

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.20323 of 2016

ORDER:

The petitioner claims to have studied up to SSC. He is having ITI qualification. He was working as a contract labour in Rayalaseema Thermal Power Project since 06.09.2008. The petitioner's grandfather owned an extent of Ac.0.67 cents in Survey No.67/7 and Ac.0.21 cents in Survey No.74/1. The said land of the grandfather was acquired and an award was passed in the year 1992. The grandfather of the petitioner expired on 25.07.2009 at the age of 90 years. The first respondent framed a scheme in G.O.Ms.No.98, dated 15.04.1986, making provision for providing employment to the displaced persons or their dependants in order to provide source of livelihood to the displaced persons or the dependants. The said Government Order makes eligible only son or daughter or spouse and with a further condition that there should not be any other earning member in the family. The petitioner's father made an application in 1992 and his application was not considered. The petitioner, being the grandson of the land loser, submitted an application and he was called by the District Selection Committee. But, his case was rejected. When the case of the petitioner was rejected in the year 2013, the present Writ Petition is filed challenging G.O.Ms.No.98, dated 15.04.1986, making provision only to the son or daughter or spouse.

It is clear from the above averments made in the affidavit filed in support of the Writ Petition that the grandfather of the petitioner expired and an award was passed in the year 1992. The father of the petitioner made an unsuccessful attempt to secure employment under the land losers category by taking benefit of the very G.O.Ms.No.98, Irrigation (Projects Wing) Department, dated 15.04.1986, which is impugned in the present Writ Petition. The application of the father of the petitioner was forwarded on 17.06.1992. The relevant provision of the Government Order in paragraph 4 reads as follows:

“After careful examination and consideration, the following orders are issued in supersession of orders in G.O.Ms.No.67, Irrigation & Power Department dt.17-11-1978.

i) Not more than 50% of the vacancies of the categories equivalent to Junior Assistants/Typists and the cadres below arising in Major and Medium Irrigation and Power Project shall be filled up by the displaced families or their dependants of a respective projects duly following the reservations for various categories viz., SC, ST, BC, Ex-Serviceman, Physically Handicapped & meritorious sportsman etc.,

ii) The candidates eligible for appointment of under this scheme shall be the displaced persons of his/her son, daughter or spouse, there being no other earning member in the family.

iii) Applications for appointment from the eligible candidates shall be made to the District Collector concerned within a period of one year from the date of actual displacement of the family, preference shall be given with reference to the date of displacement and to those applicants whose house and lands are acquired against those whose land or house only is acquired. The District Collector shall draw up a list of such applications and forward the same to the Project authorities for appointment.”

The petitioner is neither a son, daughter or spouse and no application was filed within one year as stipulated in the aforesaid Government Order. The case of the petitioner was rejected in the year 2013 since grandsons were not covered in the said Government Order. The grandson made an attempt after nearly 20 years to secure employment even though he was not eligible. Since the Government Order did not make a provision for providing employment to the grandson, the present Writ Petition is filed challenging the Government Order.

The Government Order was obviously issued in order to provide immediate employment to the displaced persons and it did not rightly include the grandchildren. The attempt made by the present petitioner to challenge the Government Order after two decades cannot be appreciated, and the Writ Petition is, accordingly, dismissed at the

admission stage. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

24.06.2016

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