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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1598/2000

New Delhi, this 20th day of March, 2001

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

Brijesh Kumar
C-84, Netaji Nagar
New Delhi

Applicant

(By Shri U.Srivastava, Advocate)

versus

Union of India, through

1. Secretary
Ministry of External Affairs, New Delhi
2. Chief Controller of Accounts
Ministry of External Affairs
Akbar Bhavan, New Delhi
3. Sr.Accounts Officer(Admn.)
Room No.316, Akbar Bhavan
New Delhi

Respondents

(By Shri A.K. Bhardwaj, Advocate)

ORDER(oral)

The applicant, who was engaged as casual labour w.e.f. 3.3.2000, after his name was sponsored by the Employment Exchange and on completion of all formalities, and worked upto 25.8.2000, is before us seeking directions to the respondents for his re-engagement. It is not in dispute that in the meantime the respondents have placed requisition on the Employment Exchange vide their letter dated 17.8.2000, a copy of which is placed on record as A-1 to the OA, for daily wage workers for a period of 89 days.

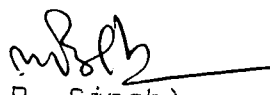
2. It is seen from the reply filed by the respondents that the services of the applicant were engaged as casual labour for the period from 3.3.2000 to 25.8.2000 for shifting the records of the office from III floor, Akbar Bhavan to the basement of the same building and also for



tearing off of old records and carrying the same to incinerator for burning. The work entrusted to the applicant was of purely temporary and casual nature.

3. Respondents further submitted that as a sequel to the installation of computer networking under the LAN system all the sections dealing with the work of compilation are to be aligned so as to bring them closer to the main computer room fitted with Server. The work of shifting of furniture and records would commence on the completion of electric work by the CPWD. As an abundant precaution the department had invited the names of fresh candidates to prepare a panel for deploying them as casual workers as and when the work of CPWD gets completed. However no candidate has been engaged as casual labour after 25.8.2000. In view of this position, the claim of the applicant for his re-engagement as casual labour is not tenable.

4. It is not in dispute that the applicant had worked under the respondents for a period of 129 days. As per Government of India instructions on the subject, persons who have worked earlier as casual labour should be given preference and re-engaged keeping in view their past service in the department. In view of this position, as and when work of casual nature is available with the respondents, they shall consider re-engagement of the applicant in preference to freshers keeping in view his past performance and in accordance with the rules and instructions on the subject. The OA is disposed of as aforesaid. No costs.


(M.P. Singh)
Member(A)