

Central Administrative Tribunal
Principal Bench, New Delhi.

CCP-386/93 in
OA-2048/91

22

New Delhi this the 19th Day of July, 1994.

Hon'ble Mr. Justice S.K. Dhaon, Acting Chairman
Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Shri Dharam Bir,
S/o Shri Sardar Singh,
R/o Vill.&P.C. Chandpur,
Delhi-81.

Petitioner

(through Sh. P.T.S. Murthy)

versus

1. Shri S. Gopal,
Secretary to the Govt. of India,
Ministry of Labour,
Shram Shakti Bhawan,
Rafi Marg,
New Delhi.
 2. Shri S.K. Bhattacharya,
Director General/Joint Secretary,
Directorate General Employment,
and Training, Ministry of Labour,
3/10, Jam Nagar House Barracks,
New Delhi.
 3. Shri D.V.L.N. Rao,
Director, Central Institute for Research
& Training in Employment Services,
Pusa, New Delhi-12.
 4. Shri B. Baghwar,
Deputy Director,
Central Institute for
Research & Training in Employment Service,
Pusa, New Delhi-12.
- Respondents
- (through Sh. Jog Singh)

ORDER(ORAL)

delivered by Hon'ble Mr. Justice S.K. Dhaon, Acting Chairman

The complaint in this application is that the directions given by this Tribunal on 20.08.92 have not been complied with.

The directions in substance were that the respondents were required to maintain a register containing the names of such persons who had worked in the office as peons on ad hoc basis. Those borne on such register

Singh

23
were to be given a preferential treatment in the matter of appointment, if any vacancy arose.

A counter-affidavit has been filed on behalf of the respondents. Therein the averments are these. In September & October, 1992 two regular appointees died in harness. Their dependents applied for being given appointments on compassionate ground. Their applications were being processed. In the meanwhile, on 7.12.92 the Ministry of Finance issued a circular to the effect that all the departments were to reduce their staff by 10% and even a suggestion was made that some posts may be abolished. In view of this circular and inspite of the fact that two vacancies had occurred, an appointment could not be offered to the applicant. Finally on 12.12.1993 two posts were abolished.

We see no reason to disbelieve the averments made in the counter-affidavit. Therefore, there can be no occasion for taking the view that the respondents have wilfully disobeyed the directions of this Tribunal.

Sh. Jog Singh, on instructions from Sh. David Mally, Additional Director of Employment, states that the department is prepared to offer a job of waterman to the applicant straight-way. He, however, points out that the tenure of such appointment will be only upto 15.10.1994. He states that the respondents are making sincere efforts to accommodate the applicant on permanent basis, if there is some vacancy somewhere else. We have no doubt that the respondents shall make every effort to accommodate the applicant on permanent basis.

In view of the above, there is no point in proceeding further with the contempt proceedings. The

dy

24

application is dismissed.

The applicant may report for duty within 24 hours.

Notices issued to the respondents are discharged.
There shall be no order as to costs.

B. N. Dhoundiyal
(B. N. DHOUNDIYAL)
MEMBER (A)

S. K. Dhaon
(S. K. DHAON)
ACTING CHAIRMAN

/vv/