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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn. No. OA 2676/1991 Date of decision: 10.07.1992.

Shri Uday Singh & Others

..Applicants

Versus

Union of India & Others

..Respondents

For the Applicants

..Shri M.K. Dua, Counsel

For the Respondents

..Shri M.L. Verma,
Counsel

Coram:

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

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

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

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

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 perused the records of the case carefully. The admitted factual position is that the applicants have worked for 240 days in 2 consecutive years which is one of the pre-requisites for regularisation of casual labourers in Central Government offices under the instructions issued by the Department of Personnel & Training. The applicants are continuing as casual labourers by virtue of the interim order passed by the Tribunal on 15.11.1991. The learned counsel for the applicants submitted that pending the regularisation of the applicants, they should be given temporary status and that they should be given the minimum of the pay scale of a regular Group 'D' employee.

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The learned counsel for the respondents stated that there are no vacancies to accommodate the applicants in regular posts and that the applicants have been continued as casual labourers on the basis of the interim order passed by the Tribunal.

In the case of Shri Raj Kamal and Others Vs. Union of India & Others, 1990(13) ATC 471, this Tribunal had directed the respondents to prepare a scheme for regularisation of casual labourers who have put in 240 days or more of service. The learned counsel for the respondents stated at the Bar that a scheme on the lines directed in Raj Kamal's case has been prepared by the respondents and that the same is now pending finalisation with the competent authorities of the Central Government.

In the light of the above, the present application is also disposed of with the direction to the respondents to continue the services of the applicants as casual labourers so long as the respondents need the services of casual labourers and in preference to persons with lesser length of service and outsiders. As the applicants have already completed the requisite period of service for the purpose of regularisation in Group 'D' posts, their names for regularisation should also be considered in accordance with the scheme prepared by the Government pursuant to the judgment

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of this Tribunal in Raj Kamal's case. Till the applicants are so regularised, they should be given emoluments strictly in accordance with the orders and instructions issued by the Department of Personnel & Training. After their regularisation, they shall be paid the same pay and allowances as regular employees belonging to the Group 'D' category.

The interim order passed on 15.11.1991 is hereby made absolute.

The application is disposed of on the above lines. There will be no order as to costs.

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

10.07.1992

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(P.K. KARTHA)
VICE CHAIRMAN(J)

10.07.1992