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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD.

O.As No.968/91, 225/90, 988/90,  
347/91, 510/91, 685/91,  
769/91, 1142/91 & 1156/91.

Date of Judgement

16.10.1992

O.A.No.968/91.

Mrs. Lachamma

.. Applicant

Vs.

1. Union of India, Rep. by the  
Secretary, Dept. of Mines,  
Min. of Steel & Mines, Govt. of India,  
Shastri Bhavan, New Delhi.
2. The Director-General,  
Geological Survey of India,  
27, Jawaharlal Nehru Road,  
Calcutta-700016.
3. The Director, South Zone,  
A.M.S.E.Wing,  
Geological Survey of India, ✓  
Bandlaguda, Hyderabad-660.
4. Sr. Dy. Director-General,  
Geological Survey of India,  
Bandlaguda Complex,  
Bandlaguda, Hyderabad-500660.

.. Respondents

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Counsel for the Applicant : Shri V.Venkateswara Rao

Counsel for the Respondents : Shri N.R.Devaraj, Sr. GSC

O.A.No.225/90.

1. GSI Employees' Association  
(Regd.No.822), Trg. Institute Br.,  
3-6-266, Himayatnagar, Hyd-500029  
Rep. by its General Secretary  
Shri M.S.Raju.
2. Sibu Mahato
3. Janki Mahato
4. Rameshwar Bhuiya
5. Kanhai Mahato
6. Manna Ram
7. Mukhlal Mahato
8. Bharat Mahato

.. Applicants

Vs.

1. Union of India, Rep. by  
Secretary to Government,  
Min. of Steel & Mines, Govt. of India,  
Shastri Bhavan, New Delhi.
2. The Director-General,  
Geological Survey of India,  
4, Chowringhee Lane,  
Calcutta-700016.
3. The Dy. Director-General,  
Geological Survey of India,  
Trg. Institute, 2nd Floor. *Handwritten signature*

4. The Director,  
Geological Survey of India,  
Trg. Institute, Kuju Centre, P.O. Kuju,  
Haarbag Dt., Bihar-825316.

5. Latan Mahto
6. Fate Mahto
7. Lalman Mahto
8. Suresh Mahto
9. Bhagal Mahto
10. Gani Mahto
11. Dila Mahto
12. Sita Mahto
13. Janki Mahto
14. Tukan Mahto
15. Santi Devi

.. Respondents

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Counsel for the Applicants : Shri V.Venkateswara Rao

Counsel for the Respondents : Shri N.R.Devaraj, Sr. CGSC  
Shri K.Anantha Rao (for R5 to R.15)

O.A.No.988/90.

Mohd. Faqeer Pasha

.. Applicant

Vs.

1. Union of India, Rep. by the  
Secretary to Government of India,  
Min. of Steel & Mines, Dept. of Mines,  
New Delhi.

2. The Director-General,  
Geological Survey of India,  
4, Chowringhee Lane,  
Calcutta-700016.

3. The Dy. Director-General,  
Geological Survey of India,  
Bandlaguda, Hyderabad.

.. Respondents

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Counsel for the Applicant : Shri V.Venkateswara Rao

Counsel for the Respondents : Shri N.R.Devaraj, Sr. CGSC

O.A.No.347/91.

1. N.B.Suresh
2. T.Rajesh

.. Applicants

Vs.

1. Union of India, Rep. by its  
Secretary to Government,  
Min. of Steel & Mines, Dept. of Mines,  
Shastri Bhavan, New Delhi-110001.

2. The Director-General, Geological  
Survey of India,  
27, Jawaharlal Nehru Road,  
Calcutta-700013.

3. The Dy. Director-General,  
Geological Survey of India,  
Southern Regional Office,  
Bandlaguda, Hyderabad.

.. Respondents

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Counsel for the Applicants : Shri V.Venkateswara Rao  
Counsel for the Respondents : Shri N.R.Devaraj, Sr. CGSC

O.A.No.510/91.

1. Jaya Kumar
2. Smt. D.Sona Bai
3. Smt. G.Laxamma
4. Smt. Laxamma
5. Smt. E.Nirmala
6. Smt. Sathyamma
7. Smt. Khasim Bee
8. N.Pochaiah

.. Applicants

Vs.

1. Union of India, Rep. by its  
Secretary to Government,  
Min. of Steel & Mines, Dept. of Mines,  
Shastri Bhavan, New Delhi-110001.
2. The Director-General,  
Geological Survey of India,  
27, Jawaharlal Nehru Road,  
Calcutta-700013.
3. The Dy. Director-General,  
Geological Survey of India,  
Southern Regional Office,  
Bandlaguda, Hyderabad.

