

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 4/99

Tuesday the 5th day of January 1999.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

Smt M.K.Pushpam
Temporary Status Casual Labourer
Office of the Accountant General
Kerala Branch (A & E)
Thrissur - 680 020.

...Applicant.

(By advocate Mr M.Rajagopalan)

Versus

The Accountant General (A & E)
Kerala, Thrivandrum.

...Respondent

(By advocate Mr Govind K.Bharathan)

The application having been heard on 5th January 1999,
the Tribunal on the same day delivered the following:

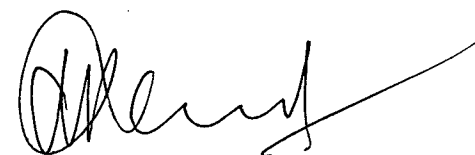
O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The applicant being sponsored by the employment exchange was selected by the Accountant General's Office Staff Recreation Club, Thrissur for appointment as Balasevika in their creche w.e.f.14.8.91. While working there, she made a representation to the Accountant General seeking engagement as a casual labourer and pursuant to that she was engaged as a casual labourer under the AG's office w.e.f. 1.11.93. In accordance with the Scheme for grant of temporary status, the applicant was granted temporary status w.e.f. 1.3.95. Finding that those who got engaged as casual labour in the A.G.'s Office in the year 1991 have since been appointed on posts, Group-D the applicant made representations to the Accountant General to consider her for regularisation, counting the period during which she worked in the creche also as casual service. Finding no response to them, the applicant has filed this application for a direction to the respondent to include the period the applicant worked in the creche as casual labour for the purpose of regularisation, declaring that she is entitled to get her casual labour service w.e.f. 14.8.91 for all further service benefits.

2. I have heard learned counsel of the applicant and the Senior Central Government Standing Counsel for respondent and perused the application and the annexures thereto. The applicant in her representations addressed to the Accountant General (Annexures A-3 & A-4) has very clearly stated that she commenced her casual labour service in the Accountant General's office only w.e.f. 1.11.93. What the applicant claims is that the service rendered by her as Balasevika in the creche attached to the A.G.'s office should also be treated as casual labour service for the purpose of her seniority for regularisation on a Group-D post. I am of the considered view that by no stretch of imagination the applicant is justified to put forth such a claim which has no legal or logical support. Annexure A-1 order by which the applicant was selected and appointed as Balasevika in the creche was issued by the General Secretary of the Accountant General's Office Staff Recreation Club, Thrissur, which is a non-government, non-statutory authority. The Secretary of the AG's Office Staff Recreation Club has no authority to make any appointment or engagement under the Government. The service rendered by the applicant as per A-1 order was only under the Staff Recreation Club and this period cannot be counted for seniority as casual labour under the Government. The application does not merit any further deliberation and, therefore, it is rejected under Section 19 (3) of the Tribunal's Act, 1985.

Dated 5th January 1999.


(A.V. HARIDASAN)
VICE CHAIRMAN

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LIST OF ANNEXURES

1. Annexure A1: True copy of the appointment letter dated 8.8.1991 issued by the General Secretary, Accountant General's Office Staff Recreation Club, Thrissur.
2. Annexure A3: True copy of the representation dated 20.1.1998 submitted to the respondent.
3. Annexure A4: True copy of the representation dated 20.5.98.

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