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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1377/95

New Delhi this the 17th day of April 1996

Hon'ble Shri K.Muthukumar, Member(A)

Hon'ble Dr. A.Vedavalli, Member (J)

1. Jagdeep Singh Katoch  
S/o Sh. G.S.Katoch  
r/o RZG-1/23, Mahabir Enclave,  
New Delhi.
2. Prakash Chand  
S/o Sh. Sunder Ram  
r/o D-1/353, Mahabir Enclave,  
New Delhi
3. Mahinder Singh,  
S/o Sh. Brij Lal  
r/o RZ-18-A/1, Gali No.12,  
Kailash Puri,  
New Delhi.
4. Prem Singh  
S/o Shri Radhey Shyam  
r/o RZ-85/1, Durga Park,  
New Delhi-45.
5. Shri Kishan  
S/o Shri Jaimal Singh  
r/o H.No. 261/A. Village, Munrika,  
New Delhi.-67.
6. Surinder Singh  
S/o Shri Mangat Ram  
r/o A-1/8, Postal Colony,  
Janakpuri, New Delhi.
7. Charan Singh  
S/o Shri Sher Singh  
r/o H.No. 119, Chirag, Delhi  
New Delhi-17.
8. Shiv Dhari Ram  
S/o Sh. Samjhu Ram  
r/o Q.No. R-18, Dr. Ambedkar Basti,  
West Block-I, R.K.Puram,  
New Delhi-110066.
9. Puran Singh  
s/o Shri Shaber Singh  
r/o CSP-27, Safdarjang Enclave,  
New Delhi.
10. Narinder Kumar  
S/o Shri Maya Dhar  
r/o C-122, Jeewan Park,  
Uttam Nagar,  
New Delhi-59.

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11. Harpal Singh  
S/o Shri Amar Singh  
r/o Village & PO Kasan,  
Distt. Gurgaon Haryana
- 12- Shri Yoginder Singh  
S/o Shri Padam Singh  
r/o RZ-G-280, Raj Nagar,  
New Delhi-45.
13. Ashok Kumar,  
S/o Shri Net Ram  
r/o Village and Post Office,  
Kapashera, New Delhi-37.
14. P. Marko,  
S/o Sh. P. Ankhia  
r/o Jhuggi No. 518,  
Kankadurg Colony,  
Near R.K. Puram, New Delhi.
15. Phaskar Anand  
S/o Sh. Chander Mani  
r/o K-226, Kutub Vihar  
Goala Diary, New Delhi
16. Shri Ramesh S/o Sh. Singh Ram  
r/o H.No. WZ-258, Harizan Colony,  
Tilak Nagar, New Delhi.
17. Shri Dharam Pal  
S/o Shri Jage Ram  
r/o H.No. 80/1,  
Villa Dinchau Kalan, New Delhi-13,
18. Shri Rajinder  
s/o Sh. Gordhan Ram  
r/o H.No. 192D,  
Block Bharat Bihar,  
New Delhi-45.
19. Sh. Ramesh Kumar  
S/o Sh. Kashi Ram  
r/o A-10, Mohammedpur Village,  
New Delhi-66.
20. Ashok Kumar,  
S/o Sh. Jeet Ram  
r/o Village Mahipalpur  
New Delhi-37.
21. Pradeep Kumar  
S/o Sh. Fateh Singh  
r/o D-6, Palam Air Port,  
New Delhi-37.
22. Mahinder Singh  
S/o Shri Banwari Lal,  
R/o RX-245, Raj Nagar,  
New Delhi-45.

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23. Raj Kumar  
S/o Shri Mehtab Singh  
r/o H.No. 25, Ram Gali,  
Nank Chand Basi, Village Kotla,  
Mubarkpur,  
New Delhi

(By Advocate: Shri S.R.Divedi)

....Applicants

Versus

1. Union of India  
through the  
Secretary,  
Department of Posts,  
Ministry of Communication,  
New Delhi-110001.
2. The Chief Post Master General,  
Delhi Postal Circle,  
Meghdoot Bhawan,  
New Delhi-110001.

....Respondents

(By Advocate: Shri M.K.Gupta)

ORDER (Oral)

Hon'ble Shri K. Muthukumar, Member (A)

The applicants who are a Temporary Status Group 'D' with the respondents, are aggrieved that the respondents have not supplied the uniforms to them although they have been granted temporary status and treated at par with Group 'D' employees in terms of the order at Annexure A-2 page-27 of the Paper Book. The case of the respondents is that in terms of the scheme of regularisation of Casual Labourers, initially such casual labourers who have put in service of 206 days in a year are entitled for grant of temporary status and after rendering three years of service with temporary status, the casual labourers are treated at par with Group 'D' employees of the Department of Posts and would be


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entitled to such benefits as are admissible to Group 'D' employees on regular basis. Respondents have issued the Circular dated 30-11-92 Annexure A-1 in pursuance of the Judgement of the Hon'ble Supreme Court in Jagrit Mazdoor Union Versus Mahanagar Telephone Nigam Ltd Annexure A-1 JT 1996 (Supplement) Supreme Court 364. Respondents maintain that in terms of the Rule governing the supply of uniform to the staff only, the staff members as are eligible under Rule 736 and 737 of Postal Manual are given the uniforms. Learned counsel for the respondents submitted that such of those casual employees who have been given temporary status and treated at par with Group 'D' employees still, cannot be considered to be eligible for supply of uniforms. Learned counsel for the applicant however maintains that the whole question was raised before the Lordships and that it was ordered in the aforesaid judgement that the casual labourers employees who are treated at par with the Group 'D' employees of the Department of Posts would be entitled to such benefits as are admissible to Group 'D' employees on regular basis. Learned Counsel for the applicant submits further that in pursuance of the Contempt Petition filed before the Lordship, in another case the respondents have filed additional affidavit in which the order dated 30-11-92 at Annexure A-1 (Supra) was shown to their Lordships and taking note of this order their Lordships have dismissed the contempt petition. The learned counsel for the applicant argues that in terms of the aforesaid order dated 30-11-92 the casual labourers <sup>who</sup> ~~should~~ have been granted temporary status at par with Group 'D' employees <sup>who are eligible for uniforms.</sup> Learned counsel for the applicant

submits that the extension of the benefits as are listed in this OM dated 30-11-92 only is illustrative <sup>and</sup> or not exhaustive and therefore cannot be considered to include all the benefits to be extended to the temporary status and treated at par with Group 'D' employees.

2. We have heard the parties. We are of the considered view that it is an admitted position that the letter at Annexure A-1 issued by the Department of Posts was in compliance with the judgement of the Hon'ble Supreme Court, which was subsequently placed before the Court in the contempt petition which was dismissed. If the applicants are still aggrieved, it was open to them to make representation to the respondents for any specific benefits such as uniforms as is raised in the present application to be considered for extension to the temporary status of Group 'D' employees at par with Group 'D' employees. These temporary status Group 'D' ~~were~~ were treated at par with regular Group 'D' can still not be considered as regular Group 'D' employees. Be that as it may, the application can be disposed of, at admission stage with the direction to the applicant to make suitable representation to the respondents for considering the request for supply of the uniform and this representation may be filed with the respondents within one month from the date of receipt of this order. Respondents are directed to consider the same and give their detailed reply in accordance with law within one month thereafter. No costs.

  
(Dr. A. VEDAVALLI)  
Member (J)

  
(K. MUTHUKUMAR)  
Member (A)

cc.