

69

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 965 of 1995

New Delhi, dated the 1st October, 1996

HON'BLE MR. S.R. ADIGE, MEMBER (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

1. Shri Omkar,
S/o Shri Nepal Singh,
R/o Vill. Nevri,
P.O. Rajban,
Dist. Meerut (U.P.)
2. Shri Hridya Ram,
S/o Shri Nepal Singh,
R/o Vill. Jevri,
P.O. Rajban,
Dist. Meerut (U.P.)
3. Shri Sanjev Kumar,
S/o Shri Ram Prakash,
R/o 464, New Gobind Pur,
Khanker Khera,
Meerut Cantt.
4. Shri Dharmender Kumar,
S/o Shri Ram Chander,
R/o G.P.O. Compound,
Meerut.
5. Shri S.V. Singh,
S/o Shri Jai Ram Singh,
5/1 P&T Colony,
Mawana Road,
Meerut.
6. Shri Satyendra Pal,
S/o Shri Ram Pal Singh,
R/o 372/5, New Gobind Pur,
Khanker Khera,
Meerut Cantt.

.... APPLICANTS

(By Advocate: Mrs. Rani Chhabra)

VERSUS

1. Union of India through the
Secretary, M/o Communications,
Dept. of Telecom., Sanchar Bhawan,
New Delhi.
2. Divl. Engineer Telephone,
O/o T.D.M.,
Meerut.
3. Accounts Officer,
Telephone Revenue Accounts,
O/o T.D.M.,
Meerut.

1

4. Asst. Engineer,
RLU Max I,
Lal Kurti Exchange,
Meerut, U.P.

5. S.D.O. Phones-I,
Max I,
Lal Kurti Exchange,
Meerut, U.P.

..... RESPONDENTS

(By Advocate: Shri V.S.R.Krishna)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

We have heard applicants' counsel Mrs. Rani Chhabra and the respondents' counsel Shri V.S.R.Krishna.

2. It is not denied that the applicants have worked with the Respondents for varying periods. Applicants' counsel contends that the applicants had worked on continuous basis while the Respondents' counsel avers that the engagement was only on intermittent basis, however, but the fact that the applicants have worked with the Respondents (even if payment was made to them on ACG 17) is not disputed.

3. In the light of the fact that the applicants have worked with the Respondents, whether continuously or intermittently, and notwithstanding their having been paid on ACG 17 basis, we hold that there is good reason why the applicants should be considered for re-engagement, taking into account the period the applicants have worked for them and thereafter for consideration for grant of

temporary status under the Casual Labourers Grant of Temporary Status Scheme, 1989.

4. Under the circumstances, this O.A. is disposed of accordingly with a direction to the Respondents that having regard to the total number of days of work put in by each of the applicants (even if payment to them was made on ACG basis), and subject to availability of work the respondents should consider re-engaging the applicants in preference to outsiders and those with overall lesser length of service, in accordance with the rules and instructions on the subject. Thereafter the Respondents should examine the case in respect of each of the applicants for grant of temporary status in accordance with the Scheme, under intimation to the applicants, upon production of necessary documents by the applicants within three months of their engagement. It will be open to the applicants to work out further rights in accordance with law, if so advised.

5. This O.A. is disposed of accordingly.

No costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

S.R. Adige
(S.R. Adige)
Member (A)

/GK/