

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.2053/93

NEW DELHI THIS THE 15TH DAY OF FEBRUARY, 1994.

HON'BLE MR.JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)
HON'BLE MR.B.N.DHOUNDIYAL, MEMBER(A)

Narender Singh
S/o Sh.Pyare Lal,
C/o Subhash Chand Patiwala
Katra Sahansah,
Chandni Chowk
Delhi-6

BY ADVOCATE SHRI V.P.SHARMA
vs.

Applicant

1. Union of India through
the Director General
Telecom Dept.Sanchar Bhawan
New Delhi.
2. The General Manager Telecom.
Dept of Telecom,Ambala
3. The Divisional Manager Telecom
Dept.Telcom, Faridabad(Haryana)
4. District Engineer Telecom
Dept.of Telecom Gurgaon

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Respondents

BY ADVOCATE SHRI P.P.KHURANA

ORDER(ORDER)

JUSTICE S.K.DHAON:

The applicant, in substance, prays that his case may be considered in accordance with the Casual Labourers(Grant of Temporary Status and Regularisation) Scheme(the Scheme). This Scheme is applicable to the casual labourers employed in the Deptt. of Telecommunications and it had come into force from 1.10.1989 onwards.

2. It is the applicant's own case that he ceased to be in the employment of the Telecom Department after 30.4.1986. The Scheme clearly provides that temporary status would be conferred on all the casual labourers currently employed and who have rendered continuous service of at least one year out of which they must have been engaged for a period of 240/206 days as the case may be.

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3. In opposition to this OA, Shri P.P.Khurana, learned counsel for the respondents, has advanced three contentions. The first is that the applicant has not been able to demonstrate that he has rendered service to the department for a period of 240 days/206 days as the case may be. This contention does not appear to be well founded as in para 4.2 of the OA, ^{BB} / has given the details of the period during which he has rendered service to the department. He has also annexed a statement, a bare reading of which shows that between the period beginning from June 1985 to the end of April, 1986, the applicant has rendered more than 240 days of service. The second contention is that in any view of the matter, the applicant does not fulfil the requirement of the scheme as he was not currently employed on the date of enforcement of the scheme. This appears to be a sound contention. The applicant, therefore, cannot get any benefit of the scheme as according to his own showing, he was out of employment after 30.4.1986. The last contention advanced is that this is a belated application. It would have been a different matter if we had come to the conclusion that the applicant was entitled to the benefit of the scheme but since we have come to the conclusion that the applicant is not entitled to the benefit of the scheme, this application has to be rejected also on the ground of limitation.

4. It goes without saying that the applicant like any other citizen is

entitled to be considered for engagement as a casual worker along with other competitors if and when the respondents recruit fresh casual workers.

5. In the event, this application has no merit. It is accordingly dismissed ^{with the above observations}. There shall be no order as to costs.

b.d
(B.N.DHOUNDIYAL)
MEMBER(A)

SNS

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