same post with fresh appointment orders.
3. Later, my services were regularised w.e.f. 30 Mar 88 vide Headquarters, Western Naval Command, Bombay letter No. CS/II/1300/4 dated 28 Mar '88. The details of the appointment orders issued by the Headquarters, Eastern Naval Command, Bombay from the date of my initial appointment to the date of my regularisation are appended below in Table-I for your kind reference.

contd.....2

9. In this connection, I would like to bring to your notice the Judgement given by "The Central Administrative Tribunal" Hyderabad bench at Hyderabad on 14 May 1987 (Thursday) in which the Judgement was given in favour of the individuals who were working under Eastern Naval Command, Visakhapatnam and were given all consequential service benefits alongwith service regularisation from the date of their initial appointment, ignoring the artificial service breaks given to them. As my case is also a similar one, the Xerox copy of the above mentioned Judgement is enclosed herewith for your kind reference and favourable action.

10. It is therefore requested that the artificial service breaks given to me may please be condoned by adjusting with equivalent earned leaves and my services may be regularised from the date of my initial appointment (i.e., 27 Oct 86) and all other consequential service benefits be given to me from the date of my initial appointment (i.e., 27 Oct 1986).

11. It is further requested that the action taken against this application may please be intimated to me at the earliest for information.

Thanking you,

Yours faithfully,

P Srinivasulu

(P S Rao)
Senior Chargeman (Mech)

Encl : Xerox copies of

- 1) Appointment Orders
- 2) Concerned seniority list
- 3) Judgement given by the Central Administrative Tribunal Hyderabad on 14 May 1987.

Copy to :

The Director of Naval Armament Inspection
Naval Headquarters, West Block V
Wing No.1, First Floor, RK Puram
NEW DELHI - 110 066

For information and favourable action

DRB
DRB

25
 5. The above mentioned discrepancy has been clearly explained in Table - II.

TABLE - II

Sl. No.	Name of the Individual and designation	Station Where Serving	Date of initial Appointment as SCM (M)	Date of Regularisation	Seniority Number as on Dec 89
1.	P S Rao, SCM(M)	KARANJA	27/10/86	30/03/88	
2.	B B Dhepe, SCM(M)	KARANJA	01/12/86	01/12/86	120
3.	ND Mhatre, SCM(M)	KARANJA	27/04/87	27/04/87	121
4.	N Sasidharan, SCM(M)	ALNAYE	07/07/87	07/07/87	122
5.	PH Pande, SCM(M)	KARANJA	21/08/87	21/08/87	123
6.	OP Jacob, SCM(M)	KARANJA	21/08/87	21/08/87	124
7.	Vijayan Pillai, SCM(M)	BOMBAY	01/09/87	01/09/87	125

6. I would further like to bring to your notice that, when I have joined into the NAI Organisation as a casual Senior Charge-man (Mech) on 27 Oct 1986, the individuals who were mentioned in the above Table-II were working in much lower cadre than my cadre (i.e. Sr. Chargeman (Mech) as Fitters, Mechanics and Chargeman etc., and were much juniors to me in service as Senior Chargeman (Mech)).

7. The seniority list of Senior Chargeman (Mech) published by the Director of Naval Armament Inspection, New Delhi as on Dec 1989, indicated that my name is placed at Sl. No. 127 in seniority. Had my services been regularised w.e.f. 27 Oct 1986 I would have become Senior to all the individuals mentioned in the above Table - II and my name in the seniority list would have been placed at Sl. No. 120.

8. I would further like to add that, apart from seniority I have lost the other consequential service benefits such as annual increments, Bonus, Earned Leaves, half-pay leaves and LTC etc.. Had I not been given artificial service breaks, I would have had continuous service and would have been entitled for all the benefits of regularisation.

