

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD  
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O.A. No. 1569/93.

Dt. of Decision : 19.7.94.

Mr. N. Ranga Rao

.. Applicant.

Vs.

1. The Chief General Manager  
Telecommunications,  
Andhra Circle, Hyderabad-1.

2. The District Telecom Engineer,  
Khammam.

3. The Sub-Divisional Officer,  
Telephones, Khammam.

.. Respondents.

Counsel for the Applicant : Mr. J.V. Lakshmana Rao

Counsel for the Respondents : Mr. V. Bhimanna, Addl.CGSC.

CORAM:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

THE HON'BLE SHRI A.B. GORTHY : MEMBER (ADMN.)

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O.A.No.1569/93

X As per Hon'ble Shri A.B.Gorthi, Member (Admn.) X

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In this application the prayer of the applicant is for a direction to the respondents to confer upon him the temporary status in view of the fact that he had been engaged for more than 240 days continuously as a casual mazdoor under Respondent No.3, i.e., The Sub Divisional Officer, Telephones, Khammam.

2. In the application it is stated that the applicant was initially engaged as a casual mazdoor under the Sub Divisional Officer, Telephones, Khammam w.e.f. 1.4.89. It is further stated that the applicant had worked more than 240 days continuously in the year 1986-1987. Thereafter the applicant was not engaged during the period 1991-1992. However it is now stated that the applicant has since been engaged in January 1993 and is continuing to work as casual mazdoor ever since that date.

3. Mr.J.V.Lakshmana Rao, learned counsel for the applicant has drawn our attention to O.M.No. 51016/2/90-Estt. (C), dated 10.9.1993 of the Ministry of Personnel, P.G. and Pensions (Department of Personnel and Training) on the subject of grant of temporary status and regularisation of casual workers. Vide O.M. a scheme called the Casual Mazdoors (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993 was introduced w.e.f. 1.9.93. According to that, casual mazdoors working

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for more than 240 days continuously in a year would be entitled to temporary status.

4. The respondent's counsel Mr.V.Bhimanna has contended that in view of the fact that the applicant on his own volition <sup>stayed</sup> away from the work during the period 1991 and 1992 he will not be entitled to the benefit of his previous service as a casual mazdoor. There is substance in the contention of the respondents counsel.

5. There is no dispute that the applicant working as a casual mazdoor under the Sub Divisional Officer, Telephones, Khammam. Accordingly he will be entitled to the benefit of the scheme which was introduced w.e.f. 1.9.1993. In view of this undisputed position of the case, we dispose of the OA with a direction to the respondents to consider the case of the applicant for grant of temporary status in accordance with para '4' of the Casual Mazdoors (Grant of Temporary Status and Regularisation) Scheme, 1993.

6. The O.A. is disposed of accordingly

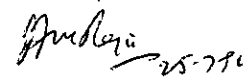
  
(A.B.GORTHI)  
Member (Admn.)

  
(A.V.HARIDASAN)  
Member (Judl.)

Dated: 19th July, 1994

( Dictated in Open Court )

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DEPUTY REGISTRAR(J)

3rd P.  
P/s

contd...