

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

OA 1795/1998

(31)

New Delhi this the 10th day of July, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

1. Chandan Singh  
S/O Sh. Balam Singh
2. Bhola Nath  
S/O Sh. Chittai Prasad
3. Harishchander  
S/O Sh. Dharma Nand
4. Surender Kumar Sharma  
S/O K.K. Sharma
5. Rawat Singh  
S/O Sh. Bishan Singh
6. Kamal Singh  
S/O Sh. Bawant Singh
7. Dhannajay Kumar  
S/O Sh. B.N. Rai
8. Satyawan  
S/O Sh. Siri Rama
9. Mahender Kumar Sagar  
S/O Sh. Ishwar Chand
10. Raj Singh  
S/O Sh. Dharm Singh
11. Narendra Kumar  
S/O Sh. Surjan
12. Rajesh Kumar  
S/O Sh. Bhola Ram
13. Shakti Chand  
S/O Sh. Fandri Ram
14. Sheetla Prasad  
S/O Sh. Badalu
15. Shiv Prasad  
S/O Sh. Ram Lakan

(All the applicants are working with the  
respondents as casual labourers with Tempy.  
Status)

.. Applicants

(By Advocate Shri U. Srivastava )

versus

1. Union of India through  
the Secretary, Ministry of Home  
Affairs, North Block, New Delhi.
2. The Joint Secretary (A),  
Govt. of India, Ministry of Home  
Affairs, North Block, New Delhi.

.. Respondents

(By Advocate Shri K.K. Patel )

(B)

O R D E R (ORAL)

(Hon'ble Smt.Lakshmi Swaminathan, Member (J))

(32)

The main grievance of the applicants in this case is with regard to their placement in the impugned seniority list dated 12.11.1993 (Annexure A-1) in which, certain parts of their service rendered by them as casual labourers have not been taken into account. Shri U.Srivastava, learned counsel for the applicants has submitted that the applicants have been engaged as casual labourers with the respondents from 1989 and in the case of applicant No.14 it is stated by the respondents themselves that he has been engaged from 1988. He has submitted that in the case of certain applicants, there were breaks in their service but the respondents have reengaged the applicants as daily wagers from November, 1990. He has submitted that in the impugned seniority list, the respondents have only granted benefits of service to the applicants from the date when they were engaged <sup>Second</sup> ~~the~~ time, which means that their earlier services rendered by them from 1989 to 1990 have been ignored. He claims that some weightage must be given to the applicants for their past service.

2. The respondents in their reply have submitted that they have called for representations from the applicants on the provisional seniority list of casual labourers with temporary status, which they have prepared and circulated on 27.4.1989. According to them, no ~~such~~ representations have been received from the applicants.

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3. Taking into account the pleadings and the submissions made by the learned counsel for both the parties, the OA is disposed of with the following directions:-

The applicants may submit the details of their service as casual labourers/daily wagers with the respondents with any supporting documents which they may have, within one month from the date of receipt of a copy of this order. The respondents shall consider the representations of the applicants in detail and give some weightage to their past service prior to their breaks in service i.e. before they were engaged for the second time, wherever it is applicable. They shall lay down the criteria for giving some weightage to the past service to those of the applicants who have been engaged after short breaks i.e. one or two days.

No order as to costs.

Lakshmi Swaminathan  
(Smt. Lakshmi Swaminathan )  
Member (J)

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