

FORM NO. 21

(Sec Rule 114)

THE
IN/CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD.

OA / ~~TA/RA~~ / ~~CP~~ / ~~MA~~ / ~~PT~~ 1292 of 1997
..... D. Venkateswara Rao Applicant (S)

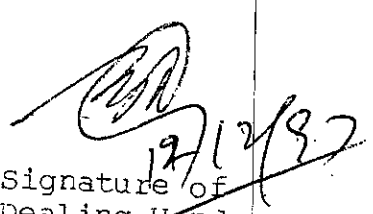
Versus

..... Mr. G. M. S. R. S. Rao
..... Mr. 2026 Respondent (S).

INDEX SHEET

Serial No	Description of Documents and Dates.	Pages.
Docket Orders.		1
Interim orders		
Orders in MA (s)		
Reply Statement		13 to 16
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Orders in (Final orders)	21-11-97	17 to 20

Certified that the file is Complete
In all respects.


Signature of
Dealing Hand
(In Record Section)

Signature of S.O.

Central Administrative Tribunal Hyderabad Bench: Hyderabad.

O.A.No.

1292

of 1997.

D. Venkateswara Rao

Applicants(s).

VERSUS.

The A.M., S.C.R., Rail Bhayam,
Secunderabad and others

(Respondents).

Date

Office Note

ORDER

30.9.1997

To be listed along with^o 1001/97
and 1002/97 on 16.10.1997.

G
HHRP
M(A)

16-10-97

O.A. is admitted.
Counter within six
weeks.

List it thereafter.

G
HHRP
M(A)

MD.

Admit/Notice
on
17/10/97
Issued
23/10/97

21-11-97

The OA is disposed as per order
on separate sheet.

HHRP
M(A)

KSM

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: SECHHYDERABAD.

ORIGINAL APPLICATION NO. 1292 OF 1997.

D. Venkateswara Rao

(Applicants(s))

VERSUS

~~Union of India, Hyderabad.~~

Genl. Manager: SERLy,

Sebad & 2 others.

Respondents(s(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. 26/97

Scrutiny Ass.

[Signature]
DEPUTY REGISTRAR(JUDL).

10. Is the application accompanied I/O/DD, for Rs.50/-.
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 connonation of delay in filed, it supported b an affidavit of the applicant.
18. Whether t is cause ben heard 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.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

Dairy No. 3109

Report in the Scrutiny of Application.

Presented by P.K. Reddy Date of presentation. 24/7/97

Applicant(s) J.V. Rao

Respondent(s) Govt. Sec. & Co. Ltd.

Nature of grievance Appth O/L & Quota

No. of Applicants 1 No. of Respondents 3

CLASSIFICATION.

Appointments

Subject..O/L & Quota...No. Department Secy (No. 32)

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

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD Bench: HYDERABAD

INDEX SHEET

O...NO. 1292 of 1997.

CAUSE FILE

① Venkateswara Rao

VERSUS

The G.M., S.C.R., Rail Nilayam,
S.C.R. and others

SL.NO.	Description of Documents	Page No.
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2.	Material Papers	8 to 11
3.	Vakalat	
4.	Objection Sheet	
5.	Spare Copies	
6.	Covers	

7. Re Plg statement filed by Mr.
C. V. Malla Reddy on 18/11/62

© Appointment under Land Lottery Quota.

Reg:- TO direct the Respd. to appoint the applicant in any post either Gv 'D' or Gv 'C' in which he is eligible based on the educational Qualifications.

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

O.A.No.

12012

of 1997.

Railway (32)

Between:

D.Venkateswara Rao.

.. .. Applicant. (PSC)

And:

1. The General Manager, S.C.Rly.,
Secunderabad and others.

.. .. Respondents.

MATERIAL PAPER INDEX AND CHRONOLOGICAL EVENTS

S1.No.	Date.	Description of the Document.	Pg.No.
1.	-- --	Original Application.	1 -- 7
2.	<u>Annexure-I</u> 11-7-1997.	Certificate issued by the M.R.O., Ibrahimpatnam.	8
3.	<u>Annexure-II</u>	Application of the applicant submitted before the 3rd respondent.	9
4.	<u>Annexure-III</u> 8--9--1989.	Transfer Certificate.	10 -- 11

Hyderabad,
Dt. 16--9--1997.

P. Sada
Counsel for the Applicant.

Received Copy for
S.C. Rly
24/9/97



(2)

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. 1292 of 1997.

