

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 1516 of 2000

New Delhi, this the 12th day of December, 2000

HON'BLE MR. KULDIP SINGH, MEMBER (JUDL) 6

1. Babli Nagar s/o Shri Mahak Singh
R/o A-42, Minto Road
New Delhi-2

2. Shri Sunil Kumar S/o Shri Chhatthu Lal Mahto
R/o CB-33, Ring Road, Naraina
New Delhi-28

-APPLICANTS

(By Advocate: Sh. Gyaneshwar proxy for Sh. U. Srivastava)

Versus

Union of India through

1. The Secretary,
Ministry of Environment & Forests
Govt. of India, New Delhi

2. The Director,
National Museum of Natural History
(Govt. of India)
FICCI Museum Building
Barakhamba Road, New Delhi-1

3. The Administrative Officer
NMNH, Govt. of India
FICCI Museum Building
Barakhamba Road, New Delhi-1

-RESPONDENTS

(By Advocate: Shri V.S.R. Krishna)

ORDER (ORAL)

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

In this O.A., two applicants who had worked under respondents on daily wage basis as chowkidars, are claiming re-engagement against juniors and outsiders stating that the work of Chowkida is of perennial nature. Applicants have assailed the order dated 31.7.2000 (Annexure A-1) passed by respondents, simply stating that on completion of the work, the services of the applicants are terminated w.e.f. 1.8.2000. However, the applicants have referred to a copy of the tender Notice issued by respondents inviting applications from

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the reputed/registered Security Agencies for providing security service on contract basis. The applicants have also placed on record their initial appointment letter which also shows that they had been engaged as Chowkidar. Tenders invited by respondents are also for engagement of Security Guards. We do not find that there is any difference between the duties performed by a Chowkidar and a Security Guard. The nature of duties of Chowkidar and Security Guard are same in the establishment of respondents.

2. The respondents are contesting the O.A. They have submitted in their reply that they had decided to take the services of Security Guards from private agencies on contractual basis with a view to have better services with optimum cost. They have also stated that vacancies of chowkidars were not filled up because of implications of SIU report.

3. From the pleadings available on record, it is clear that there are vacancies of chowkidar in the respondents' organisation and work of the same nature is still available. I am also of the opinion that there is no difference between the duties performed by a Chowkidar and a Security Guard. I, therefore, direct the respondents that in the event they decide to engage the chowkidars, they shall give preference to applicants in

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such appointments.

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4. O.A. stands disposed of with the above directions. No costs.

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(KULDIP SINGH)
MEMBER(JUDL)

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