

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
OA/20/615/2014**

HYDERABAD, this the 23rd DAY OF JANUARY 2020

Hon'ble Mr. ASHISH KALIA, MEMBER (J)
Hon'ble Mr. B.V. SUDHAKAR, MEMBER (A)

1. PAMPANA APPALARAJU,
S/o Late Gangaraju, Aged about 54 years,
Working as Multi Tasking Staff (MTS),
(erstwhile Group-D), Railway Mail Service(RMS)
'V' Division, Visakhapatnam, R/o D.No.4-15-2,
Peda Waltalir, Visakhapatnam.
 2. BANDI KANAKA RAO,
S/o Pydikonda, Aged about 50 years,
Working as Multi Tasking Staff (MTS),
(erstwhile Group-D), Railway Mail Service(RMS)
'V' Division, Visakhapatnam,
R/o D.No.38-30-252, Green Gardens,
Marripalem, Visakhapatnam.
 3. JANASWAMY EKAMBARAM,
S/o Late Gopalakrishna Murthy,
Aged about 59 years, Working as Multi Tasking Staff (MTS),
(erstwhile Group-D), Railway Mail Service(RMS)
'V' Division, Visakhapatnam, R/o RMS Colony,
Gajulareda, Visakhapatnam-1,
 4. K M SHERIFF,
S/o A Sheriff, Aged about 51 years,
Working as Multi Tasking Staff (MTS),
(erstwhile Group-D), Railway Mail Service(RMS)
'V' Division, Visakhapatnam, R/o C/o Abdul Khayyum,
Ambusarg Street, Visakhapatnam-1.
- APPLICANTS**
- (By advocate: Mrs. Rachna Kumari)

Vs.

1. Union of India represented by
The Director General, Posts,
Department of Posts, Dak Bhavan,
Sansad Marg, New Delhi,
2. The Chief Postmaster General,
A.P.Circle, Hyderabad 500001,
3. The Postmaster General,
Visakhapatnam Region, Visakhapatnam,
4. The Superintendent of Railway Mail Service,
'V' Division, Visakhapatnam,
5. The Head Record Officer,
Railway Mail Service (RMS),
'V' Division, Visakhapatnam,
6. The Head Record Officer (Accounts),
'V' Division, Visakhapatnam,

Respondents

(By advocate: Mr. K Rajitha, Sr.CGSC)



ORAL ORDER

PER HON'BLE Mr. **ASHISH KALIA, MEMBER (J)**

Following reliefs are sought by the applicant:

“To call for records pertaining to grant of temporary status of the applicants and the absorption of the applicants in to group-D cadre and the monetary benefits paid to the applicants by way of arrears of the said benefits, and may kindly examine the calculations made for the purpose of grant of temporary status and payment of arrears thereon, as per the scheme of casual labourers (Grant of Temporary Status and Regularisation) Scheme, 1993 and declare that the applicants are entitled for grant of temporary status and the monetary benefits since 1992 from the date of decision taken by the respondents to confer such temporary status and also declare that the applicants are entitled to be considered for absorption into Group-D cadre from 1995 onwards on completion of 3 years in temporary status service, treating them as Group-D for all the purposes from the date they have completed 3 years of temporary status casual labour service and also entitled for monetary benefits thereon; duly declaring the inaction/illegal action in not calculating the arrears of payment of wages etc. properly, as arbitrary, illegal, unwarranted, misconceived and in violation of Articles 14 and 16 of the Constitution of India;

(b) to direct the respondents to calculate the eligibility of grant of temporary status and the monetary benefits thereon by way of arrears duly providing the calculations to the applicants and the consequential absorption into Group-D cadre for which also the applicants are entitled for the arrears of pay etc. and calculations so made thereon, if possible by granting an interview to the applicants by the competent authority duly providing the required calculations and information required and to affect such payment of arrears so arrived at, within a time frame of two months, with all consequential benefits.

2. The applicants were initially appointed as Casual Labourers in RMS 'V' Division at Visakhapatnam. Since 1983 onwards the applicants have been working as Part Time Casual Labourers and they are continuously working thereafter. In between, this matter



went upto the Hon'ble Supreme Court and the Hon'ble Supreme Court has laid down guidelines for regularization of the Casual Labourers after grant of Temporary Status. In case of Casual Labourers, if they have completed 240 days in a particular year, they are entitled for grant of temporary status after 3 years on completion of the same. As regards the Part-Time and Contingent Workers 240 days in 4 years, meaning thereby a person who is working as Part Time worker has to complete 240 days of service continuously for four years. As per the claim of the applicants they have completed the same in the year 1992. But the fact remains that the Temporary Status could have been granted only on completion of 240 days of service from 4 years.



3. After hearing the parties at length we found that this matter has already been settled and nothing more needs to be interpreted by this Tribunal. We find that there is nothing wrong done by the respondents.

4. O.A. is accordingly dismissed. There shall be no order as to costs.

(B.V. SUDHAKAR)
ADMN.MEMBER

(ASHISH KALIA)
JUDL. MEMBER

vsn