

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.NO. 2426/2000

New Delhi, this the 4th day of January, 2001.

Hon'ble Shri S.A.T.Rizvi, Member (A)

(3)

In the matter of:-

MEMO OF PARTIES

S. No.	Name	Date of Appointment	Designation & Office	Residential Address
<u>S/ Shri</u>				
1.	Harish Kumar S/o Chetan Lall.	20.4.1992	Helper	F-7, IIP Colony, I.I.P., Dehra Dun.
2.	Kulvant Singh S/o Dharam Pal.	23.3.1998	Typist -do-	276, Nathapur, P.O. Nathan Gram, D.Dun.
3.	Rajender Kumar S/o Gurdas.	17.6.1996	-do-	11P, Mohkampur, Santosh Nagar, Dehra Dun.
4.	Mukesh Kumar S/o Kalu Ram	25.7.1995	Helper -do-	Mohkampur, Santosh Nagar, Dehra Dun.
5.	Murli Dhar Chandna S/o Manohar Lal Chandna	1.10.1997	-do-	91, Ansari Marg, Dehra Dun.
6.	Ajay Pal S/o Anand Pal.	23.7.1997	Driver -do-	10/H, Ahir Mandi, Hathi Barkala, D.Dun.
7.	Ms. Kusum, D/o Govind Ballabh.	16.1.1995	Typist -do-	218, Model Colony, Araghara, Dehra Dun.
8.	Dev Singh Adhikari S/o Man Singh Adhikari.	3.6.1992	Helper -do-	C/o F-16, I.I.P. Colony, P.O. Mohkampur, D.Dun.
9.	Amit Upadhyay S/o Ram Kishore.	12.10.1995	-do-	P.O. & Village Shamsher Garh, D.Dun.
10.	Dinesh Chandra Sundriyal S/o P.D. Sundriyal	22.1.1992	Store Purchase Asstt. (LRF). -do-	I.I.P., Mohkampur, Dehra Dun.

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Q 11. Inderpal Kumar D/O 11.10.97 Project Street No.
Harbans Singh Asstt. 6, H.No.2,
-do- Shastri Ngr.
D.Dun.

...Applicants

(By Advocate: None for applicants)

VERSUS

Union of India
Through:-

1. The Secretary,
Ministry of Science & Technology,
1, Rafi Marg,
New Delhi.
2. The Director General,
Council of Scientific and
Industrial Research,
1, Rafi Marg,
New Delhi.
3. The Director,
Indian Institute of Petroleum,
Dehra Dun.

...Respondents

(SO Rajiv Mani, Deptt. Representative for R-2 & 3)
None for respondent No.1

O R D E R (ORAL)

Heard the Deptt. Representative in detail.

2. The applicants in this case, fourteen in number, are aggrieved by the inaction on the part of the respondents to regularise their services. The contention raised by the applicants is that they have been working continuously in some cases from 1992 onward and in others from years thereafter ^{2 and 3} ~~should~~ ^{been} have been paid consolidated salaries per month ever since. They have been working as Computer Operator/Typist, Driver, Technician, Project Assistant and Helper. In any case, each of them have completed more than 240 days in each of the years they have been working in the respondents' set up. On this basis, they have claimed regularisation. The prayer made is for conferment of temporary status with attendant

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benefits effective from the dates from which they have completed one year of service. The prayer is also made for regularisation of services and grant of consequential benefits.

3. The Deptt. Representative has drawn my attention to the order of this Tribunal in the case of Mahender Singh Negi & Ors. Vs. Union of India & Ors. (OA-1292/99) decided on 17.11.99 which deals with similarly situated applicants. In the aforesaid OA, this Tribunal has passed ~~the~~ ^{the} following ~~the~~ ^{following} directions:-

- "i) Respondents shall prepare a Scheme on the pattern directed by the Apex Court and shall consider absorption of the applicants in terms of law against regular vacancies as and when they arise.
- ii) If the respondents have vacancies/jobs to offer of the nature the applicants are doing, the latter shall be given preference to over freshers and new comers. Depending upon the recruitments, services of the applicants shall be utilised in other projects.
- iii) Respondents shall consider offering opportunities along with others to those of the applicants who are eligible and have requisite qualifications for the jobs advertised.
- (iv) XX XXX XXX."

4. The Deptt. Representative has assured me that as required in accordance with the aforesaid order of this Tribunal, ^{the} ~~the~~ comprehensive Scheme has already been framed by the respondents which has received the approval of the governing body of the CSIR and the matter is going to be implemented very very soon. He has also assured

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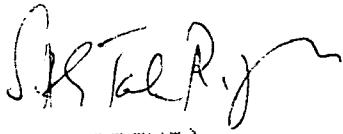
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that the Scheme as framed provides for the workers situated similarly ⁷⁶ ~~of~~ the applicants in the present OA and, therefore, the claims of the applicants in the present OA will be fully taken care of. The Deptt. Representative further assures me that it should be possible for the respondents to implement the aforesaid Scheme and pass orders in each case relating to the applicants in the present OA in a maximum of six months from now.

5. Accordingly, I find that the ends of justice will be met ~~by~~ ² ~~by disposing of a~~ this OA at this stage itself with a direction to the respondents to implement the aforesaid Scheme and to decide the cases of all the applicants in the present OA in a period of six months from today.

6. The present OA is disposed of in the aforesated terms. No costs.


(S.A.T. RIZVI)
MEMBER (A)

/sunil/