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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.27/98

New Delhi: Dated: this the 13th day of November 1998

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Shri Jagdish Kumar,
S/o Shri Mange Ram,
Ex. Casual Labourer of Department of Culture,
under the Ministry of Human Resource Development,
New Delhi, R/o Ghaziabad.

..... applicant.

(By Advocate: Shri Sant Lal).

Versus

1. Union of India through
the Secretary,
Ministry of Human Resource Development,
Department of Culture,
Shastri Bhawan,
New Delhi -01.
2. The Joint Secretary (M)
Govt. of India,
Ministry of HRD,
Dept. of Culture,
Shastri Bhawan,
New Delhi -01.
3. The Under Secretary to the Govt. of India,
Ministry of Human Resource Development,
Department of Education,
Shastri Bhawan,
New Delhi -01

..... Respondents.
(By Advocate: Shri K.C.D. Gangwani).

ORDER(ORAL)

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Applicant seeks re-engagement and grant of temporary status with consequential benefits.

2. I have heard applicant's counsel Shri Sant Lal and Respondents' counsel Shri K.C.D. Gangwani.
3. Respondents themselves have furnished the details of number of days put in by the applicant with their reply, from which it is clear that between 1989 and 1995, the applicant has put in an service off and on for overall period of six years.

in the year 1990 he put in 221 days of service and in 1993 he put in 217 days of service and would therefore qualify for grant of temporary status in accordance with the Casual Labourer (Grant of Temporary Status and Regularisation) Scheme, 1993 as per respondents' own records. My attention has also been invited to seniority list in respect of daily workers in Respondents-deptt. in which applicant's name features at Sl.No.17 while others engaged subsequent to him are stated to be continued in service.

4. Respondent-department is a large one and when the next occasion arises for engagement of casual labourers, applicant's case for engagement should be considered against the same. Upon re-engagement applicant will be entitled to grant of temporary status in accordance with the aforesaid Scheme with effect from the date he put in the required number of days of service with respondents. He may subsequently work out his claims for regularisation in accordance with rules and instructions on the subject.

5. The OA is disposed of in terms of para 4 above. No costs.

Mr. Adige
(S. R. ADIGE)
VICE CHAIRMAN (A).

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