

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.93/93

Dt. of order: 8.5.1995

Suresh Kumar & Ors.

: Applicants

Vs.

Union of India & Anr.

: Respondents

Mr.A.K.Soni

: Counsel for applicants

Mr.V.S.Gurjar

: Counsel for respondents

CORAM:

Hon'ble Mr.O.P.Sharma, Member(Adm.)

Hon'ble Mr.Patan Prakash, Member(Judl.)

PER HON'BLE MR.O.P.SHARMA, MEMBER(ADM.).

In this application under Sec.19 of the Administrative Tribunals Act, 1985, applicants S.Chri Suresh Kumar, Gopal Singh Gujar, Dugar Singh, Shambhu Kumar Sharma, Miss Seema Jaidi, Anil Kumar, Jagan Singh, Narendra Singh, Mr.Masum and Madan Lal have prayed that the respondents may be directed to grant them the pay scale of Group-C Rs.950-1500 and of Group-D Rs.750-940 respectively on the basis of the work assigned to them by the respondents with arrears, the respondents may be restrained from terminating their services and they may be directed to regularise their services by framing a policy for such regularisation in view of the judgments of the Hon'ble Supreme Court and of the Tribunal.

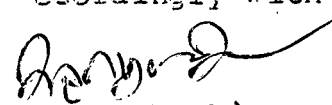
2. All the above mentioned 10 applicants are working in the office of the Passport Officer, Jaipur as casual workers and are being paid Rs.45.73 per day for the days on which they actually perform their duties. The monthly payment to them is Rs.1372/- per month. All the applicants are qualified for the post that they are holding and are eligible for regularisation/appointment on the posts which they are holding. They have been deprived of regularisation as well as equal pay for equal work and are not being paid the scale of pay available to Group-D/Group-C employees. The New Delhi Bench of the Tribunal had decided O.A.No.1615/91 by order dated 31.8.'92 (Annx.A5) by which similarly situated 35 casual workers working in the Regional Passport Office, New Delhi were ordered to be considered for regularisation in accordance with the scheme framed by the Department of Personnel & Training, Govt. of India. The

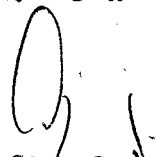
benefit of the said scheme and of the judgment of the Tribunal should be extended to the applicants as well.

3. The respondents in their reply have stated that there are no regular vacancies in the grade for which the applicants are seeking regularisation. Their engagement in various sections of the Passport Office is for attending to non-classified work in these Sections and their duties are confined to those of casual staff. They have added that there is however no proposal at present to terminate their services. They are being paid wages as admissible from time to time and as laid down by the Department of Personnel and Training, Govt. of India w.e.f. 7.6.1988. The applicants have been working in the office of the respondents with usual breaks in service every 3 months.

4. We have heard the learned counsel for the parties and have gone through the records. By order dated 18.2.1993, the Tribunal had directed the respondents to maintain status quo with regard to the termination of services of the applicants. The applicants are continuing in service and the respondents have stated in the reply that at present there ^{is} ~~are~~ no intention to terminate the services of the applicants.

5. The learned counsel for the applicants stated during the arguments that the applicants were at present interested in only one relief namely consideration for regularisation in accordance with the Scheme Annex.A6 filed alongwith the rejoinder of the applicants and to which reference has also been made by the Principal Bench in its judgment Annex.A5. After hearing the counsel for the parties, we direct that the cases of the applicants shall be considered for regularisation in Group-D and consequential reliefs in accordance with the Scheme laid down under Annex.A6 shall be granted to them in accordance with their eligibility. Claim for any other reliefs has not been pressed by the learned counsel for the applicants at this stage. The O.A. stands disposed of accordingly with no order as to costs.


(Ratan Prakash)
Member (Judl.).


(O.P. Sharma)
Member (Adm.)