

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.6

Allahabad, this the 17th day of December 2002.

QUORUM : HON. MR. S. DAYAL, A.M.

HON. MR. A.K. BHATNAGAR, J.M.

O. A. No. 856 of 1996

Indronil Roy, aged about 27 years S/O Dr. A.K. Roy, R/O B-3/335, H-4, Shivala, Varanasi..... Applicant.

Counsel for applicant : Sri T. Bhattacharya.

Versus

1. Union of India through Secretary, Ministry of Tourism and Civil Aviation, New Delhi.
2. Director, Department of Tourism, Government of India, Parliament Street, New Delhi.
3. Regional Director (North), Department of Tourism, Government of India, Tourist Office-88 Janpath, New Delhi.
4. O.P. Kortonia, Regional Director of Tourism (North), Department of Tourism, Government of India, Janpath, New Delhi.
5. Manager, Tourism Office, Government of India, 15-B, The Mall, Varanasi..... Respondents.

Counsel for respondents : Km. S. Srivastava.

ORDER

BY HON. MR. S. DAYAL, A.M.

This application has been filed for treating the applicant in service as Information Assistant continuously on regular basis in the office of Tourism, Varanasi. A direction to the Opposite Party is also sought for regularisation of the applicant as Information Assistant in the said office. A further direction is sought for payment of arrears of salary from 16.8.94 to 14.8.95.

2. The case of the applicant is that he was engaged as Information Assistant on 16.8.94. His services were, however, terminated on 14.8.95, ^{allegedly} on account of the pressure heeded by Respondent No.3. He claims that he has been discriminated against as one Sri Bachan Lal was over age at the time of appointment, was continued.

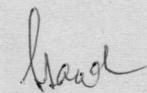
3. We have heard Km. S. Srivastava for respondents. The respondents have stated that the applicant was engaged on daily wages. The post of Information Assistant falls within the purview of Staff Selection Commission and the regular incumbent has to be selected by Staff Selection Commission. The applicant was engaged as a stop gap employee on daily wage basis till the post could be filled up on the regular basis.

4. The respondents have mentioned that Sri Bachan Lal was appointed on ad-hoc basis when he was 29 years and 7 months old and since he belonged to S.C. community, he was given an additional period of five years in maximum age limit as per rules. The said Sri Bachan Lal continued on ad-hoc basis. The respondents have stated that the applicant had become over-aged when he was allowed to work on daily wage basis from 16.8.94 onwards as he was born on 5.12.68 on the basis of his own declaration of age in his bio-data annexed as Annexure CA-4.

5. In view of the fact that the applicant was not engaged through regular process of selection, we dismiss the application with no order as to costs.



J.M.



A.M.

Asthana/