

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A.No.9/99.

Date of Decision: 23-12-99.

1. U.Anjaneya Raju
2. K.John Santhosh Kumar

.. Applicants.

Vs

1. The Union of India rep. by its
General Manager, SC Railway,
Rail Nilayam, Secunderabad.
2. The Divisional Engineer, Survey,
SC Railway, Secunderabad.
3. The Divisional Railway Manager,
SC Railway, Vijayawada.

.. Respondents.

Counsel for the applicants : Mr.J.M.Naidu

Counsel for the respondents : Mr.N.R.Devaraj, SC for Rlys.

CORAM:-

THE HON'BLE SHRI JUSTICE D. H. NASIR : VICE CHAIRMAN

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

ORDER

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

Heard Mr.J.M.Naidu, learned counsel for the applicants and
Mr.N.R.Devaraj, learned counsel for the respondents.

2. There are 2 applicants in this OA. The first applicant submits that he was appointed as Casual Khalasi on 17-02-1982 and continued up to 17-08-1984 completing 907 working days in the office of the respondents. The second applicant submits that he was appointed as Casual Khalasi on 29-06-1982 and continued up to 09-05-1984 completing 664 working days. Both of them submit that their names have been entered in the Live Register in accordance with the Serial Circular No. 166/84 enclosed at Annexure-R-3 to the reply).



-2-

3. They also enclosed Annexure-II to the OA wherein it is seen that IOW/S/SC dated 4-9-92 is reported to have been informed the applicant No.1 that his name has been entered in the Live Register at Serial No.79. It is also stated that the name of the applicant No.2 has been entered in the Live Register at Serial No.116 as per the remarks of IOW/S/SC dated 8-1-93 (Page-11 to the OA). With these documents the applicants submit that they should have been regularly posted.

4. The first question put to the applicants was the reasons for not asking the respondents as to ^{reason for regular} the appointment of casual labour who ^{were} ~~has~~ placed below them in the Live Register. The applicants did not submit any satisfactory reply. Further if their names have been entered in the Live Register way back in 1993 it is not understood why they have not approached the respondent authorities for appointing them regularly on the basis of including their names in the Live Register. ^{for survey} ~~the above~~ also the applicants did not submit any satisfactory reply.

5. Be that as it may, the applicants now submit that there are vacancies in the department and the respondents may be willing to take them on duty. If so it is not understood as to why they should approach this Tribunal without filling representation to the respondents first and then approach this Tribunal if such a request is rejected.

6. In view of the above the following direction is given:-

Both the applicants if so advised may submit a representation for engaging them either casual labour or on regular basis to the appropriate respondent authorities. If such a representation is received that appropriate respondent ^{authorities} should inform them suitably in this connection within a period of two months from the date of ^{receipt} ~~a~~ copy of that representation.


7. The OA is ordered accordingly. No costs.


(R. RANGARAJAN)
MEMBER(ADMN.)


(D. H. NASIR)
VICE CHAIRMAN

Dated: The 23rd December, 99.
(Dictated in the Open Court)

SPR


mmu