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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 303/2001

New Delhi, this the 7th day of January, 2002

Hon'ble Shri Govindan S.Tampi, Member (A)

Shri Harish Chander Baluni
S/o Late Shri Vijay Ram Baluni
R/o Sewla Kalan Simla Road, P.O. Majra,
Distt. Dehradun, Uttaranchal. ...Applicant

(By Advocate Ms. Meenakshi Singh, proxy
for Ms. Rani Chhabra)

V E R S U S

UNION OF INDIA : THROUGH

1. The Secretary
Ministry of Communications,
Deptt. of Telecommunications,
Sanchar Bhawan,
Ashoka Road,
New Delhi.
2. Chief General Manager,
Telecom West,
Department of Telecommunications,
Dehradun, Uttaranchal.
3. General Manager,
Department of Telecommunications,
Dehradun, Uttaranchal.
4. Assistant General Manager,
O/o General Manager,
Department of Telecommunications,
Dehradun, Uttaranchal.
5. Sub Divisional Engineer (Maintenance II)
Indira Nagar,
Telephone Exchange (R.S.U.)
Dehradun, Uttaranchal.
6. Divisional Engineer (O.P.)
E-10-B, Patel Nagar,
Dehradun, Uttaranchal.
7. Junior Telecom Officer (Maintenance II)
Indira Nagar,
Telephone Exchange (R.S.U.)
Dehradun, Uttaranchal. ...Respondents
(By Advocate Shri K.R. Sachdeva)

O R D E R (ORAL)

By Hon'ble Shri Govindan S.Tampi,

Sh. Harish Chander Baluni, applicant in this case has sought grant of temporary status in the Respondent's organisation on the ground of having completed 240 days of service.

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2. Heard Ms. Meenakshi Singh, Learned proxy counsel and Sh. K.R. Sachdeva, Learned counsel for the respondents.

3. According to the OA and the pleadings made on behalf of the applicant by Ms. Meenakashi Singh, during the oral submissions before me today, the applicant has been continuously working since April 1999 and had completed more than 240 days of service in the organisation. The respondents have still not granted him the temporary status as is directed for in the DOPT Scheme of 10.9.93. Hence the intervention from the Tribunal to do the justice is called for, argues Ms. Meenakshi Singh.

4. On the other hand Sh. K.R. Sachdeva, Learned counsel for the Respondents point out that the applicant had not at all worked with the respondents and he was never engaged as a Casual Labourer and the duty chart copies, which have been produced by the counsel for the applicant were incorrect and the individual had not at all worded. His not having been engaged as a Casual Labour and not having completed the requisite period, the case has to fail, according to Sh. Sachdeva.

5. I have considered the matter. I find that the documents produced in support of the applicant's claim are, a few duty charts at the end of which, the name of the applicant appears, but at the same time, nothing has been brought on record to show that the applicant was on the muster roll of the respondents for any period.

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Therefore, the applicant has not, made out a case for the grant of temporary status by completing a requisite period of 240 days. As such he cannot get the protection of the scheme introduced by the DOPT under their letter dt.10.09.1993.

6. OA therefore, fails and is accordingly dismissed. No costs.

(GOVINDAN S. TAMPI)
MEMBER (A)

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