

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.No.2042/2001
M.A.No.1704/2001

Hon'ble Shri S.A.T.Rizvi, Member(A)
Hon'ble Shri Shanker Raju, Member(J)

Tuesday, this the 14th day of May, 2002

1. Vasudev
s/o Shri Agam Chand
r/o B-125 Kidwai Nagar
New Delhi - 110 023.
2. Ramesh Chand
3. R.Mohan
4. Mahender
5. Jagvir Singh
6. Rajender Sharma
7. M.B.Sherpa
8. Laljit
9. Shankar Dutt
10. Chandeshwar
11. Rajkumar Vishwakarma
12. Rajvir Singh
13. Ramkishan-I, s/o Late Sh. Mahilala
14. Mohan Lal
15. Ramkishan II

All C/o Vasudev
r/o B-125 Kidwai Nagar
New Delhi - 110 023.

... Applicants

(By Advocate: Dr. Surat Singh with Ms. Mamta Rani)

Vs.

1. The Secretary
Department of Revenue
Ministry of Finance
North Block
New Delhi.
2. The Member (Personnel & Vigilance)
Central Board of Excise & Customs
North Block
New Delhi.
3. The Director General
National Academy of Customs, Excise & Narcotics
NACEN Complex, Sector 29
Faridabad - 121 008.

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4. Director General/Joint Director
National Academy of Customs, Excise & Narcotics
"A" Wing, 3rd Floor
Madangir Road
Pushpa Bhawan
New Delhi - 110 062. Respondents

(By Advocate: Shri R.R.Bharati)

O R D E R (Oral)

By S.A.T.Rizvi, M(A):

Heard the parties.

2. All the 15 applicants in the present OA have been working in casual capacities right from 1981 onwards. Temporary status has been conferred on each of them in terms of DoPT Scheme of 10.9.1993. In accordance with the aforestated Scheme, they are entitled to absorption in Group 'D' posts, subject to availability of such posts/vacancies.

3. The learned counsel appearing on behalf of respondents submits that the respondents are not indifferent to the claim of the applicants in the present OA. Consequently, a number of Group 'D' posts have already been filled by regularising similarly placed casual workers. Enough posts have not become available so far to accommodate any of the applicants, however.

4. Learned counsel appearing on behalf of the applicants has drawn our attention to various papers on record which go to show that efforts are on within the respondents' set up to create posts, so as to accommodate as many applicants as possible.

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5. We have considered the submissions made by the learned counsel on either side. As process of creation of posts inevitably takes time, in our Judgement, it is not possible to lay down a time frame within which the respondents should necessarily create enough posts so as to accommodate all the present applicants..

6. We are, nevertheless, inclined to dispose of the present OA with a direction to the respondents to expedite the process of creation of posts and to take such further steps as need to be taken to absorb as many as applicants as possible in due course. As the respondents are expected to prepare an inter-se seniority list of all the casual workers with temporary status, in accordance with the DoPT Scheme of 10.9.1993, we further direct the respondents to ensure that applicants are ~~to~~ absorbed² as and when posts are created, strictly in accordance with the said seniority list.

7. OA is disposed of with the aforestated terms.. No costs..

S. Raju

(Shanker Raju)
Member(J)

S. A. T. Rizvi

(S.A.T.Rizvi)
Member(A)

/rao/

for me for Absorb. 2 April.