

58

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION No.1313/96

DATE OF ORDER : 03-07-1997.

Between :-

M.Srinivas

.. Applicant

And

1. The Commissioner of Customs & Central Excise, Lal Bahadur Stadium, Basheerbagh, Hyderabad-29.
2. The Asst.Commissioner of Central Excise, Division IX, Ponet Bhavan, Ramkot, Hyderabad.
3. Union of India rep. by its Secretary, M/o Personnel, Public Grievances & Pensions (Dept of Personnel & Training), New Delhi.

.. Respondents

-- -- --

Counsel for the Applicant : Shri P.P.Vittal

Counsel for the Respondents : Shri V.Rajeshwar Rao, CGSC

-- -- --

CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

-- -- --



... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

-- -- --

Heard Sri P.P.Vittal, counsel for the applicant and Sri V.Rajeshwar Rao, standing counsel for the respondents.

2. The applicant in this OA was initially engaged as a daily rated casual worker for performing duties of Sweeper in Bonthapalli Range Division-VII of the Central Excise Department at Hyderabad on 18-7-91 at Rs.8/- per day. The fact that the applicant was working from 18-7-91 as full time casual labourer is evident from the letter dt.19-12-97 (Annexure A-1 to OA). The applicant filed representation requesting for grant of temporary status by his letter dt.14-6-96, which was rejected by the impugned order No.C/II/31/17/95-ES-5 dt.27-9-96 (Annexure-5 to the OA).

3. This O.A. is filed praying for a direction to set aside the impugned letter dt.27-9-96 and consequently to grant him the temporary status with effect from 1-9-93, the date when the casual labourers (Temporary Status & Regularisation) Scheme came into force.

4. It is an admitted fact that the applicant is a full time casual labourer. The contentions of both sides and the prayer in this OA are similar to the one submitted in OA 404/96. In view of the reasons given in OA 404/96, which is disposed of today, ~~In view of reasons given in OA 404/96~~ this O.A. is also to be allowed for the same reasons.

5. In the result, the impugned letter No.C/II/31/17/95-ES-5 dt.27-9-96 is set aside. The applicant should be given

66
granted temporary status in accordance with the scheme promulgated by office memorandum No.51016/2/90-Estt (C) dt.10-9-93 and the consequential benefits on that basis should also be granted to him within 3 months from the date of receipt of a copy of this order.

6. The O.A. is ordered accordingly. No costs.


(R.R. ANGARAJAN)
Member (A)


D.Y. Registrar (341)

Dated: 3rd July, 1997.
Dictated in Open Court.

av1/

Copy to:-

1. The Commissioner of Customs & Central Excise, Lal Bahadur stadium, Basheerbagh, Hyd.
2. The Asst. Commissioner of Central Excise, Division IX, Ponet Bhavan, Ramkote, Hyd.
3. The Secretary, M/o Personnel, Public Grievance & Pensions Dept of Personnel & Training, Union of India, New Delhi.
4. One copy to Sri. P.P.Vittal, advocate, CAT, Hyd.
5. One copy to Sri. V.Rajeswara Rao, Addl. CGSC, CAT, Hyd.
6. One copy to Deputy Registrar(A), CAT, Hyd.
7. One spare copy.

Rsm/-

24/7/97

60

THE TRIBUNAL

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M
(J)

DATED

3/7/97

ORDER/JUDGEMENT

M.A./R.A/C.A.NO:

D.A.NO. 1313/96

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

केंद्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
DESPATCH

21 JUL 1997