.. Respondents

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Counsel for the Applicants : Shri V.Venkateswara Rao  
Counsel for the Respondents : Shri N.R.Devaraj, Sr. CGSC

O.A.No.685/91.

1. G.Anjamma
2. K.Satyamma W/o Late V.Somaiah
3. Laxamma
4. B.Durgamma
5. K.Satyamma W/o Late K.Siddaiah
6. Narendra Kumar
7. Jayawanthi
8. M.Sarvaiah
9. Venkatamma

.. Applicants

Vs.

1. Union of India, Rep. by its  
Secretary to Government,  
Min. of Steel & Mines, Dept. of Mines,  
Shastri Bhavan, New Delhi-110001.
2. The Director-General,  
Geological Survey of India,  
27, Jawaharlal Nehru Road,  
Calcutta-700013.
3. The Dy. Director-General,  
Geological Survey of India,  
Southern Regional Office,  
Bandlaguda, Hyderabad.

.. Respondents

Counsel for the Applicants : Shri V.Venkateswara Rao

Counsel for the Respondents : Shri N.R.Devaraj, Sr. CGSC

O.A.No.769/91.

1. Surender
2. Balveer
3. Smt. Ch.Shantha
4. Smt. W.Madhumathi
5. Smt. N.K.Lakshmi
6. G.Gopal

.. Applicants

Vs.

1. Union of India, Rep. by its  
Secretary to Government,  
Min. of Steel & Mines, Dept. of Mines,  
Shastri Bhavan, New Delhi-110001.
2. The Director-General,  
Geological Survey of India,  
27, Jawaharlal Nehru Road,  
Calcutta-700016.
3. The Dy. Director-General,  
Geological Survey of India,  
Southern Regional Office,  
Bandlaguda, Hyderabad-660.

.. Respondents

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Counsel for the Applicants : Shri V.Venkateswara Rao

Counsel for the Respondents : Shri N.V.Ramana, Addl. CGSC

O.A.No.1142/91.

Mrs. Sarada

.. Applicant

Vs.

1. Union of India, Rep. by its  
Secretary to Government,  
Min. of Steel & Mines, Dept. of Mines,  
Shastri Bhavan, New Delhi-110001.
2. The Director-General,  
Geological Survey of India,  
27, Jawaharlal Nehru Road,  
Calcutta-700016.
3. The Director, South Zone,  
A.M.S.E.Wing,  
Geological Survey of India,  
Bandlaguda Complex,  
Hyderabad-500660.
4. Sr. Dy. Director-General,  
Geological Survey of India,  
Southern Regional Office,  
Bandlaguda Complex,  
Bandlaguda, Hyderabad-500660.

.. Respondents

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Counsel for the Applicant : Shri V.Venkateswara Rao

Counsel for the Respondents : Shri N.R.Devaraj, Sr. CGSC

O.A.No.1156/91.

1. M.Ramachandrappa
2. G.Ayyanna

Vs.

.. Applicants

1. Union of India, Rep. by  
Secretary to the Govt. of India,  
Dept. of Mines, Min. of Mines,  
New Delhi.
2. The Director-General,  
Geological Survey of India,  
27, Jawaharlal Nehru Road,  
Calcutta-700016.
3. Sr. Dy. Director-General,  
Southern Region,  
Geological Survey of India,  
Bandlaguda Complex-500660.
4. The Director-in-charge,  
Operations, Andhra Pradesh,  
Geological Survey of India,  
Bandlaguda Complex,  
Bandlaguda, Hyderabad-500660.

.. Respondents

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Counsel for the Applicants : Shri V.Venkateswara Rao  
Counsel for the Respondents : Shri N.V.Ramana, Addl. CGSC

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C O R A M

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri C.J.Roy : Member(J)

[ Judgement as per Hon'ble Shri R.Balasubramanian, Member(A) ]

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These applications have been filed with a common prayer  
that where the services are disengaged they should be re-engaged  
and also for regularisation of the services and for payment  
rates indicated in the Dept. of Personnel & Training  
No.49014/2/86-Estt(C) dt. 7.6.88 till such time as  
they are regularised.

