

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.374/94

NEW DELHI THE 24 TH DAY OF FEBRUARY, 1994.

HON'BLE MR.JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)
HON'BLE MR.B.N.DHOUNDIYAL, MEMBER(A)

Shri Mani Ram
son of Shri Shankar Dayal
R/o 1/2158, Gali No.17
Ram Nagar, Shahdara,
Delhi-110 032

... Applicant

BY ADVOCATE SHRI N.AMARESH.

Vs.

1.Union of India through the
Secretary to the Government,
Ministry of Home Affairs
North Block,
Central Secretariat,
New Delhi-110 001.

2.The Director
Office of the Directorate of Census Operations
Room No.207,
Old Secretariat
Delhi-110 054

3.The Deputy Director
Delhi Census Office
Pushp Bhavan,
New Delhi-110 017.

... Respondents

ORDER (ORAL)

JUSTICE S.K.DHAON:

The averment, as material, for the disposal of this OA is that the applicant was engaged as a casual worker on 22.1.1992 in the office of respondent No.3. Prior to this engagement, the applicant had worked as a Waterman from June 1991 to September, 1991 with the same respondent. It is admitted that on 10.9.1993, the applicant was not in employment as a casual worker.

2. The prayer in this OA is that the respondents may be directed to consider the case of the applicant in accordance with the scheme enforced by the Office Memorandum dated 10.09.1993.

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(3)

3. Earlier, the applicant had come to this Tribunal by means of OA No.3395/92 which was disposed on 7.6.1993. This Tribunal passed the following order while dismissing the said OA:

"Having considered the matter with due care, we are unable to grant any relief to the petitioner. The application is dismissed."

4. By Office Memorandum dated 10.9.1993, Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993 was enforced and promulgated. This scheme to was/ come into force with effect from 1.9.1993. Para 4 of the scheme says that temporary status would be conferred on all casual labourers who are in employment on the date of issue of the said Memorandum and who have rendered a continuous service of at least one year. The applicant has undoubtedly shown that he has rendered service for one year year continuously. However, according to his own case, on 10.9.1993 he was not in the employment of the respondents. Therefore, he cannot get any benefit of the scheme. In these circumstances, we are unable to give any positive relief to the applicant.

5. Like any other citizen of this country, the applicant's case for giving fresh employment would be considered by the respondents if and when a vacancy arises and if he is otherwise found eligible.

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6. With these observations, this OA is rejected summarily.

B.N.Dhundiyal

(B.N.DHUNDIYAL)
MEMBER(A)

S.K.Dhaon

(S.K.DHAON)
VICE-CHAIRMAN(J)

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