TABLE - I

S1. No.	Details of HQ WNO Appointment Orders	Period of Appointment From	To	Remarks
1.	CS/II/1300/4 dt. 27 Oct 86	27 Oct 86	28 Jan 87	Appointed as a Casual SCM (Mech) against existing vacancies.
2.	CS/II/1300/4 dt. 27 Jan 87	28 Jan 87	27 Feb 87	-do-
3.	CS/II/1300/4 dt. 02 Mar 87	03 Mar 87	01 Apr 87	-do-
4.	CS/II/1300/4 dt. 01 Apr 87	03 Apr 87	30 Jun 87	-do-
5.	CS/II/1300/4 dt. 30 Jun 87	02 Jul 87	24 Sep 87	-do-
6.	CS/II/1300/4 dt. 23 Sep 87	28 Sep 87	30 Nov 87	-do-
7.	CS/II/1300/4 dt. 30 Nov 87	02 Dec 87	29 Jan 88	-do-
8.	CS/II/1300/4 dt. 29 Jan 88	02 Feb 88	31 Mar 88	-do-
9.	CS/II/1300/4	30 Mar 88	Two Years probation period from 30 Mar 88	Services have been regulatised against existing vacancies.

Thought I was appointed initially against the existing vacancies, I was given intermittent artificial service breaks due to which many individuals who were recruited between November 1986 and Mar 1988 from Naval Armament Depots, Naval Dockyards and other allied establishments have become seniors to me in Service though they have entered into this NAI Organisation after my entry.

Contd 3/-

From :

J.V. Ramana Murthy
Senior Chargeman (Mech)
Naval Armament Inspectorate,
KARANJA

12 Jun 90

To

The Flag Officer Commanding-in-Chief
(for Staff Officer (Civilians))
Headquarters, Western Naval Command,
Shahid Bhagat Singh Road,
BOMBAY - 400 051.

(THROUGH PROPER CHANNEL)

Sub :- REQUEST FOR REGULARISATION OF SERVICES
FROM THE DATE OF INITIAL APPOINTMENT

Respected Sir,

1. I would like to submit the following few lines regarding my date of regularisation, for your kind consideration and favourable action.

2. I was appointed as a casual Senior Chargeman (Mech) on 27 Oct '86 vide Headquarters, Western Naval Command, Bombay appointment Order No. CS/II/1300/4 dated 27 Oct. 86, against existing vacancies. Since then, my services were being terminated with artificial service breaks and I was being re-appointed in the same post with fresh appointment orders.

3. Later, my services were regularised w.e.f. 30 Mar 88 vide Headquarters, Western Naval Command, Bombay letter No. CS/II/1300/4 dated 28 Mar '88. The details of the appointment orders issued by the Headquarters, Western Naval Command, Bombay from the date of my initial appointment to the date of my regularisation are appended below in Table-I for your kind reference.

Contd 2/-

9. In this connection, I would like to bring to your notice the Judgement given by "The Central Administrative Tribunal" Hyderabad bench at Hyderabad on 14 May 1987 (Thursday) in which the judgement was given in favour of the individuals who were working under Eastern Naval Command, Visakhapatnam and were given all consequential service benefits alongwith service regularisation from the date of their initial appointment, ignoring the artificial service breaks given to them. As my case is also a similar one, the Xerox copy of the above mentioned Judgement is enclosed herewith for your kind reference and favourable action.

10. It is therefore requested that the artificial service breaks given to me my please be condoned by adjusting with equivalent earned leaves and my services may be regularised from the date of my initial appointment (i.e. 27 Oct 86) and all other consequential service benifits be given to me from the date of my initial appointment (i.e. 27 Oct 1986).

11. It is further requested that the action taken against this application may please be intimated to me at the earliest for information.

Thanking You,

Yours Faithfully,

J.V. RAMANA MURTHY
(J.V. RAMANA MURTHY)
Sr. Charge man (Mech)

12/6/90.

Encl : Xerox Copies of

- 1) Appointment Orders
- 2) Concerned Seniority List.
- 3) Judgement given by the Central Administrative Tribunal, Hyderabad on 14 May 1987.

Copy to :-

The Director of Naval Armament Inspection
Naval Headquarters, West Block V,
Wing No. 1 First Floor, RK Puram,
NEW DELHI - 110 066.

- For information and favourable action
please!

B.S.
C. J. B. A.

