

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA-1118/96
OA-1120/96
OA-1121/96
OA-1122/96

New Delhi, this the 24th day of July, 1997.

Hon'ble Mr. N. Sahu, Member(A)

(17)

OA-1118/96

Bindeshwar
C-38, IARI,
Pusa Complex,
New Delhi- 110 012

...Applicant

(By Advocate : Shri S.L. Hans)

Versus

1. Union of India
through its Secretary
Ministry of Agriculture
Krishan Bhawan
New Delhi
2. Indian Council for Agricultural Research
through its Director General
Krishi Bhawan
New Delhi
3. Indian Agricultural Research Institute
through its Director
PUSA, New Delhi
4. Joint Director(Administration)
Indian Agricultural Research Institute
PUSA, New Delhi
5. Vijay Kumar S/o Shri Kapil Dev
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi
6. Anwar Ali S/o Mohd. Gulam Rasool
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi
7. Raj Kumar S/o Shri Mange Singh
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi
8. Amar Nath S/o Shri Sheetal Shan
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

...Respondents

(By Advocate : Ms. Jasmine Ahmed proxy for Sh.V.K.Rao & deputl.
representative Shri Y.P. Bhatia, Assistant)

OA-1120/96

18

...Applicant

Sanjay Roy
I-263, IARI,
Pusa Complex,
New Delhi-110 012

(By Advocate : Shri S.L. Hans)

Versus

1. Union of India
through its Secretary
Ministry of Agriculture
Krishan Bhawan
New Delhi
2. Indian Council for Agricultural Research
through its Director General
Krishi Bhawan
New Delhi
3. Indian Agricultural Research Institute
through its Director
PUSA, New Delhi
4. Joint Director(Administration)
Indian Agricultural Research Institute
PUSA, New Delhi.
5. Vijay Kumar S/o Shri Kapil Dev
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi
6. Anwar Ali S/o Mohd. Gulam Rasool
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi
7. Raj Kumar S/o Shri Mange Singh
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi
8. Amar Nath S/o Shri Sheetal Shan
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

...Respondents

(By Advocate : Ms. Jasmine Ahmed proxy for Sh.V.K.Rao & Depttl.
representative Shri Y.P. Bhatia, Assistant)

OA-1121/96

Shiv Narain
E-78, Khayala
J.J. Colony,
New Delhi- 110 018

...Applicant

(By Advocate : Shri S.L. Hans)

Versus

1. Union of India
through its Secretary
Ministry of Agriculture
Krishan Bhawan
New Delhi
2. Indian Council for Agricultural Research
through its Director General
Krishi Bhawan
New Delhi
3. Indian Agricultural Research Institute
through its Director
PUSA, New Delhi
4. Joint Director (Administration)
Indian Agricultural Research Institute
PUSA, New Delhi
5. Vijay Kumar S/o Shri Kapil Dev
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi
6. Anwar Ali S/o Mohd. Gulam Rasool
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi
7. Raj Kumar S/o Shri Mange Singh
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi
8. Amar Nath S/o Shri Sheetal Shan
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

... Respondents

(By Advocate : Ms. Jasmine Ahmed ~~proxy for~~ for Mr. V.K. Rao, and deputl.
representative Shri Y.P. Bhatia, Assistant)

OA-1122/96

Vinod Kumar
I-75, Krishi Kunj,
Inderpuri,
New Delhi- 110 012

... Applicant

(By Advocate : Shri S.L. Hans)

Versus

1. Union of India
through its Secretary
Ministry of Agriculture
Krishan Bhawan
New Delhi

2. Indian Council for Agricultural Research
through its Director General
Krishi Bhawan
New Delhi

3. Indian Agricultural Research Institute
through its Director
PUSA, New Delhi

4. Joint Director(Administration)
Indian Agricultural Research Institute
PUSA, New Delhi

5. Basant Kappar S/o Shri Pyare Kappar
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

6. Raj Pal S/o Shri Datta Ram
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

7. Ram Iqbal S/o Shri Bindeshwar Gupta
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

8. Jai Kumar S/o Shri K. Prasad
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

9. Mahender Rai S/o Shri Sudama Rai
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

10. Ajay Kumar Singh S/o Shri Avdesh Singh,
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

11. Vijay Kumar S/o Shri Kapil Dev
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

12. Anwar Ali S/o Mohd. Gulam Rasool
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

13. Raj Kumar S/o Shri Mange Singh
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

14. Amar Nath S/o Shri Sheetal Shan
working as temporary worker
with the Genetics Deptt. IARI,
PUSA, New Delhi

... Respondents

(By Advocate : Ms. Jasmine Ahmed proxy For Mr.V.K.Rao and depttl.
representative Shri Y.P. Bhatia, Assistant)

ORDER (ORAL)

Hon'ble Mr. N. Sahu, Member(A) -

In all these four OAs the relief prayed for is to set aside the impugned order dated 03.01.1995 (Annexure A-1). By the order dated 03.01.1995, 50 persons were granted temporary status and the applicants had been left out. These 50 persons are stated to be junior to the applicants in casual service. They, therefore, seek a direction for a similar order of temporary status to them along with all pecuniary and other related benefits.

2. The counsel for the applicant as well as for the respondents have been heard. It is agreed that a similar matter was heard and disposed of by an order of this Tribunal in OA-311/95, OA-312/95, OA-314/95, OA-315/95, OA-316/95 and OA-317/95 dated 18.09.1995 by a Division Bench. Para 4 of the said order is the operative portion which is extracted hereunder:

"In the light of these submissions made by respondents'counsel, we dispose of these OAs with a direction to the respondents to consider the applicants immediately for reengagement as casual labours, in preference to outsiders and those with overall lesser length of service, subject to availability of work, and in accordance with the rules and instructions on the subject. Thereafter, those who become eligible for grant of temporary status in terms of the scheme formulated by the Department of Personnel and Training for grant of temporary status and regularisation of casual workers should be so considered by way of a detailed, reasoned and speaking order in accordance with law under intimation to each of the applicants with fixation of appropriate seniority. No costs."

(22)

As the OAs under consideration are exactly on identical point, I direct the respondents to consider the case of the applicants in each of these OAs immediately for re-engagement as casual labourers in preference to outsiders and those with lesser length of service subject to availability of work. Each of the applicants in these OAs shall be considered for grant of temporary status within a period of two months from today. As these applicants have worked for a long time and their juniors, namely, to illustrate respondents 5 to 8 in OA-1118/96, have already been conferred temporary status, there should be no delay in disposing of their claim in this regard. Benefits of the grant of temporary status shall commence from the date of passing the order. Such grant of temporary status shall be under the Scheme w.e.f. 01.09.1993 framed for this purpose by the Department of Personnel & Training which was considered and implemented in the case of similarly situated 50 other persons vide Annexure A-1 dated 03.01.1995. The same benefits which are extended to those employees will also be mutatis mutandis apply to each of the applicants.

OA is disposed of as above. No costs.

Narasimha
(N. SAHU)
Member(A)

/Kant/