

3. Mallah S/o Nimra  
Bitenia, Distt. Barmer.
4. Pumma  
Tarmoch, Distt. Barmer.
5. Merkha Ram, S/o Meghwal  
VIII Akli, Barmer Distt.
6. Raidhan  
Bane Ki Baste, Barmer Distt.
7. Hayat Khan S/o Lala Khan  
Lale Ke Tala, Barmer Distt.
8. Hari Kamal, S/o Hussain  
VIII Amin Ka Par, Distt. Barmer.
9. Nawab Ali S/o Din Mohd.  
VIII Amin Ka Par, Distt. Barmer.
10. Samta Ram, S/o Hawa Ram.  
Kelnore, Distt Barmer
11. Hyder, S/o Bhema,  
Noor Ki Dhani, Distt Barmer
12. Bikram S/o Khangara Ram.  
Mamiani, Distt Barmer

**Year 1994**

1. Hari Singh  
Naisinder, Gadra, Barmer Distt.
2. Namta Ram S/o Mana Ram  
Tirmohi, Distt. Barmer.
3. Mir Khan,  
Chandi Ka Par, Distt Barmer
4. Resha, Barmer Distt
5. Jabbar Singh S/o Darbar Singh  
Lunar Distt. Jaisalmer
6. Ibrahim  
Khara Chand Distt Jaisalmer

**Year 1995**

1. Bheem Singh S/o Kausal Singh  
VIII Kelnore Distt Barmer
2. Sadik S/o Piqua  
Lade Ka Par Distt Barmer.
3. Hussain,  
S K Par, Distt Barmer
4. Bhik Singh S/o MdMadan Singh  
Sajad K Par, Distt Barmer
5. Hazi Ismail S/o Daiam Khan,  
Khadin, Distt Barmer
6. Panne Singh S/o Kalu Singh  
VIII Bijasar, Distt Barmer

*[English]***Regularisation of Railway Employees Working in Cooperative Stores**

790 SHRI MOHAN RAWALE . Will the Minister of RAILWAYS be pleased to state .

(a) whether the Supreme Court of India in a Judgement on Sept. 7, 1994 had directed that the employees working in the Railway Employees Cooperative Stores be treated as regular Railway servants in corresponding posts with effect from July 1 1990.

(b) whether the said judgement has since been implemented.

(c) if so, the details thereof and

(d) if not the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SATPAL MAHARAJ) (a) and (b) The Hon'ble Supreme Court vide their judgement dated September 7, 1994 dismissed the Special Leave Petition of the Railways against the judgement dated 29.6.90 of Central Administrative Tribunal, Madras in O A No 305/88 wherein the Hon'ble Tribunal directed the Railways to treat the employees of the Railway Employees Cooperative Stores in the Southern Railway as regular Railway servants and give them the pay-scales that are given for regular Railway servants in corresponding posts with effect from 1st July, 1990. Subsequently a three-judge Bench of the Hon'ble Supreme Court vide their order dated 15.12.95 in SLP No. 14446/95 (Union of India v/s J B Subbaiah & Others) alongwith SLP No. 24287/95 and 28523/95 held that the officers and employees and servants appointed by the Railway Cooperative Stores Societies could not be treated at par with regular Railway servants under the Railway Establishment Code, nor they can be given parity of status, promotions, scales of pay, increments etc. In arriving at the said view the Hon'ble three-judge Bench held that the reasoning of the Madras Central Administrative Tribunal in their judgement in O A No 305/88 is wholly illegal and unsustainable. Nevertheless, the Hon'ble Madras Bench in their order dated 10.5.96 in contempt application No 8/96 and Misc Application No 91 and 92 of 1996 have given orders to implement the order in O A. No 305/88 in respect of 172 persons within three months i.e. upto 31st August, 1996.

(c) and (d) The Railways are proposing to seek certain clarifications from the Hon'ble Madras Bench of the Tribunal to be able to work out modalities for regulating the service conditions of the applicants covered by the judgement