Between:

DARAPANENI VENKATESWARA RAO,
s/o. Subbaiah,
aged about 25 years,
R/o. Slaprolu village,
Ibrahimpattam 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 his 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 abovenamed 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 looser's 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. LIMITATION:-

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 his father owned Ac.0.49 $\frac{1}{2}$ cents of Agricultural land in R.S.No.19/3 situated in Gudurupadda village of Ibrahimpatnam Mandalam, Krishna District. The said land was acquired by the Railways for the purpose of construction of Wagon Workshop. Award No.5/75 was passed on 21-6-75. 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

3

3

rehabilitation of persons whose lands were acquired 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 he was studied upto 10th class. As soon as the applicant has become major, he approached the 3rd respondent, but he 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 event 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~~ 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 judgment 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 is 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 Dt.

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 he is eligible based on the educational qualification and ~~may~~ 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 he 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. 812687133 ii) Date. 19-9-97

iii) Amount of Rs. 50/- (Rupees fifty only)

✓ Rs. 50/-
P.D. G. D. D. Remover

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, D. Venkateswara Rao, s/o. Subbaiah, aged about 25 years, R/o. Elaprolu village, Krishna District, do hereby declare that the contents stated above in paragraphs 1 to 13 are true to the best of my knowledge and belief and information.

x D. Venkateswara Rao

APPLICANT.

P. Selode

COUNSEL FOR THE APPLICANT.

HYDERABAD,
Dt. 16-9-1987

To

The Registrar,
Central Admn. Tribunal,
Hyderabad.

L.Dis.355/97

8- Annex I 10
Mandal Revenue Office,
IBRAHIMPATNAM.

Date: 11.7.97.

C E R T I F I C A T E

This is to Certify that Sri. Darapaneni Subbaiah S/o. Venkatappaiah of Elaprolu Village is having an extent of 0-49½ cents of Agricultural Land in R.S.No.19/3 of Gudurupadu Village of Ibrahimpatnam Mandal and that it was acquired in Award No.5/75, Dt.21.6.75 by the Special Deputy Collector (LA) R.W.R.W. Shop, Vijayawada for construction of Railway Wagon Repair Work Shop, Vijayawada.



11/7/97
Mandal Revenue Officer,
IBRAHIMPATNAM.

TTC
P. S. S. S.

9 Annex-II (10)

Providing Employment to the displaced of land owners whose lands were required for the construction of railway wagon repair work shop at Guntupalli. Vice railway board Lr.No.E.(NG) 11/82 RC/L/95 dt:31-12-1982/1.1.1983 addressed to G.M's All Indian Railways including productions units and others.

HEAD QUARTERS OFFICE PERSONNEL BRANCH/SC. Dated:1-2-1983
NO: P. 127/March/WBS/YP/18.

1. Name of the Land Owners : DARAPANENI SUBBAIAH.
s/o VENKATAPPAIAH.
2. Village: Resident of : ELAPROLU GRAM PANCHAYAT
Land of : GUDURUPADU VILLAGE.
3. Total land possessed with Survey Numbers : 0.49 1/2 Cnts RS NO 19/3.
4. Total acquired for the construction of R.W.R.W.S. : 0.49 1/2 Cnts
5. Balance land left over under their Ownership : NIL.
6. Name of the Children to whom the employment is to be considered. (Preference to one person of the family of land owners). : DARAPANENI VENKATESWA-
: RAO s/o SUBBAIAH.
7. Educational Qualifications : 10th class failed
1. Academic : (T.C. copy enclosed)
2. Technical : -
8. If the children already worked as Casual Labour in R.W.R.W.S. : -
9. a) Designation : -
b) Name of the division : -
c) Date of entry in to service : -
d) Date of termination : -
e) Total No. of days worked : -

D. Venkateswara Rao
Signature of the Applicant.

Karanam/R.I.Kondapalli. MRO Certified copy enclosed
Family members of the land owner are as follows:

Signature of the Land Owner.
(27) Sri Darapaneni Subbaiah

TK
P. Sreedhar

10. పాఠశాలలో తొలిసారి విద్యార్థి / విద్యార్థిని చేర్చుకొన్నది తరగతి సంవత్సరము :
Class and year in which the pupil was first admitted into the school :

