

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Recm. No. OA 1650/1991

Date of decision: 31.08.1992.

Shri Hari Chand Singh & Others ...Applicants

Versus

Union of India ...Respondents

For the Applicants ...Shri A.K. Seni, Counsel

For the Respondents ...Shri P.H. Ramchandani,
Sr. Counsel

Coram:

The Hon'ble Mr. P.K. Kartha, Vice Chairman (J)

The Hon'ble Mr. B.N. Dhoondiyal, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgment? *Ye*

2. To be referred to the Reporters or not? *NO*

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Judgment (Oral)

(of the Bench delivered by Hon'ble Shri P.K. Kartha)

Vice Chairman (J))

We have heard the learned counsel of both parties and have gone through the records of the case. The 15 applicants before us have admittedly worked as casual labourers in the office of the respondents for various periods ranging from 1984 to 1991 when the present application was filed. On 24.07.1991 an interim order was passed directing the respondents to maintain status quo as regards the continuance of the applicants as casual labourers in the office of the respondents. On that basis, the applicants have been retained in service.

2. The learned counsel for the applicants submitted that the prayer of the applicants is restricted to ~~for~~ their regularisation in suitable posts in the Group 'D' category and for regular pay scale. The learned counsel for the respondents submitted that though the respondents have no complaint about the work and conduct of the applicants, there are no vacancies in which the applicants could be appointed on a regular basis. He, however, fairly stated that the Department of Personnel and Training have prepared a scheme

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for regularisation of casual labourers as directed in the judgment of this Tribunal in Raj Kamal Vs. Union of India, 1990(2) SLJ(CAT) 169 and that the case of the applicants for regularisation will be considered in the light of the scheme so prepared after the same is approved by the authorities concerned.

3. After hearing both sides, we dispose of the present application with the direction to the respondents to consider the case of the applicants for regularisation in appropriate posts in Group 'D' category and in accordance with the administrative instructions issued by the Department of Personnel and Training as also the scheme prepared by the said department on the subject of regularisation of casual labourers. Till the applicants are so regularised, their services shall not be terminated. The applicants should also be given the minimum wages as has been fixed by the Department of Personnel & Training for engagement of casual labourers. The interim order already passed is hereby made absolute.

There will be no order as to costs.

B.N. Dhundiyal
(B.N. DHUNDIYAL)
MEMBER(A)
31.03.1992

Karmal
(P.K. KARMAI)
VICE CHAIRMAN(I)
31.03.1992

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