

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 1814 of 2000

New Delhi, this the 23rd day of January, 2001

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

Shri Swapn Kumar Das
s/o late Shri Biren Nath Das
ages about 33 years
n/o C-395, Kidwai Nagar (East)
New Delhi
and working as a Casual Labourer in the
respondents office at Sewa Bhawan,
New Delhi

- APPLICANT

(By Advocate: Shri T.D. Yadav, proxy for Sh. S.S. Tiwari)

Versus

1. Union of India
through the Chairman
Central Water Commission
Sewa Bhawan, R.K. Puram
New Delhi-110066.

2. Director
PCP Directorate
Central Water Commission, R.K. Puram
New Delhi-110066

- RESPONDENTS

(By Advocate: Shri J.B. Mudgil)

O R D E R (ORAL)

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

Applicant in this O.A. has prayed for a direction to respondents for conferment of temporary status and regularisation of his services in some Group 'D' post in accordance with Govt. of India Scheme 10.9.93.

2. Applicant has submitted in his O.A. that he is continuously working under respondents and has completed more than 206 days of service and has thus become entitled to the benefits of Govt. of India Scheme 10.9.93.

3. Respondents in their counter at para 4.1 have

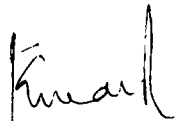
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submitted that the Scheme promulgated by DOPT is a one time measure and the applicant is not eligible for grant of temporary status though he was engaged for more than 206 days in the year 1999. (11)

4. Learned proxy counsel for applicant has referred to judgements in OA Nos. 791/96, 1623/2000 as well as in OA-1535/2000, wherein the co-ordinate Benches of the Tribunal have observed that Scheme dated 10.9.93 is an on-going one and is not restricted to as one time measure. For this purpose, Tribunal has also relied upon the Delhi High Court judgement in CWP-963/98.

5. In view of the judgements delivered by the Tribunal in OAs referred to above, I am of the opinion that contention of the respondents that Scheme dated 10.9.93 was only a one time measure, is not correct. Since respondents have admitted in their reply that applicant has worked for more than 206 days in the year 1999, I am of the view that he is entitled for conferment of temporary status.

6. Under the circumstances, I allow this O.A. with a direction to respondents that they shall consider the applicant for grant of temporary status in accordance with Govt. of India Scheme dated 10.9.93 with all consequential benefits ensuing from the said Scheme. These directions should be implemented within a period of two months from the date of receipt of a copy of this order. No costs.


(KULDIP SINGH)
MEMBER (JUDL)

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