5. The above mentioned discrepancy has been clearly explained in Table - II.

TABLE - II

Sr. No.	Name of the Individual and Designation	Station Where Serving	Date of initial Appointment as SCM (M)	Date of Regularisation	Seniority Number as on Dec 89
1.	SV Rama Murti, SCM(M)	KARANJA	27/10/86	30/03/88	127
2.	BB Dhepe, SCM(M)	KARANJA	01/12/86	01/12/86	120
3.	ND Mhatre, SCM(M)	KARANJA	27/04/87	27/04/87	121
4.	N Sasidharan, SCM(M)	ALWAYE	07/07/87	07/07/87	122
5.	PH Pande, SCM(M)	KARANJA	21/08/87	21/08/87	123
6.	OB Jacob, SCM(M)	KARANJA	21/08/87	21/08/87	124
7.	Vijayan Pillai, SCM(M)	BOMBAY	01/09/87	01/09/87	125

6. I would further like to bring to your notice that, when I have joined into the NAI Organisation as a Casual Senior Chargeman (Mech) on 27 Oct 1986, the individuals who were mentioned in the above Table-II were working in much lower cadre than my cadre (i.e. Sr.Chargeman (Mech)) as Fitters, Mechanics and Chargeman etc., and were much juniors to me in service as Senior Chargeman (Mech).

7. The seniority list of Senior Chargeman (Mech) published by the Director of Naval Armament Inspection, New Delhi as on Dec 1989, indicated that my name is placed at Srl. No. 127 in seniority. Had my services been regularised w.e.f. 27 Oct 1986 I would have become Senior to all the individuals mentioned in the above Table-II and my name in the seniority list would have been placed at Srl. No. 120.

8. I would further like to add that, apart from seniority I have lost the other consequential service benefits such as annual increments, Bonus, Earned leaves, half-pay leaves and LTC etc., Had I not been given artificial service breaks, I would have had continuous service and would have been entitled for all the benefits of regularisation.

Form For Page

-2-

Based on the orders dt. 26.6.95 and
on the decision of the Hon'ble Tribunal dt. 2.1.96
the applicants have not made any representations
after the above date. So in this case the limitation
starts from 2.1.96. The court has to explain
the delay in filing OA from 2.1.97 to 8.9.97.

Q
16/9/97.



Reph:

Hon'ble Tribunal restricting the benefits
to one year prior to filing the O.A. as per
Tribunal's judgment dt. 2.1.96. Hence, limitation
is not applicable in this case.

Signed in Compli'd,

340

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH.

O.A. REGD. NO 2889/97

Date:

2. 9.97.

To Sh. K. Sudhakar Reddy, Adv.
Sir,

I am to request you to rectify the defects mentioned below in your application within 14 days from the date of issue of this letter, failing which your application will not be registered and action under Rule 5 (4) will follow.

- 1) Material Papers in support of the application be filed.
- 2) Since the cause of action arose in 1988 how the case is in limbo.
- 3) order and letter mentioned in para 6 should be furnished as material paper for reference of the Court.
- 4) sufficient value stamps to be affixed to the Valalet.
- 5) Attestation of Valalet to be done.
- 6) Counsel's signature accepting the brief should be affixed on the Valalet. Valalet should be properly filled with the names of the parties.

Ansby

DEPUTY REGISTRAR (JUDL)

S
12/9/97

Reply:

- ①. Complied
- ②. Resps themselves issued orders dt: 20. Jun '95 extending the benefits to Non-Petitioners also, even then still today action is not taken to regularise applicants services. Hence this OA. As such there is no delay.
- ③. Complied.
- ④ ⑤. Complied.

Objections Complied with

Reddy

PTC.

35

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD

O.A.No.1268/97.

Date of decision: September 25, 1997.

Between:

1. P.P. Rao.
2. P.S. Rao.
3. JVR Murthy.
4. S.P. Yadav.
5. A.Rajeswari.
6. M.Narayana.
7. G.V.Geetha.

Applicants.

And

1. Director of Naval Armament Inspection,
Naval Headquarters, Ministry of Defence,
Sena Bhavan, New Delhi.
2. Sr. Inspector of Naval Armament,
Naval Armament Inspectorate,
Kanchan Bagh, Hyderabad.

.. Respondents.

Counsel for the Applicants: Sri K. Sudhakar Reddy.

