

(5)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A. 566 /97

Date of decision: 1.5.97

Between:

- | | |
|---------------------|---------------------|
| 1. P.Venkat Rao | 26. P.Amrutha |
| 2. K.Mariyamma | 27. M. Lakshmi |
| 3. K.Anjaiah | 28. L.Chandramma |
| 4. R.Narasimha | 29. B.Premdas |
| 5. B.Rajaiah | 30. G.Satyanarayana |
| 6. G.Devemma | 31. B.Veerawamy |
| 7. MC Kistaiah | 32. B.Ratnar |
| 8. D.Ramulu | 33. Md. Sudath |
| 9. M.Satyanarayana | 34. T.Srinivas |
| 10. V.Yadamma | 35. E.Yadamma |
| 11. M.Ganesh Kumar | 36. S.Laxamma |
| 12. C.Venkatesham | 37. G.Ramulu |
| 13. G.D.Babaiah | 38. M.Laxamma |
| 14. D.Srisailam | 39. J.Premeela |
| 15. B.Ratanaiah | 40. P.Venkatesh |
| 16. L.Narasima | 41. P.Yadaiah |
| 17. K.Satyanarayana | 42. G.Ramulu |
| 18. K.Narasimha | 43. K.Satyanarayana |
| 19. K.Samson | 44. M.Sarada |
| 20. K.Shamulu | 45. B.Raju |
| 21. S.Narasimha | 46. S.Srinivas |
| 22. V.Lakshmi | 47. B.Ashok |
| 23. K.Andalu | 48. M.D.Nurjahan |
| 24. N.Krishna | 49. M.Yadagiri |
| 25. M.S.Ravi | |

...Applicants

And

1. Director,
National Academy of Agricultural
Research (NAARM),
Rajendra Nagar, RR District.
2. Chief Administrative Officer,
NAARM, RR District.
3. Director General,
I.C.A.R.,
Krishi Bhavan, New Delhi.

.... Respondents

Shri L.Prabhakar Reddy

... Counsel for applicant

Shri Vinod Kumar, ACGSC

... Counsel for respondents

CORAM

HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE)

(57)

Heard Shri Prabhakar Reddy for the applicant and Shri Vinod Kumar, ACGSC, for the respondents.

2. 49 applicants have joined together in this OA with a common prayer to direct the respondents to implement the provisions of OM No. 49014/2/86-Estt.(C) dated 7th June 1988 issued by the Department of Personnel & Training in the Ministry of Personnel, Public Grievance & Pensions, regarding recruitment of casual workers and persons on daily wages, and OM No. 51016/2/90-Estt.(C) issued by the same Department/Ministry on 10th September, 1993, regarding grant of temporary status and regularisation of casual workers and confer upon them temporary status as envisaged in the above said OMs.

3. The applicants claim that they have put in nearly 20 years of service as casual labourers without break and are therefore entitled to consideration for conferment of temporary status in accordance with the scheme approved by the Government and adopted by ICAR of which the respondent organisation (NAARM) is a constituent subordinate unit. The correctness of the details of the service rendered by the applicants cannot be verified since they have not annexed any documents to authenticate their claim.

4. Shri Vinod Kumar, learned ACGSC submitted on instructions that the Director, NAARM has urgently taken up with the ICAR the question of creating adequate number of Group D posts to facilitate the regularisation of services of casual workers such as the present applicants. According to Shri Vinod Kumar, this proposal was submitted

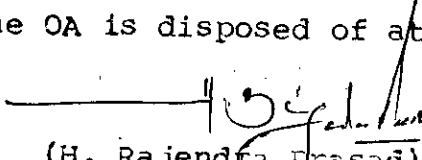
[Signature]

despite the fact that none of the casual workers who are employed by NAARM had put in more than 200 days in any one calendar year whereas the minimum requirement in this regard is 240 days. The claim of the applicants as regards the length and continuity of service rendered by them, as also their eligibility ~~to~~ under the approved scheme, therefore, need to be scrutinised for accuracy of detail and ^{for} determining their eligibility in this regard.

5. The effort of the respondent organisation appears to be for creation of posts to enable eligible casual workers for being absorbed on a regular basis, whereas the applicants in this OA are merely praying for conferment of temporary status. Going by the ~~the~~ efforts that are being made by NAARM to absorb such workers on regular basis, it is possible to infer that granting them a lesser concession, viz., conferment of temporary status, should not be difficult of acceptance.

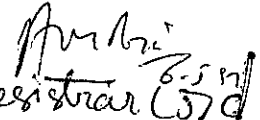
6. In the light of the submissions made and averments contained in the OA, it is directed that the respondents shall, in the first instance, examine the request of the present applicants and determine whether they can be conferred the status as requested by them. That would adequately cover the prayer and reliefs claimed in this OA. The case may be examined within 90 days from the date of receipt of a copy of this order.

Thus the OA is disposed of at the admission stage.


(H. Rajendra Prasad)
Member (Admve.)

1st May, 1997

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Deputy Registrar (57d)

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O.A.566/97

To

1. The Director,
National Academy of Agricultural Research
(NAARMO, Rajendra Nagar, RR Dist.
2. The Chief Administrative Officer,
NAARM, RR Dist.
3. The Director General I.C.A.R. Krishi Bhavan,
New Delhi.
4. One copy to Mr.L.Prabhakar Reddy, Advocate, CAT.Hyd.
5. One copy to Mr. V.Vinod Kumar, Addl.CGSC. CAT.Hyd.
6. One copy to Hon'ble Member(Admn.) CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

pvm

SPH
9/6/97

P. L. S.

T. COURT

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CHECKED BY

COMPILED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE
VICE-CHAIRMAN

and

THE HON'BLE MR. H. RAJENDRA PRASAD M.A.

Dated: 1 - 5 - 1997

ORDER/JUDGMENT

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

in

O.A.No.

566/97.

T.A.No.

(w.p.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
दस्तावेज/DESPATCH
- 9 MAY 1997
हदराबाद न्यायपीठ
HYDERABAD BENCH