

Central Administrative Tribunal
Principal Bench

13

O.A.No.353/97

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 21st day of January, 1998

Sh.Anand Prakash
S/o.Sh.Raghunandan Prasad
C/o.Sh.Manmohan Saxena
House No.49, Lakshmi Nagar,
New Delhi.

APPLICANT

(By Sh.R.K. Shukla, Advocate)

Versus

Union of India

1. The Secretary
Ministry of Telecommunications,
Sanchar Bhawan,
New Delhi.

2. The District Manager
Telecommunications,
Moradabad (U.P).

RESPONDENTS

(By Sh.A.K. Bhardwaj, proxy for Sh.V.S.R. Krishna)

O R D E R (Oral)

The applicant submits that he was selected along with sixty two other candidates, as casual labour on the basis of an interview held in December 1982. He was kept in engagement by the respondents during 1982-83 and 84 and after a gap of three years he was again re-engaged during 1987-88 to 89-90. He claims that as he had worked for the requisite number of days and has also been engaged thereafter on an intermitant basis, under ACG 17, the respondents be directed to confer on him temporary status and also consider him for regularisation according to the relevant rules.

2. The respondents have stated that they have not been able to find out in which office he had worked from 1984 to 1987, he has not given the full details. They also state that details given by him regarding working on ACG 17 basis, have not been

Q2

14

- 2 -

supported with proof and as records are also not kept by them of such engagement, as such they are unable to say anything about the claim of the applicant.

3. In his rejoinder, the applicant has produced a certificate from the Assistant Engineer, Department of Telecommunication, Moradabad, showing that he had worked as a labourer from time to time on C.DOT Installation.

4. I have heard the counsel. The applicant on his own admission states that he has worked upto 1989 as a casual labour and thereafter on an intermittent basis under ACG 17 from time to time. I agree with the learned proxy counsel for the respondents that if the applicant feels that he had any case he should have come in proper time and not after a delay of nine years. In the circumstances it is not possible to give a direction to grant him temporary status. However, in case the applicant submits a proper application with full details to the respondents, within a period of two months from today, the respondents will consider and dispose of the same with a reasoned and speaking order within a period of three months from the date of receipt of such representation from the applicant. On the basis of ^{any} previous engagement so established, the respondents are also directed to give preference to the applicant, in case work is available, over his juniors and outsiders in the matter of employment as casual worker. No costs.

R.K. Ahooja
(R.K. AHOOJA)
MEMBER(A)

/PB/