

Order dated: 28.06.2006

Applicant is a Casual Worker at Baranga Railway Station under East Coast Railways and has been working continuously since 1974. He prays for regularisation of his services. This has been strongly contested by the Respondents stating that the work done by the Applicant being part time in nature, to say half an hour in a day, and there being no provision either for conferment of temporary status and for regularization of such part time casual worker, there is no justification to accede to the prayer made by the applicant in this original application.

Heard Ld. Counsel for both the parties and perused the materials placed on record. The applicant has placed no substantive material in support of his prayer for regularization of part time casual workers. That apart, it is seen from the record that the Applicant is now aged about 55 years. The retirement age of Govt. of India employees is 60 years, therefore, it can safely be said that it is too late for the Applicant to make such prayer. In the said premises, the prayer for regularization is rejected.

However, it is an admitted fact that the Applicant is receiving Rs. 50/- per month since 1974. It is curious enough to note that this amount remained un-altered even after 32 years of his continuance. Rs. 50/- per month even for part time casual work for the full month seems to be

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not in accordance with Article 21 of the Constitution of India. Though law does not authorize the Tribunal to prescribe the amount but taking into consideration the inflation and consequential devaluation of money, I refer the matter to the General Manager East Coast Railways to consider and take a policy decision in such cases so that financial distress of such type of casual workers can be mitigated

With the above observation and direction, this O.A. is disposed of. There shall be no order as to costs.

BBT
Member (Admn.)