11. పై తరగతికి ప్రవేశము అనుబంధ తగిన అర్హత కలిగి యున్నాడా? (ఎస్. ఎస్. ఎల్. సి. లేక హెచ్. యస్. సి. లేక ఎస్. ఎస్. సి. పరీక్షకర్తకు సంబంధించి విద్యార్థి / విద్యార్థిని విజయములో ఆ విద్యార్థి / విద్యార్థిని కాలేజీ కోర్సు వరుసకు అర్హత కలిగియున్నట్లుగాగాని, ఏ తీర్మానమునకులగాగాని, ఉత్తీర్ణుడు కానట్లుగాగాని ప్రకటించిన విజయమును 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 రుసుము రప్పించినది చెల్లించినా :

Whether the pupil has paid all the fees due to the school?

13. ఎ. విద్యార్థి / విద్యార్థిని ఏదైనా స్కాలర్ షిప్ పొంది యుందా? (స్కాలర్ షిప్ వివరములు తెలుపవలెను) :

a) Whether the pupil was in receipt of any scholarship?
(Nature of the scholarship to be specified) :

బి. విద్యార్థి / విద్యార్థినికి రాయతి ఏదైనా ఇవ్వబడినదా? (రాయతి స్వభావమును తెలుపవలెను) :

b) Whether the pupil was in receipt of any concession?
(Nature of concession to be specified) :

14. సంవత్సరములో విద్యార్థి / విద్యార్థిని వైద్య పరీక్ష చేయించుకొన్నదా? (వైద్యపరీక్ష మొనరింపాలి జరిగినదా తిరిగి జరిగినదా తెలుపవలెను) :

Whether the pupil has undergone medical inspection during the year? (First or repeat to be specified) :

1. _____
2. _____

15. విద్యార్థి / విద్యార్థిని యొక్క గుర్తింపు చిహ్నములు :
Personal marks of identification :

16. విద్యార్థి / విద్యార్థిని పాఠశాలను వాస్తవముగా వదిలి వెళ్లిన తేదీ :
Date on which the pupil actually left the school :

17. విద్యార్థి / విద్యార్థిని తరపున అతని / ఆమె తల్లి / తండ్రి లేక సంరక్షకుడు ఐదిరి సర్టిఫికేటు కొరకు దరఖాస్తు పెట్టిన తేదీ :
Date on which application for transfer certificate was made on behalf of the pupil by his / her parent or guardian :

18. ఐదిరి సర్టిఫికేటు తేదీ :
Date of the Transfer Certificate :

19. ప్రవర్తన :
CONDUCT :

20. విద్యార్థి / విద్యార్థిని విడుదలయ్యే తరగతిలో హాజరు :
విద్యార్థి / విద్యార్థిని హాజరైన దినముల సంఖ్య :
Attendance in the class of leaving :
Number of days present :

21. పాఠశాల పనిచేసిన దినముల మొత్తం సంఖ్య :
Total number of working days :

22. ప్రధానోపాధ్యాయుని సంతకం :
Signature of the head of the school :

గమనిక : విద్యార్థి అందరైనా తరగతినుండి విడుదలయ్యే సమయంలోనే (లేదా) సంబంధించిన అధికారి ద్వారా సంరక్షకుడు వారిని తనిఖీచేసి ఆ సర్టిఫికేటు చేయబడినట్లుగా.

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.

11/11/1989

Approved by SSC
Public Examination
May 1989
(Not Eligible)

Yes

Free Education

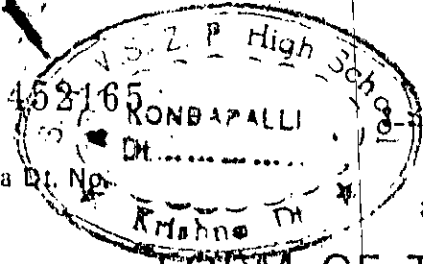
15-3-1988

18-9-1989

18-9-1988

ప్రధానోపాధ్యాయుని సంతకం

Handwritten signature



అనుబంధము 16
APPENDIX 16
అధ్యాయము, 99-వ నియమము
(Rule 99, Chapter III)
బదిలీ సర్టిఫికేటు

-10- Annule-III
12
H
Ad No-1648
ORIGINAL

FORM OF TRANSFER CERTIFICATE

బదిలీ సర్టిఫికేటు సంఖ్య :

Transfer Certificate No. :

ఎ. పాఠశాల పేరు (స్థలము, జిల్లా) :

u. Name of the school (Place and District) :

