

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1582/2000

New Delhi, this 14th day of May, 2001

Hon'ble Shri M.P. Singh, Member(A)

Mrs. Manorama Gupta &
20 others as per details
given in Memo of Parties to the OA ... Applicants

(By Shri N.K. Jha, Advocate - not present)

versus

Govt. of NCT of Delhi, through

1. Chief Secretary
5, Shamnath Marg, Delhi
2. Chairman
Urban Basic Services
Vikas Bhawan, New Delhi
3. Director of Project
Urban Basic Services
Vikas Bhawan, New Delhi
4. Principal Secretary
Urban Development Department
Vikas Bhawan, New Delhi .. Respondents

(By Mrs. Meera Chhibber, Advocate)

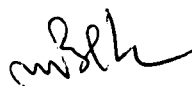
ORDER(oral)

By filing the present OA the applicants, 21 in number, who claim that they have been engaged as Creche Workers during the year between 1989 and 1997 and they continue to be paid Rs.250/- per month, seek directions to the respondents to regularise their services and pay them salary as applicable to Group D staff of the Government.

2. Respondents have opposed the claim. They have stated in their reply that the Urban Basic Services is a scheme for the upliftment of the urban poor run by the Department of Urban Development, Govt. of NCT of Delhi, It is basically focused on mother-and-child care. Balwaries are opened under the scheme for taking care of pre-school children from 3 to 6 years of age in different clusters as per the need of the cluster.

There is no permanency attached to these Balwaries service as they are opened as per the need and their size keep on changing in the scheme. The applicants who volunteered their services from these clusters are working only on an honorarium basis. They are neither casual labourers nor government servants and therefore the present OA is not maintainable under Section 19 of the Administrative Tribunals Act, 1985.

3. None appeared for the applicants even on the second call. However, after hearing the learned counsel for the respondents and for the reasons aforementioned, I am convinced that this OA is not maintainable. In the result, the OA is dismissed. No costs.


(M.P. Singh)
Member(A)

/gtv/