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all respondents have more than 240 days of  
any one year and claim eligibility for regularisation.  
In the case that in the light of several judgements  
of the Hon'ble Supreme Court they are entitled to  
and in any case till regularisation, payment  
should be made in the Dept. of Personnel & Training letter  
should be made. It is also their case that

where breaks are given by the respondents, such breaks are only artificial.

3. Except in O.As No.968/91 and 1156/91 the respondents have filed counters.

4. We heard the rival sides on 23.9.92. At the time of hearing, the learned counsel for the applicants furnished a copy of the judgement of the Principal Bench of this Tribunal reported in I(1992) CSJ (CAT) 201 (PB). It is his case that the judgement covers the cases before us also. On the other hand, the learned counsel for the respondents contended that the applicants are not casual employees but are engaged only on contingent basis and are not eligible for regularisation.

5. We have examined the cases and also the judgement of the Principal Bench. We find that all the applicants have put in too long a service to be considered contingent. We find that they are entitled to the benefits contained in the judgement of the Principal Bench. In the judgement of the Principal Bench there is also a reference to the O.M. dt. 8.4.91 issued by the Dept. of Personnel & Training with reference to their letter dt. 7.6.88. Hence, following the judgement of the Principal Bench in similar cases and also keeping the Dept. of Personnel & Training letter dt. 7.6.88 in view we give the following directions to the respondents.

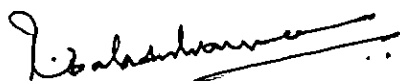
(a) To consider regularisation of the applicants in accordance with what is stated in the Dept. of Personnel & Training letter dt. 7.6.88 followed by their O.M. dt. 8.4.91. Such regularisation is to be limited to the extent regular posts are justified.

(b) The rest of the casual workers not covered by (a) above and whose retention is considered absolutely necessary and is in accordance with the guidelines indicated in the letter dt. 7.6.88 of the Dept. of Personnel & Training, may be retained as casual workers, and paid at the rates indicated therein. 7

(c) The remaining casual workers not covered by (a) and (b) above may be discharged from service.


(d) The respondents are directed not to induct fresh recruits overlooking the claims of the applicants.

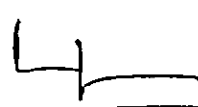
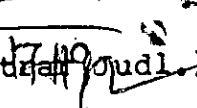
6. The applications are disposed of thus with no order as to costs.



( R. Balasubramanian )  
Member (A).

  
( C. J. Roy )  
Member (J).

  
Dated: 16<sup>th</sup> October, 1992.

  
Deputy Registrar 

Copy to:-

1. Secretary to Government of India, Ministry of Steel & Mines, Department of Mines, Union of India, New Delhi.
2. The Director-General, Geological Survey of India, 4 Chowringhee lane, Calcutta-16.
3. The Dy. Director General, Geological Survey of India, Bandlaguda, Hyderabad.
4. ~~Sr. Dy. Director, south Zone, Geological Survey of India, Bandlaguda Complex, Bandlaguda, Hyderabad-500660.~~
5. The Director General, Geological Survey of India, 27, Jawaharlal Nehru road, Calcutta-16.
6. ~~The Director, South Zone, A.M.S.E. Wing, Geological Survey of India, Bundlaguda, Hyderabad.~~
7. The Deputy Director-General, Geological Survey of India, Training Institute, 2nd floor, Chandra vihar building, M.J. Road, Hyderabad.
8. The Director, Geological Survey of India, Training Institute, Kuja Centre, P.O. Kuju, Haarbagg District, Bihar-16.
9. The Deputy Director General, Geological Survey of India, Southern Regional Office, Bandlaguda, Hyd.
10. The Director-in-Charge, Operations, A.P., Geological Survey of India, Bandlaguda Complex, Bandlaguda, Hyd-60.
11. One copy to Sri. V. Venkateswara Rao, advocate, CAT, Hyd.
12. One copy to Sri. N.R. Dveeraj, Sr. CGSC, CAT, Hyd.
13. One copy to Sri. K. Anantha Rao (for R-5 to R-15), CAT, Hyd.
14. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
15. One spare copy.

Rsm/-

O.A. 962791, 225790, 982790,  
347191, 516191, 685791, 764191,  
1142191 & 1156191.

TYPED BY WJS COMPARED BY  
CHECKED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:  
M(JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 16/10/1992

ORDER/JUDGMENT:

R.A. / C.A. / M.A. No

in

O.A. No.

968191 & 1 sub C

T.A. No.

(wp. No)

Admitted and interim directions  
issued.

Allowed

☒ Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

☒ No orders as to costs.

pvm