Counsel for the respondents: Sri N. R. Devaraj.

CORAM:

Hon'ble Sri R. Rangarajan, Member (A)

Hon'ble Sri B.S. Jai Parameshwar, Member (J)

JUDGMENT.

(per Hon'ble Sri R. Rangarajan, Member (A))

Heard Sri Sudhakara Reddy, learned counsel for the applicant and Sri W.Satyanarayana for Sri N.R.Devaraj for the respondents.

There are 7 applicants in this O.A. They are now working as Senior Chargemen/Examiners (Ammunition) under the 2nd respondent. Initially, they were engaged on

TS

: 2 :

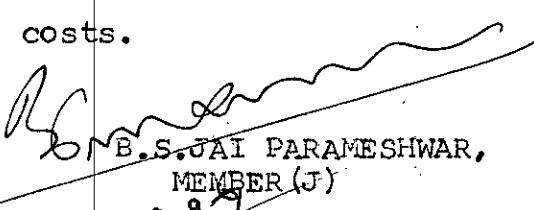
casual basis on various dates and thereafter they were all regularised with effect from the dates given in Annexure I to the O.A. It is stated that the Respondent Authorities have not regularised their services with effect from the date of their initial engagement, thereby their previous service in the casual basis was ignored. They have further stated that similarly situated persons approached this Tribunal and a direction was given by this Tribunal to regularise their services and pray that ^{the} same direction may be given to the respondents taking into account the casual service for the purpose of regularisation. It is also stated by the applicants that the extension of the benefit^s for regularisation with effect from the date of initial appointment even/those who have not approached this Tribunal was granted by the Department for date of initial appointment even/those who have not approached this Tribunal was granted by the Department by Circular No.CE 9303/170 dated 20th June, 1995 (Annexure IV to the O.A. Inspite of this, no further action has been taken by the respondents to implement this decision. The applicants filed representations in this connection on various dates. Their representations are enclosed to the O.A., (Pages 15 to 30 of the O.A.) It is stated that those representations are yet to be disposed of.

: 3 :

This O.A., is filed praying for a direction to the respondent authorities to regularise the services of the applicants herein with effect from the date of their casual appointment as per the dates given in Annexure I to the O.A., with all consequential benefits such as seniority, arrears of salary etc.

The representations of the applicants are still pending. Hence it is justifiable to ~~give~~ direct the respondent authorities to dispose of the representations of the applicants in accordance with law keeping in view the decision in O.A.1043/94 dated 2.1.1996 and also the departmental Circular dated 20-6-1995 referred to above (Annexure IV to the O.A.) expeditiously, ^{and} in any case, within four months from the date of receipt of a copy of this judgment.

With the above direction, the O.A., is disposed of.
No costs.


B.S.JAI PARAMESHWAR,
MEMBER (J)

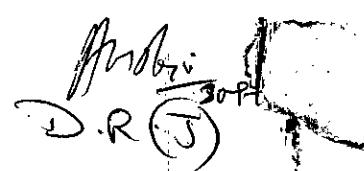
25/9/97


R.RANGARAJAN,
MEMBER (A)

Date: 25--9--1997.

Dictated in open Court.

sss.


D.R.(J)

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..4..

Copy to:

1. Director of Naval Armament Inspection,
Naval Headquarters, Min.of Defence,
Sena Bhawan, New Delhi.
2. Sr.Inspector of Naval Armament, Naval Armament
Inspectorate, Kanchanbagh, Hyderabad.
3. One copy to Mr.K.Sudhakar Reddy, Advocate,CAT,Hyderabad.
4. One copy to Mr.N.R.Devraj, Sr.CGSC,CAT,Hyderabad.
5. One copy to D.R(A),CAT,Hyderabad.
6. One duplicate copy.

YLKR

14.10.97

6

TYPED BY
COMPIRED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

THE HON'BLE SHRI B.S.JAI PARAMESHWAR :
M (J)

Dated: 25/8/97

ORDER/JUDGMENT

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

in
O.A.NO. 1268/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

Central Administrative Tribunal
HYDERABAD BENCH
6 OCT 1997
Hyderabad - 500001