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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH, NEW DELHI.

21-04-93

1. O.A.No.2432/90

Parminder Singh .....Vs.....Union of India.

2. O.A.No.676/91

Ramakant & others .....Vs.....Union of India.

3. O.A.No.2814/91

Jodhi & others .....Vs.....Union of India.

4. O.A.No.3092/91

Tejpal Sharma .....Vs.....Union of India.

5. O.A.3094/91

Balbir Verma .....Vs.....Union of India.

6. O.A.No.491/92

Dinesh Chand .....Vs..... Union of India.

7. O.A.No.721/92

S.P.S. Bisht .....Vs..... Union of India.

8. O.A.No.722/92

R.S.Rawat .....Vs.....Union of India.

9. O.A.No.1096/92

Balvinder Singh & others ..Vs..... Union of India.

10.O.A.No.1926/92

Ajit Singh .....Vs.....Union of India.

11.O.A.No.1927/92

Durga Prasad .....Vs..... Union of India.

12.O.A.No. 2111/92

Jakiras Miaz & others .....Vs.....Union of India.

13.O.A.No.2458 /92

Moti Lal .....Vs.....Union of India.

14.T.A.No.18/90

Gopal Lal & others .....Vs.....Union of India.

15.T.A.No.4/91

Amrik Singh .....Vs.....Union of India.

16. T.A.No.24/91

Jasvinder Singh .....Vs.....Union of India.

17. T.A.No.32/91

Somveer Singh .....Vs.....Union of India.

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18. T.A. No.34/91

Daya Ram .....Vs.....Union of India.

19. T.A.No.33/91

Sita Ram Singh .....Vs.....Union of India.

20.T.A.No.38/91

Shiv Nandan .....Vs.....Union of India.

Date of Decision: 21.4.93

CORAM:

The Hon'ble Mr.Justice S.K.Dhaon,Vice-Chairman(J),

The Hon'ble Mr. S.R.Adige,Member(A)

For the applicants — Mrs.Rani Chhabra. Counsel.

For the respondents. — Mrs. Raj Kumari Chopra Counsel.

JUDGMENT

(By Hon'ble Mr.Justice S.K.Dhaon,Vice-Chairman(J)

In this bunch, the controversy involved is similar. These cases have been heard together and they are being disposed of by a common order.

2. T.A.No.18 of 1990 'Gopal Lal & others Vs. Union of India & others' has come to this Tribunal from the Hon'ble Supreme Court. That case had been filed alleging that the petitioners were Daily Wages Mazdoors in P & T. Department. The allegation in this bunch is that each of the petitioners has worked for more than 240 days in P & T Department. Some of the petitioners have been retrenched from service. Others are being allowed to work as Casual Labourers but their services have not been regularised. Their prayer is that the respondents may be directed to absorb the petitioners in the service according

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to the directions issued by the Hon'ble Supreme Court.

3. In 'Daily Rated Casual Labourers Employed under P & T Department through Bhartiya Dak Tar Mazdoors Manch Vs. Union of India & others' 1988(1) SCC 122, a somewhat similar controversy had been raised by the employees of the P & T Department. At that stage the Telecommunication Department was under the P & T Department. Their Lordships depreciated the practice of not regularising the services of the temporary employees or the Casual Labourers for a long period. Accordingly, their Lordships directed the respondents before them to prepare a scheme on a rational basis for absorbing as far as possible the Casual Labourers who have been continuously working for more than one year in the Posts & Telegraphs Department.

4. According to the directions of the Hon'ble Supreme Court, a Scheme was introduced which was to be effective from 1.10.89. This Scheme was nomenclatured as 'Casual Labourers(Grant of Temporary Status & Regularisation) Scheme of the Department of Telecommunication,1989". This Scheme is applicable to the Casual Labourers employed under the Telecommunication Department. Suffice to say, the said Scheme has been approved by the Hon'ble Supreme Court in the case of 'Jagrit Mazdoor Union Vs. Mahanagar Telephone Nigam Ltd'(1990(Supplementary) SCC 113).

5. We direct the respondents to apply the aforementioned Scheme to the cases of the petitioners and give them necessary reliefs in accordance with the Scheme. If the concerned authority comes to the conclusion that some of the employees cannot be given the benefit of the Scheme, it shall pass an

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order to that effect after giving reasons.

6. We hope that the authority concerned shall expeditiously dispose of the matters and pass orders within a period of three months from the date of receipt of certified copy of this order.

7. With these directions, the applications are disposed of finally but without any order as to costs.

8. Let a copy of this order be kept on the files of aforementioned 19 cases.

(S.R.ADIGE)
MEMBER(A)

(S.K.DHAON)
VICE-CHAIRMAN(J)

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Attested true copy
Anil Srivastava
C.O. CII
26.4.93