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O.A.NO.172/2005

ORDER DATED 27.3.2006

The applicant was engaged as Part-time Waterman on and from 1.9.2000. Initially he was being paid Rs.50/- per month which was increased from time to time and at last he was getting only an amount of Rs.64/- per month. Although he has been discharging his duties as Part-time Waterman continuously for more than five years, the Respondent-authorities have failed to take any step either to regularize his service or appoint him in any other Group D post. Therefore, he has filed this O.A. seeking a direction to Respondent-authorities to regularize his service by taking into consideration his seniority or to absorb him in any available Group D post or any other post suitable considering his qualification, eligibility etc.

The Respondents, on the other hand, have filed their reply by stating that the applicant was discharging his duties of a Waterman only for a period of seven minutes per day, and even engaging Waterman there has been a ban from 2002 onwards. He was given only Rs.39/- per month.

On hearing both the sides and on perusal of the grounds on the application as well as the reply, it is seen that the applicant was engaged on part-time basis as Waterman. He was never engaged as a casual labourer. Therefore, the question of his regularization in the above background does not arise. However, as and when his service is required for the purpose of water supply, he can be engaged as Waterman as before and in the meanwhile, if any regular Group D post is advertised, it is open to the applicant to make a prayer for appointment. In that event, the Respondent-authorities after satisfying themselves with regard to the eligibility criteria may consider his application in accordance with the rules.

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With the above observation, the Original Application is dismissed. No costs.

*Benjamin*  
CHAIRMAN

