

DATE OF ORDER: 10.11.1997.

1. O.A. No. 193/1997

Arjun Lal Meena S/o Shri Gopal Lal, by caste Meena, aged about 31 years, resident of Jaipur, presently working as Gardner, in the office of Chief Post Master General, Rajasthan Circle, Jaipur-7.

: Applicant

Versus

1. Union of India through the Secretary to the Government of India, Department of Posts, Ministry of Communications, Dak Bhawan, New Delhi.

2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.

3. Senior Supdt. Post Offices, Jaipur City Division, Jaipur-6.

4. Senior Post Master, Jaipur General Post Office, Jaipur.

: Respondents

2. O.A. No. 208/1997

Satya Narain Sharma S/o Shri Radha Kishan, by caste Brahmin, aged about 31 years, resident of Jaipur, presently working as Gardner in the office of Chief Post Master General, Rajasthan Circle, Jaipur.

: Applicant

Versus

1. Union of India through the Secretary to the Government of India, Department of Posts, Ministry of Communication, Dak Bhawan, New Delhi.

2. Chief Post Master General, Rajasthan Circle, Jaipur-7.

3. Senior Supdt. Post Offices, Jaipur City Division, Jaipur-6.

4. Senior Post Master, Jaipur General Post Office, Jaipur.

: Respondents

3. O.A. No. 209/1997

Mangla Ram Verma S/o Shri Mool Chand, aged about 35 years, resident of Jaipur, presently working on the post of Gardner, in the office of Chief Post Master General, Rajasthan Circle Jaipur-7.

: Applicant

Versus

1. Union of India through the Secretary to the Government of India, Department of Posts, Ministry of Communications, Dak Bhawan, New Delhi.

2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.

3. Senior Supdt. Post Offices, Jaipur City Division, Jaipur-6.

4. Senior Post Master, Jaipur General Post Office, Jaipur.

: Respondents

Mr. P.N. Jati, counsel for the applicants
Mr. K.N. Shrimal, counsel for the respondents

CORAM:

HON'BLE SHRI O.P.SHARMA, MEMBER (ADMINISTRATIVE)
HON'BLE SHRI RATAN PRAKASH, MEMBER (JUDICIAL)

O-R-D-E-R

PEP-HON'BLE-SHRI-O.P.SHARMA, MEMBER (ADMINISTRATIVE)

The above mentioned three O.A.s., have been filed by S/Shri Arjun Lal Meena, Satya Narain Sharma and Mangla Ram Verma in which the facts and the prayers for relief are more or less identical. These three original applications are, therefore, disposed of by this common order.

2. All the three applicants who are working in the office of respondent No.2 as Casual Labour have prayed that the respondents may be directed to grant Temporary Status to them w.e.f. 29.11.1989. Their claim is that they have performed duty for more than 240 days, 8 hours per day for the years during which they have been working as casual labour. S/Shri Arjun Lal Meena, Satya Narain Sharma and Mangla Ram Verma claim to have been engaged respectively from 3.2.1986, 18.11.1985 and 2.2.1986. They are being paid on the basis of the regular pay scale of Group 'D' employees. The Department of Posts introduced scheme of granting temporary status to casual labours vide their letter/memorandum dated 12.4.1991 and 1.11.1995 (Annex.A-5 & A-6) respectively. The temporary status

was to be granted to those casual labours who were in employment of the Government as on 29.11.1989. The applicants fulfilled the conditions regarding grant of temporary status to them. They have been submitting representations to the respondents for grant of temporary status in accordance with the schemes referred to above. In particular S/Shri Arjun Lal Meena and Satya Narain Sharma have submitted their representations dated 7.3.1996, which are at Annexures A-8 of their OAs and Shri Mangla Ram has submitted a representation dated 25.4.1996 which is also at Annexure A-8 of his O.A. Respondents have not yet taken any decision in spite of the applicants having submitted representations in this regard. One Shri Babu Lal Sharma, a person junior to the applicants ^{has} been granted temporary status w.e.f. 1.9.1993 vide order dated 6.11.1996 (Annx. A'1) which has been passed by respondent No.2 after Shri Babu Lal Sharma had filed an OA No.61/96 which was disposed of by the Tribunal by order dated 31.1.1996 by which the respondents were directed to dispose of the applicant's representation in this regard within a period of two months. They have, therefore, prayed that since they fulfil all the conditions for grant of temporary status it may be conferred on them in the same manner in which it was conferred on Shri Babu Lal Sharma.

3. The respondents have filed replies to the OAs, in which they have stated interalia, that the representations referred to by the applicants in their OAs and annexed thereto have actually not been received by them.

4. We have heard the learned counsel for the parties and have perused the material on record.

5. Even if the representations made by the applicants have not been received by the respondents, copies thereof are now available with the QAs filed by them. In the circumstances of the present case and after hearing the learned counsel for the parties, we direct the respondent No.2 the Chief Post Master General, Rajasthan Circle, Jaipur to dispose of the representations made by the applicants which are at Annexures A-8 of their QAs, on merits dealing with all the points raised therein within a period of two months from the date of receipt of a copy of this order. While disposing of the representations, the respondent No.2 shall keep in view the schemes at Annexures A/5 & A/6 regarding grant of temporary status to casual labours.

6. The Original applications stand disposed of accordingly. No order as to costs. A copy each of this order shall be kept in respective files of the original applications filed by the applicants.

(RATAN PRAKASH)
JUDICIAL MEMBER

(O.P.SHARMA)
ADMINISTRATIVE MEMBER

14/11/17
MSH
Ranawat 28/11/17
25.11.17 K.N. SHRI H.D.Z