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**CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR**

Original Application No. 142/2007
with
Misc. Application No. 95/2007

Date of order: 02.08.2007

CORAM:

HON'BLE MR. KULDIP SINGH, VICE CHAIRMAN.
HON'BLE MR. TARSEM LAL, ADMINISTRATIVE MEMBER.

1. Akhlesh S/o Shri Nathu Ram, aged about 35 years, r/o Ward No. 28, Musalman Mohalla, Suratgarh (DOH SGWR).
2. Uma Shankar S/o Shri Muneshwar Choudhary, aged about 31 years, r/o Ashok Vihar Colony, Ward No. 12, Suratgarh.
3. Bablu S/o Shri Munna Lal, aged about 25 years, r/o Near RCP Cement Godown, Ward No. 10, Suratgarh.
4. Ramasheesh S/o Shri Munshi Ram, aged about 25 years, r/o Q. No. 238, RCP Tal colony Ward No. 10, Suratgarh.
5. Phool Chand S/o Shri Kalu Ram, aged about 24 years, r/o Near RCP Cement Godown, Ward No. 10, Suratgarh.
6. Ramesh S/o Shri Munna Lal, aged about 24 years, r/o Near RCP Cement Godown, Ward No. 10, Suratgarh.

All the applicants are presently working as Casual Employee in the Airforce Station, Suratgarh.

...Applicants.
Mr. Manoj Bhandari, counsel for applicants.

VERSUS

1. The Union of India through – the Secretary, Ministry of Defence, Raksha Bhawan, New Delhi.
2. The Air Officer Commanding C/o 56 A.P.O.
3. The Chief Administrative Officer, Air Force Station, Suratgarh.
4. Group Captain, Station Commandant, 35 Wing, Air Force, 56 A.P.O.

...Respondents.
ORDER (Oral)
Per Hon'ble Mr. Kuldip Singh, Vice Chairman

The applicants have filed this Original Application seeking the

following reliefs:

"I. By an appropriate order or direction, the Respondents be directed to confer the temporary status as Group-D employee and grant them minimum of the pay scale in the pay scale of Rs. 2550-3200 w.e.f. Feb. 2000 with all consequential benefits.



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II. By an appropriate order or direction, the respondents be directed to regularise the services of the applicant as Group -D employee against the vacant post existing in the respondent department or may arise in future or may regularise them against any other class-IV post existing in the respondent department looking to their experience and qualification.

III. By an appropriate order or direction, the respondents be directed to grant them temporary status of Group-D employee at least in the minimum of pay scale i.e. Rs. 2550-3200 w.e.f. Feb., 2000 with all consequential benefits including the arrears of salary.

IV. By an appropriate order or direction, the respondents be restrain to terminate the services of the applicants during the pendency of the original application.

V. by an appropriate order or direction, the joint application may kindly be allowed.

VI. Any other appropriate order or direction which this Hon'ble Tribunal may deem fit just and proper in the facts and circumstances of the case may kindly be passed in favour of the applicants."

2. The applicants submitted that they were initially engaged as Casual Labour under the Airforce Station, Suratgarh. They were granted daily wages and till Sept., 2006 they were being paid Rs. 73/- per day. The applicants further submitted that they are working from last almost 7 years and their performance had remained unblemished upto the satisfaction of their employer. The applicants also submitted that a scheme was introduced for conferment of the temporary status by the DOP&T to the persons working on casual basis commonly known as Casual Labour (Grant of Temporary Status and Regularisation) Scheme for Government of India Employees, 1993. This Scheme was also made effective in the Airforce Wing of the Ministry of Defence vide communication dated 14.10.1993. As per the said scheme, an employee who has discharged more than one year of service,



shall be granted temporary status and they would be brought on permanent establishment only after they are selected against Group-D post by regular process of selection. These temporary status employees would be granted wages on daily rated in the minimum pay scale against Group -D post.

3. From the perusal of the records, we find that the applicants made separate representations on 04.12.2006 (Annexure A/5) to the respondents to confer them temporary status. Learned counsel for the applicants submitted that the said representations have not yet been decided. We find that at this stage it would be appropriate to direct the respondents to decide the said representations dated 04.12.2006 (Annexure A/5) and pass a reasoned and speaking order thereon. Accordingly, we dispose of this O.A. with a direction to the respondents to decide the said representations dated 04.12.2006 (Annexure A/5) submitted by the applicants to the respondents by passing a reasoned and speaking order, and for this purpose the present O.A. be also treated as supplementary representation. The respondents shall pass the order within a period of three months from the date of receipt of a copy of this order. After the decision on applicants' above said representation, if any grievance still survives, the applicants would be at liberty to approach this Tribunal, as per law. However, the decision on the representations will not extend the limitation period.



[Tarsem Lal]
Administrative Member

[Kuldip Singh]
Vice Chairman

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