బి. పాఠశాలలోని పెద్ద తరగతి : :

b. Highest class in the school :

సి. ప్రభుత్వ పాఠశాలకాదు, ఏతరగతివరకు తిగిపిచ్చను పొందే యుండెను, తిగిపిచ్చను అర్హుడు నైనందు, లేది :

c. If Non-Government, class upto which recognised, No. & Date of recognition orders :

విద్యార్థి / విద్యార్థిని పేరు :

Name of the pupil :

తండ్రి లేక సంరక్షకుని పేరు :

Name of the parent or guardian :

జాతీయత, మతము :

Nationality and Religion :

అభ్యర్థి పెద్దయ్యలు కులములు లేక పెద్దయ్యలు తెగలు లేక విముక్త జాతులు లేక అంగరంగవైది విద్యార్థియనువాలో నిర్దిష్టపరచబడి సాంఘికముగాను, విద్యాసంబంధముగాను వెనుకబడిన యితర తరగతులకు చెందిన వ్యక్తియో లేక పెద్దయ్యలు కులములు లేక పెద్దయ్యలు తెగలనుండి అన్యమతమును స్వీకరించిన వ్యక్తియో అయినట్లైతే అందుకు సంబంధించిన వివరములు తెలియజేయవలెను. :

Whether the candidate belongs to Scheduled Castes or Scheduled Tribes or Untouchables or Other Social and Educationally Backward Classes specified in the Andhra Pradesh Educational Rules or is he a convert from the Scheduled Castes or the Scheduled Tribes? If so, the particulars thereof :

జన్మించిన తేదీ ప్రవేశముల రిజిస్టరులో నమోదైన ప్రకారము (మాటలలో) :
Date of Birth (in words) as entered in the Admission Register :

ఎ. పాఠశాల వద్దలి వెళ్ళునపుడు విద్యార్థి చదువుచుండిన తరగతి (మాటలలో) :
A. Class in which the pupil was reading at the time of leaving (in words) :

బి. i. ప్రథమ భాష :

B. i. First Language :

ii. ద్వితీయ భాష :

ii. Second Language :

సి. i. తిసుకొన్న కోర్సు సాధారణ విద్య : వృత్తి విద్య :

(వృత్తి విద్య ఐన పాఠ్యాంశములు) :

C. i. Course offered (i.e., whether academic or bifurcated) and the subject offered under the bifurcated course :

ii. ఏదివిసది సంయుక్త గణిత శాస్త్రము : సామాన్య గణిత శాస్త్రము :

ii. Whether studied Composite or General Mathematics?

i. మాతృభాష, ii. దోదనా భాష, iii. బద్ధికముగా తిసుకొన్న భాష :

Mother-tongue, Medium of Instruction, Optional :

అ తరగతిలో చేర్చుకొనబడిన లేక ప్రభుత్వ చేయబడిన తేదీ :

(సంవత్సరమును మాటలలో నమోదు చేయవలెను.)

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

10-05-1973 (Tenth)
May 1973
3 class
Telugu
Hindi
Academy
Telugu
Telugu
June 1987

12

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

O.A.No. 1292 of 1997

Between:

D. VENKATESWARA RAO

APPLICANT.
~~RESPONDENTS~~

and

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

RESPONDENTS.

I N D E X

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

Hyderabad,

Date: 17-11-97

c. Venkata malla Reddy

COUNSEL FOR RESPONDENTS.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH

AT HYDERABAD.

C.A.No. 1292 of 1997.

Between:

D.VENKATESWARA RAO.

.....APPLICANT.

And

THE GENERAL MANAGER, South Central Railway,
Secunderabad and 20 others.

.....RESPONDENTS.

REPLY STATEMENT FILED ON BEHALF OF THE RESPONDENTS.

