

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA-3194/92
OA-154/93
OA-170/93
OA-272/93
OA-395/93
OA-458/93
OA-484/93
OA-486/93
OA-708/93
OA-1655/93

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN
HON'BLE MR. S.P. BISWAS, MEMBER (A)

New Delhi this the 12th day of November, 1996.

OA-3194/92

Saliq Ram,
S/o Sh. Ram Kishan,
R/o 125, Moj Pur,
Shahdara,
New Delhi.

...Applicant

(By Advocate Mrs. Rani Chhabra)

Versus

1. Union of India,
through its Secretary,
Ministry of Communications,
Department of Telecommunication,
New Delhi.

2. D.E.T.
Coaxical Cable Project,
Ambala.

...Respondents

(By Advocate Sh. B. Lall)

OA-154/93

1. Charan Singh
S/o Sh. Dhan Singh
2. Hari Parshad Sharma
S/o Sh. Giri Raj Sharma
3. Ranjit
S/o Sh. Mohan Lal Saini
4. Kailash Chand Kumar
S/o Sh. Sumoti Lal

...Applicants

(All were working as casual labourer Mazdoor under SDO(T),
Alwar and at present resident of Delhi, C/o RZ-308H, Raj
Nagar, Palam Colony, New Delhi.

(By Advocate Sh. V.P. Sharma)

Versus

1. Union of India
through the Director General,
Telecom Board,
Dak Tar Bhawan,
New Delhi.

2. The General Manager,
Telecom Department,
Rajasthan Circle,
Jaipur.

3. The S.D.O. (T),
Telecom Department,
Telephone Exchange,
Alwar.

Respondents

(By Advocate Sh. B. Lal)

OA-170/93

Bijender Singh
Son of Sh. Sumer Singh
R/o GGI/128, Vikas Puri,
New Delhi.

Applicant

(By Advocate Mrs. Rani Chhabra)

Versus

1. Union of India,
through its Secretary,
Ministry of Communication,
Department of Telecommunication,
Sanchar Bhawan,
New Delhi.

2. Divisional Engineer Telecom
Telephone Centre,
Meerut Cantt,
Meerut.

3. Assistant Engineer,
Telephone Centre,
Meerut Cantt,
Meerut.

Respondents

(By Advocate Sh. B. Lal)

OA-272/93

1. Kishan Lal
S/o Sh. Mool Chand.

2. Surender Kumar
S/o Sh. Mangal Ram Sharma

3. Balbir
S/o Sh. Suraj Bhan

4. Shri Bhagwan
S/o Sh. Suraj Bhan

5. Kailash Chand
S/o Sh. Ram Swarup.

Applicants

(At present resident of H.No.141, Village and P.O. Dhansa,
Najafgarh, New Delhi.)

(By Advocate Sh. V.P. Sharma)

Versus

1. Union of India
through the Director General,
Dak Tar Bhawan,
New Delhi.

2. The General Manager (Telecom),
Rajasthan Circle,
Jaipur.

3. The D.E.T. (T),
Telecom Department,
Alwar (Raj.)

(By Advocate Sh. B. Lall)

OA-395/93

1. Suresh Singh,
S/o Sh. Harpal Singh
B-2/24, Janakpuri,
New Delhi.

2. Har Pal Singh
S/o Sh. Girdhari Singh
Mayur Vihar,
New Delhi.

3. Pardeep Kumar,
S/o Sh. Chandrapal Singh
334, Bhora Colony,
New Delhi.

4. Chandrapal Singh,
S/o Sh. Laloo Singh,
Sector B/8129,
Vasantkunj,
New Delhi.

(By Advocate Sh. Aashish Kalia)

Versus

Union of India - through:

1. The Secretary,
Deptt. of Telecom
Govt. of India,
Sanchar Bhawan,
New Delhi.

2. Telecom Divisional Engineer,
Moradabad (U.P.)

(By Advocate Sh. B. Lall)

OA-458/93

S/o Sh. Ballu Ram Saini.

2. Bhim Singh,
S/o Sh. Ranjit Singh Yadav,
H.No. 141, Dansa,
New Delhi-47.

....Applicants

...Respondents

....Applicants

...Respondents

(By Advocate Sh. V.P. Sharma)

Versus

1. Union of India

through the Director General,
Telecom Board,
Dak Tar Bhawan,
New Delhi.

2. The General Manager (Telecom),

Telecom Department,
Rajasthan Circle,
Jaipur.

3. The District Engineer (Telecom),

Telecom Department,
Alwar (Raj.)

... Respondents

(By Advocate Sh. B. Lall)

OA-484/93

Nathu Lal,
S/o Sh. Binja Ram,
R/o H.No.308,
Raj Nagar-II,
New Delhi-45.

