

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 145 of 1999

Jabalpur, this the 31st day of March 2003

Hon'ble Shri Shanker Raju -- Member (Judicial)
Hon'ble Shri R.K. Upadhyaya -- Member (Administrative)

Kamlesh Tiwari, 26 years,
S/o. Sri Bhagiret Prasad Tiwari,
Ward No. 2, Near Khari Kuwa,
Ganj Basoda, Distt. Vidisha, M.P. ... Applicant

(By Advocate - Shri S.K. Nagpal)

V e r s u s

1. The Railway Board,
Through : Its Chairman,
Rail Bhawan, New Delhi.
2. Union of India,
Through : General Manager,
Central Railway, Bombay VT.
3. Divl. Railway Manager,
Central Railway, Bhopal, M.P. ... Respondents

(By Advocate - Shri S.P. Sinha)

O R D E R (Oral)

By R.K. Upadhyaya - Member (Admnv.) :-

This application has been filed seeking a direction of this Tribunal to the respondents to consider the representation of the applicant for giving employment to the dependant of the Railway employee on account of loyal services during Railway strike in the year 1974.

2. It is claimed by the learned counsel of the applicant that the benefit of scheme has been given to several employees. However the applicant has not been benefited. The applicant claims that he had sent a representation on 04/01/1999 after he came to know that Allahabad Bench of this Tribunal had issued direction for employment of the dependants

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of the loyal Railway employees.

3. The respondents' learned counsel has invited attention to the return, wherein it has been stated that loyal Railway employees were given some benefit by the Railway Board as per circular dated 08/07/1974. The learned counsel invited attention to the Railway Board Circular dated 10/09/1975 (Annexure R/I), wherein it was stated that recruitment of sons and daughters of Railway staff in terms of the Board's confidential letter dated 13/02/1974 "should not be made beyond 31/12/75". The learned counsel stated that it was not an ongoing regular employment to the loyal Railway employees. It was one time measure which came to an end on expiry of the date fixed on 31/12/1975.

4. We have heard the learned counsel of the parties and have perused the material available on record. From the particulars furnished by the applicant, it is seen that he was born on 03/11/1972. Therefore there was no question of his being engaged in terms of the Railway Board Circular for appointment of sons and daughters of loyal employees who did not participate in the strike of 1974. The claim came to an end on 31/12/1975 and the Railway Board as per their letter dated 28/01/1976 (Annexure R/II) had directed the General Managers to finalise all such cases before 31/03/1976. At that time, the applicant was a small baby and could not have been considered for any appointment. Therefore, this application being devoid of any merits is dismissed, without any order as to cost.



(R.K. UPADHYAYA)
MEMBER (A)



(SHANKER RAJU)
MEMBER (J)