That I am the Respondent No.3 herein and I, MANDEVA KRISHNA RAO, Son of Sri.M. VEERABHADRAIAH, aged 53years, 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 Re-spondents 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. It is pertinent to submit at the outset is that the object of providing employment to the land displaced families is to enable the family to tide over the sudden crisis which the family faces at the time of acquiring land and to relieve the family from the financial troubles. A decision was taken to provide jobs to the displaced family with a view to rehabilitate the evicted families as a result of acquisition of land for wagon workshop at Guntupalli. As there were no guidelines for providing jobs to the land loser, the General Manager South Central Railway prescribed certain norms. Subsequently Railway Board

1st page:

Correcn.:

ATTESTED BY
S. V. RAO / S. V. RAO
S. V. RAO / S. V. RAO
S. V. RAO / S. V. RAO
S. V. RAO / S. V. RAO
S. V. RAO / S. V. RAO
S. V. RAO / S. V. RAO
S. V. RAO / S. V. RAO
S. V. RAO / S. V. RAO
S. V. RAO / S. V. RAO

Chief Workshop Manager
WAGON WORK SHOP
S. C. RLY, GUNTUPALLI

issued letter No. E/NG/11/82/PC/1/95 dated 31.12.82/1.1.83
prescribing certain guide lines for the rehabilitation of persons
whose lands were acquired for establishment of projects and
workshops. It is a welfare measure on behalf of the respondent
Railways.

5. In reply to para 6(a) it is submitted that an extent of AC.O. 49 $\frac{1}{2}$ cents of land in R.S. No. 19/3 was acquired for the construction of wagon workshop at Guntupalli from D. Subbaiah on 21.6.75. The land Acquisition officer passed award No. 5/75 and paid compensation.

7. It is further submitted that the acquisition of land, the offering of jobs and the last date for submitting applications were over by the time the Railway Board issued letter dated

Corrections:

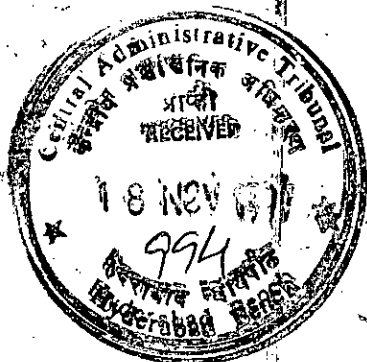
[illegible]

In the CATH Bench
HYD

CAN 1292 of 97

CR
KAS
BB
19/11/97

Counter Affidavit



Copy of
19/11/97

C. V. Nalla Reddy

Sector Railway

page-3-

31.12.82/1.1.83.

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 page:

Correcns:


Chief Wagon Workshop Manager
Wagon Workshop

VERIFICATION

WAGON WORK SHOP

Solemnly affirmed and signed on this the
dat of15th November 1997 at

WAGON WORKSHOP, GUNTUPALLI.

before me.


Notary Public
O. S. Rao / Notary
Wagon Workshop
Guntupalli

17

CENTRAL ADMINISTRATIVE TRIBUNAL,
HYDERABAD BENCH : AT HYDERABAD.

O.A.NO.1292 OF 1997.

Date of Decision:
21ST NOVEMBER,1997.

BETWEEN:

D. Venkateswar Rao

...APPLICANT

AND

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

Counsel for the applicant : Mr. P.Krishna Reddy.

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

CORAM :

THE HONOURABLE SRI H. RAJENDRA PRASAD, MEMBER (ADMN.)

O R D E R.

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

1. Heard Mr. P. Krishna Reddy for the applicant and
Mr. C.V.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
Workshops at Settupalli and Guntupalli, the S.C.Railway
Headquarters have now taken a decision to extend the

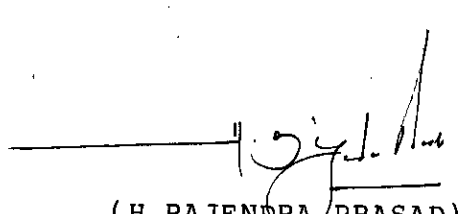
9
20/11

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/TYPS/18/Vol. IV. Dt. 14.11.97, which confirms the above disclosure made by him.

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 (ADMINISTRATIVE)

Dated the 21st November, 1997
Dictated in the Open Court.

KSM.


Deputy Registrar

O.A. 1291/97.

To

1. The General Manager, SC Rly,
Railnilayam, Secunderabad.
2. The Chief Personnel Officer,
SC Rly, Railnilayam, Secunderabad.
3. The Deputy Chief Mechanical Engineer,
Guntupalli Wagon Workshop,
SC Rly, Guntupalli, Krishna Dist.
4. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd.
5. One copy to Mr.C.v.Malla Reddy, SC for Rlys, CAT.Hyd.
6. One copy to HHRP.M.(A) CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

pvm

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.,/PA.,/C-A.No..

in

O.A.No. 1292/97.

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.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
दस्तावेज / DESPATCH
- 2 DEC 1997
हैदराबाद न्यायपीठ
HYDERABAD BENCH