

Central Administrative Tribunal
Principal Bench, New Delhi.

(A)

O.A.No.1341/91

New Delhi this the 7th Day of July, 1995.

Hon'ble Sh. A.V. Haridasan, Vice-Chairman (J)
Hon'ble Sh. B.K. Singh, Member (A)

1. Sh. Mahinder Pal Singh,
S/o Sh. Ram Singh.
2. Sh. Suresh Kumar,
S/o Sh. Ram Saren.
3. Sh. Ajit Singh,
S/o Sh. Punjab Singh.
4. Sh. Ramveer,
S/o Sh. Mauji Ram.
5. Sh. Kanhaiya Lal,
S/o Sh. Sarju Ram.
6. Sh. Ram Dayal,
S/o Sh. Mahajuddin.
7. Sh. Ram Avtar,
S/o Puran Singh.
8. Sh. Tulsiram,
S/o Sh. Ganga Ram.
9. Sh. Raj Kumar Gupta,
S/o Sh. Ram Dulara Gupta.
10. Sh. Ram Sevak,
S/o Sh. Munshi Ram.
11. Sh. Narottam Chand,
S/o Sh. Denanath.
12. Sh. Nand Kishore,
S/o Sh. Indira Ram Prasad.
13. Sh. Pyarelal,
S/o Sh. Lalaram.
14. Sh. Ramnivas,
S/o Sh. Ram Kumar.
15. Sh. Ramdas,
S/o Sh. Gur Charan.
16. Sh. Sheraj Singh,
S/o Sh. Aganjal.
17. Sh. Raman Singh,
S/o Sh. Bindeshwari Singh.

18. Sh. Pawan Kumar,
S/o Sh. Teja Singh.

19. Sh. Ram Kishore,
S/o Sh. Ram Avtar.

20. Sh. Kailash Naryan,
S/o Sh. Khurram Prasad.

21. Sh. Ved Prakash,
S/o Sh. Bhagwan Das.

22. Sh. Kishori Lal,
S/o Sh. Dulichand.

23. Sh. Gopal Singh,
S/o Sh. Suram Singh,
C/o Sh. Mahinder Pal Singh,
Block No. 87F, Railway Colony,
Bharat Nagar, Ghaziabad (UP).

Applicants

(through Sh. D.N. Geburdhan - none present)

versus

1. Union of India,
C/o Secretary,
Ministry of Railways,
Rail Bhawan,
New Delhi.

2. General Manager,
Northern Railways,
Baroda House,
New Delhi.

3. Divisional Sr. Engineer (C),
DRM Office, New Delhi.

4. DSE (C),
Sh. Madan Lal,
DRM Office,
Ambala.

5. Sh. Jagdish Singh,
AEN PQRS,
Northern Railways,
Ambala Cantt.

6. PWJ PQRS,
Northern Railways,
Ambala.

Respondents

(through Sh. B.K. Aggarwal, advocate)

ORDER (ORAL)
delivered by Hon'ble Sh. A.V. Haridasan, Vice-Chairman (J)

who

The applicants, 23 in number, are working

as Casual Labourers under the Delhi Division of Northern

Railway were temporarily shifted to Ambala in 1989

and thereafter they were transferred to Deraha in 1990. Their grievance is that they are being shifted from place to place and that they are not being absorbed. The applicants have filed this application claiming the following reliefs:

" a) That the applicants should be regularised in the pay scale of Rs.750-940 + pay and allowances.

b) That the applicants be similarly treated as other Daily Wagers who were regularised in service permanently.

c) Equal pay for equal work should be given from the date of service to the Applicants.

d) The Wages of the applicants for the period from July to October, 1990 be paid forthwith."

2. The respondents have filed a detailed reply-affidavit. When the application came up for hearing today, none appeared on behalf of the applicants. Learned counsel/Shri B.K. Aggarwal fairly conceded that the issue involved in this O.A. is similar to the one in O.A. No. 1458/90 and that the decision in that case will hold good in this case as well. A copy of the judgment in OA No. 1458/90 is at Annexure-I. That application was disposed of with the following declaration/ directions:

"All the applicants who have not already been screened should be screened in Delhi Division according to the vacancies available in that Division and the remaining in the Ambala Division according to the vacancies

available there. Once they are screened and found fit they should be regularised against the vacancies in Delhi and Ambala Divisions and then given all facilities as admissible to normal railway employees. The question of paying any arrear, TA/DA in the case of casual workers not already regularised does not arise. We direct that the work of screening and regularisation should be completed within a period of three months. The respondents are free to utilise the services of the applicants anywhere according to the needs of PQRS Unit."

3. As the applicants in this case are in all respects similar to the applicants in OA No. 1458/90, this Application is disposed of with a direction that the applicants, if they have not already been screened in Delhi Division according to the vacancies available there and the remaining in Ambala Division and those who are found fit should be absorbed in Delhi or Ambala Division, respectively on the existing or future vacancies within three months from the date of communication of this order. The claim for grant of wages from July to October, 1990 is not allowed.

4. There is no order as to costs.

(B.K.Singh)
Member (A)

(A.V.Haridasan)
Vice Chairman (Judl.)

/sds/