

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.2266 of 1994

New Delhi, this the 27th day of August, 1997.

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

1. Jasbir Singh
S/o Sh. Tej Ram
C/o Iqbal Singh,
C-3, Indira Enclave,
Lodhi Road,
Ghaziabad - U.P.
2. Mahatwar Singh
S/o Sh. V.S. Chauhan
R/o 6/112, Old Prem Nagar,
Near Lodhi Road,
New Delhi
3. Vijay Pal Singh
S/o Late Sh.M.S. Rawat,
D-239, Kidwai Nagar,
New Delhi

...Applicants

(By Advocate : Shri A.K. Bhardwaj)

Versus

Union of India : Through

1. The Secretary
Ministry of Welfare
Shastri Bhawan
New Delhi
2. The Under Secretary
Department of Welfare
Shastri Bhawan
New Delhi

...Respondents

(By Advocate : Shri K.C.D. Gangwani)

ORDER (Oral)

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

The applicants three in number had been engaged in 1990 and 1991 in connection with the Ambedkar Centenary Celebration. Their services were discontinued on 17.06.1992. According to them, they had put in 511, 526 and 551 days respectively on the date of their disengagement. These facts are not in dispute. They sought reinstatement in OA-3074/92.

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This Tribunal directed their re-engagement. They were re-engaged on 05.10.1993. It is also an admitted fact that they have been working as Casual Labourers in the respondents' office since 05.10.1993. The respondents refused to confer temporary status because they were not on the rolls of the Ministry as on 10.09.1993, the date of promulgation of Scheme of DOPT OM No.51016/2/90-Estt(C) dated 10.09.1993. It is now well settled by the decision of this Tribunal in Kiran Kishore and Anr. Vs. UOI & Ors. - OA-1696/95 decided on 13.11.1995 that the Scheme has to be applied to the persons who fulfill the eligibility criterion of the length of service at any time even after 01.09.1993. In this view of the matter, there should be no difficulty on the part of the respondents to consider applicants for temporary status in accordance with the Scheme. I accordingly direct the respondents to consider the case of the applicants for temporary status in accordance with the Scheme disregarding the fact that they were not on the rolls as on 10.09.1993 and only counting the number of days put in by them as clarified in the decision referred to above(supra.). Order considering their case will be passed by the respondents within a period of four weeks from the date of receipt of a copy of this order. The Scheme also outlines the procedure for absorption to Group 'D'. The respondents shall consider the case of the applicants in accordance with the Scheme for absorption to Group 'D' also keeping in view their eligibility and seniority.

Remains

2. Learned counsel for the applicant does not
press for any other relief and accordingly the OA is
disposed with the above directions. No costs.

N. Sahu
(N. SAHU)
Member(A)

/Kant/