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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.1225 of 2000

New Delhi, this the 22nd day of January, 2001

HON'BLE MR.KULDIP SINGH,MEMBER(JUDL)

Raj Kumar, son of Mr.Hukum Chand
C/o Asstt.Commissioner of Central Excise
Division Rohtak,Haryana - APPLICANT

(By Advocate: Sh.Javed Ahmed,proxy for Dr.Surat Singh)

Versus

1. Commissioner of Customs
Central Excise Commissionerate
(Delhi III) C.R.Building
New Delhi
New Delhi.

2. Deputy Commissioner(P&V)
Central Excise Commissionerate
(Delhi III) C.R.Building
New Delhi -RESPONDENTS

(By Advocate: Shri R.R.Bharti)

O R D E R (ORAL)

By Hon'ble Mr.Kuldip Singh,Member(Judl)

The applicant had been appointed as part-time Sweeper on 5.12.97 in place of his mother and has been working under respondents since then. His case had also been recommended that he might be considered for being appointed as Full Time Daily Wager.

2. Applicant has submitted that he has worked for more than 240 days and as such, he is entitled for regularisation as per Govt. of India Scheme dated 10.9.93. For this purpose, he has made a representation also for conferment of temporary status and regularisation in accordance with the rules.

3. Respondents have stated in their counter reply that since the applicant is working only as a part-time

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casual labour, therefore, he is not entitled for conferment of temporary status as the Scheme dated 10.9.93 extends benefits only to full time casual labourers and not to part time employees.

4. I have heard learned counsel for the parties and gone through the records.

5. Applicant has relied upon a document dated 11.3.99 (Annexure A-2) which bears an endorsement by the department itself that applicant should be given full time employment as daily wager.

6. Under the circumstances, I dispose of this OA with a direction to respondents to consider the case of the applicant for full time employment as recommended by the department itself vide Annexure A-2, in accordance with rules and instructions on the subject. These directions should be implemented within a period of three months from the date of receipt of a copy of this order. No costs.

(KULDIP SINGH)
MEMBER(JUDL)

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