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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1274/2001

This the 22nd day of April, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Sh. Rohtas
S/o Sh. Hari Singh
working as Casual Safaiwala
under Executive Engineer
Construction Division IV
CPWD, Pusa Complex, New Delhi.

R/o E-332/31, Gali No. 8A
Baljit Nagar, Prem Nagar Road
New Delhi.

... Applicant

(By Advocate: Ms. Meenu Mainee)

Versus

Union of India through

1. Ministry of Urban Development
Nirman Bhawan, New Delhi.
2. The Director General (Works)
CPWD, Nirman Bhawan, New Delhi.
3. Executive Engineer
Construction Division IV
CPWD, Pusa Complex
New Delhi.

... Respondents

(Ms. Promila Sethi, Head Clerk, departmental representative)

O R D E R (ORAL)

Applicant in this OA prays for grant of temporary status with all attendant benefits and has also prayed for being considered for regularisation in the post he is working continuously.

2. Applicant alleges that he was engaged as part time casual labour (Safaiwala) w.e.f. 1.1.99. According to the respondents, as stated in the counter, applicant has worked only for 1-1/2 hours a day and that too before starting of office timings. They also submitted that applicant might have

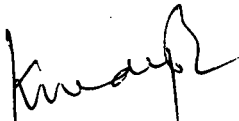


been gainfully employed elsewhere on remaining portion of the day. Applicant's case is not covered under the instructions issued by DOPT for conferring temporary status.

3. As per reply, the applicant had been paid lumpsum amount for working as Safaiwala. More he worked only 1 1/2 hours per day as per counter affidavit. These facts are not controverted. There is nothing on record to show if the applicant had worked on full time basis.

4. As per the DOP&T's Scheme of 10.9.1993 and clarification issued thereupon, part time workers are not covered to be conferred with temporary status.

5. Thus, I find OA has no merits and the same is liable to be dismissed. Accordingly OA is dismissed. No costs.


(KULDIP SINGH)
Member (J)

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