... Applicant

(By Advocate Sh. V.P. Sharma)

Versus

1. Union of India through

the Director General,
Telecom Board,
Dak Tar Bhawan,
New Delhi.

2. The Director of Telecom

Project (OFC),
4th Floor, Amenity Block,
EMTD Compound,
M.I. Road,
Jaipur (Rajasthan).

3. The Divisional Engineer Telecom Project,

Telephone Colony,
Kamala Nehru Nagar,
Jodhpur (Rajasthan).

... Respondents

(By Advocate Sh. B. Lall)

OA-486/93

Veerma
S/o Sh. Jawanji,
H.No. RZ-308,
Raj Nagar-II,
New Delhi-45.

... Applicant

(By Advocate Sh. V.P. Sharma)

Versus

1. Union of India through the

Director General,
Telecom Board,
Dak Tar Bha Ji,
New Delhi.

2. The Director of
Telecom Project (OFC),
4th Floor, Amenity Block,
EMTD Compound,
M.I. Road,
Jaipur (Rajasthan)

3. The Divisional Engineer
Telecom Project,
Telephone Colony,
Kamala Nehru Nagar,
Jodhpur (Rajasthan)

(By Advocate Sh. B. Lall)

OA-708/93

1. Sompal Singh,
S/o Sh. Mohan,
141, Bhera Enclave,
New Delhi-41.

2. Rajvir Singh,
S/o Nathoo Singh,
411, Sunder Vihar,
near Sayed Gaon,
Delhi-41.

3. Satya Pal Singh,
S/o Sh. Laloo Singh,
Sector B/8129,
Vasant Kunj,
New Delhi.

4. Hari Singh,
S/o Sh. Begram Singh,
C/o Sh.R.L. Sethi,
1/61 Sundar Vihar,
New Delhi.

5. Rajinder Kumar,
S/o Sh. Hira Lal,
DDA Colony,
GH-13/988,
G-17 Area,
Delhi-41.

6. Chandan Kumar Barua
S/o Sh. D.L. Barua,
13, Bengali Colony,
Rohtak Road,
Delhi-41.

(By Advocate Sh. Aashish Kalia)

Versus

Union of India - through:

1. The Secretary,
Deptt. of Telecom,

5

Respondents

OA-708-93

OA-486-93

Applicants

Govt. of India,
Sanchar Bhawan,
New Delhi.

2. The Telecom Divisional Engineer,
Moradabad (UP).

... Respondents

(By Advocate Sh. B. Lall)

OA-1655/93

Satyabir Singh
S/o Sh. Harsi,
R/o 18/352 Lodi Colony,
New Delhi.

... Applicant

(By Advocate Mrs. Rani Chhabra)

Versus

1. Union of India,
through its Secretary,
Ministry of Communication,
Department of Telecommunication,
Sanchar Bhawan,
New Delhi.

2. Asstt. Engineer Telecom,
E.10 B Installation,
Muzaffarnagar (U.P.)

... Respondents

(By Advocate Sh. B. Lall)

These applications having been heard on 12th November, 1996, the Tribunal on the same day delivered the following:

ORDER
Chettur Sankaran Nair (J), Chairman

Applicants who are casual labourers in the Postal

Department seek regularisation of services on the

strength of a scheme framed pursuant to directions of the

Supreme Court of India in Brij Kishore & Others vs. Union

of India & Others (Writ Petition No.1041/1988). According

to them they have put in long enough service to qualify

themselves for the benefits under the scheme. The

department however has a contention that the benefits

under the scheme will be available only to those enlisted

prior to 31.3.85. This contention cannot stand in the

light of the orders of the Supreme Court in Daily Wages

Casual labourers employed in the P&T Department Vs. Union

14

of India & Ors. (1988 (1) SCC 122, Ram Gopal Union of India (Writ Petition (C) No.1280/89 decided on April 17, 1990) and Jagrit Mazdoor Union (Regd) & Ors. vs. Mahanagar Telephone Nigam Ltd. & Anr. (1990 Suppl. SCC 113). We find no justification for drawing a line and classifying casual employees into two groups having regard to the spirit in which the scheme was framed and having regard to the orders hereinbefore mentioned.

2. In these circumstances we direct the respondents to consider the claim of applicants for regularisation in terms of the scheme aforesaid irrespective of the date of their enlistment. Applicants may make individual representations setting out the details of their cases before the respective Divisional Engineers under whom they had been working. If such representations are made, the respective Divisional Engineers shall pass speaking orders thereon in terms of the scheme aforesaid and in the light of the decisions aforesaid. This will be done within three months from the date of receipt of the representations.

3. We allow the applications as aforesaid. Parties will suffer their costs.

Dated, 12th November, 1996.

S.P. BISWAS
Member(A)
CHETPUR SANKARAN NAIR(J)

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light of the order of the Supreme Court in Daily Wage