

Q

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH
NEW DELHI.

1) R.A.No.20/97 AND 2) R.A.No.4/97.

IN

O.A.No.1735/96

New Delhi: this the 14 day of April, 1997.

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

HON'BLE DR.A.VEDAVALLI, MEMBER(J).

Narender Singh & others Applicants.

Versus

UOI & others Respondents.

ORDER (BY CIRCULATION)

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

Perused the R.As.

2. Paragraph 7 of the Casual Labourers (Grant of Temporary Status & Regularisation) Scheme, 1993 issued by DDP & T's O.M. dated 10.9.93 itself clearly specifies that despite conferment of temporary status the services of a casual labourer may be dispensed with. The only stipulation is that 1 month's notice has to be given in writing. Wages for the notice period are payable only for the days on which the casual labourer is engaged in work. As applicants were not issued any notice in writing and were engaged right upto the date of disengagement, respondents were directed by our impugned judgment to pay applicants' 1 months' wages in lieu of notice.

3. Review applicants have also referred to para 6 of the aforesaid O.M., but that relates to Casual Workers employed in industrial establishments to whom provisions of the I.O. Act would apply. It has nowhere been pleaded that applicants are casual workers, employed in an industrial establishment.

4. In our impugned judgment we have already directed respondents to consider re-engaging the review applicants subject to availability of work and in preference to outsiders and those with overall lesser length of past service. In absence of work, no direction can be issued to respondents to re-engage review applicants.

5. The impugned judgment therefore warrants no interference and both the R. As are rejected.

A. V. Veda Valli
(DR. A. VEDAVALLI)
MEMBER (J)

S. R. Adige
(S. R. ADIGE)
MEMBER (A)

/ug/