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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1273/2001

New Delhi, this 18th day of December, 2001

Hon'ble Shri M.P. Singh, Member(A)

1. Raj Pal
Vill. Batola, PO Baroli (Chandila)
Dt. Faridabad, Haryana

2. Ravi Kanogia
11/418, Lalita Park
Laxmi Nagar, Delhi .. Applicants

(By Shri U.Srivastava, Advocate)

versus

Union of India, through

1. Secretary
Department of Culture
Ministry of Tourism & Culture
Shastri Bhawan, New Delhi

2. Director General
Archeological Survey of India
Janpath, New Delhi

3. Superintending Acheaologist
Excavation Branch II, Purana Qila
New Delhi .. Respondents

(By Shri R.N. Singh, Advocate)

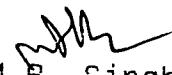
ORDER(oral)

By the present OA, applicants seek directions to the respondents for grant of temporary status and regularisation thereof in terms of the Scheme notified by the DoPT vide its OM dated 10.9.93 and also payment of salary from June, 2000 to February, 2001 and April to May, 2001. The admitted position is that the applicants were engaged as casual labours in different spells by the respondents during the period 1998 to 2001 and that they have completed more than 240 days of work to become eligible for grant of temporary status in terms of the aforesited Scheme. Their services were disengaged after 21.4.2001. The learned counsel for the applicants has



furnished a copy of this Tribunal's judgement dated 27.1.2000 in CP 347/98 in OA 210/98 (decided on 27.8.98) in support of applicants' claim. That apart, in a catena of judgements, this Tribunal has held the view that the aforesaid Scheme of 1993 is an ongoing scheme and it should be made applicable to all those casual labours who have completed more than 240 days in a year. Learned counsel for the applicants also stated that the applicants had been paid wages for the period as claimed in the OA. He, therefore, does not press for this part of relief.

2. After hearing the learned counsel for the parties, the present OA is disposed of with a direction to the respondents to consider re-engagement of the applicants as casual labours as and when work of such nature is available with them in preference to freshers/juniors and also consider conferment of temporary status on the applicants in terms of the 1993 Scheme and judgement of the Tribunal dated 27.1.2000 in CP 347/98 in OA 210/98 referred to above and also regularisation in their turn subject to availability of vacancies and applicants' fulfilling the eligibility criteria as per Rules and instructions on the subject. No costs.


(M.P. Singh)
Member(A)

/gtv/