

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

(8)

OA No. 50/88 .. Date of decision: 14.05.93

Sh. Ved Ram Singh ..

and others .. Applicants

Versus

Union of India .. Respondents

CORAM

Hon`ble Sh. A.B. Gorthi, Member (A)

Hon`ble Sh. C.J. Roy, Member (C)

For the applicant .. Sh. V.S.R. Krishna, Proxy counsel  
for Sh.M.R.Bhardwaj, Counsel.

For the respondents..Sh.P.P. Khurana, Counsel.

JUDGEMENT (Oral)

(Delivered by Hon`ble Sh. A.B. Gorthi, Member(A)

The applicants herein are casual daily rated workers in the Department of Science and Technology, New Delhi. They were appointed some time between March, 1983 and October, 1984 and ever since they have been working with the Department. Their several requests for regular absorption have not met with any success. Hence, this application has been filed in which they prayed that they be paid wages on the principle of equal pay for equal work and that they be absorbed in Group D regular vacancies.

2. The respondents, in their short counter reply, have stated that according to the extant instructions, those who have served with the department for a minimum period of 2 years with atleast 240 days of service as daily wage worker during each of the years are eligible for regular appointment against a Group D post provided the workers are eligible in all respects and provided there are adequate number of vacancies in Group D posts. The respondents have stated that at the relevant time, there were only 4 posts of Group D vacant and the said 4 posts were reserved for Ex-Servicemen/S.T. candidates.

3. We have heard Sh. P.P. Khurana, learned counsel for the respondents. He had no instructions on the specific question whether the applicants have since been regularised. We consider that the interests of justice will be met, if we allow the application with the following directions to the respondents :

- (a) The services of the applicants are not to be terminated so long there is work for them in the department ;
- (b) The names of the applicants will be entered in a Register in accordance with their seniority;

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(c) The applicants shall be considered for regular absorption against vacancies in Group D posts, as and when such vacancies occur;

(d) No fresher or any other person with lesser length of service as casual worker will be given regular appointment in any of the Group D posts without the applicants' cases being considered first.

4. The application is allowed in the above terms. There shall be no order as to costs.

*1/8/7*  
(C.J. Roy)

Member (J)

*A. B. Gorthi*  
(A.B. Gorthi)

Member (A)