

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 100

of 1997

DATE OF DECISION.....24-3-1999.

Shri D.Barman & Ors.

(PETITIONER(S))

Mr.J.L.Sarkar & Mr.M.Chanda

ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

Union of India & Ors.

RESPONDENT(S)

Mr.A.Deb Roy, S r.C.G.S.C.

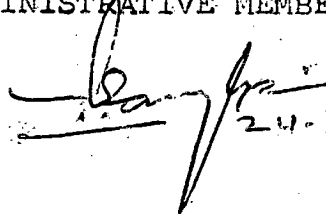
ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE MR.JUSTICE D.N.BARUAH, VICE-CHAIRMAN

THE HON'BLE MR.G.L.SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble ADMINISTRATIVE MEMBER


24-3-99

9

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.100 of 1997

Date of Order: This the 24th Day of March 1999

HON'BLE MR.JUSTICE D.N.BARUAH, VICE-CHAIRMAN
HON'BLE MR.G.L.SANGLYINE, ADMINISTRATIVE MEMBER

1. Shri Dk Balmaha & Ors. Das & Ors.

Department of Telecommunication,
Office of the Telecom District Manager,
Guwahati.

... Applicants

By Advocate Mr.J.L.Sarkar & Mr.M.^Chanda

-Vs-

1. Union of India
through the Secretary to the Govt of India,
Ministry of Communications,
Department of Telecommunications
New Delhi.
 2. The Chief General Manager, Telecom
Assam Circle,
Department of Telecommunications
Guwahati.
 3. Telecom District Manager,
Deptt. of Telecommunications,
Guwahati.
- Respondents.

By Advocate Mr.A.^Deb Roy, Sr.C.G.S.C.

O R D E R.

SANGLYINE, MEMBER(A):

This application has been submitted by 85 Casual employees of the department of Telecommunication at Guwahati. They have prayed for permission to file this application jointly. Permission is granted.

According to the applicants, they were recruited by the department as Casual Mazdoor from 1989 to 1991 through Employment Exchange. They were in service till the date of Submission of the application. According to them they are entitled to be granted temporary status in terms of the provisions of the Casual Labourers Grant of Temporary Status and Regularisation Scheme of 1989. Since 1993 the respon-

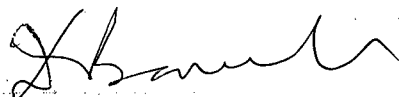
10

to them. However, no decision has been taken to by the respondents to grant temporary status to the applicants. As a result the applicants are deprived of many rights and facilities. The applicants submitted representation dated 4-1-97 praying for granting of temporary status among other prayers. The respondents however did not response to the representation submitted by the applicants. Therefore, the applicants have submitted this application. The application was admitted. But no wirtten statement has been submitted by the respondents though they were granted several adjournments for filing of the written statement. Application was listed for hearing without the written statement. Adjournment was sought for by the respondents.

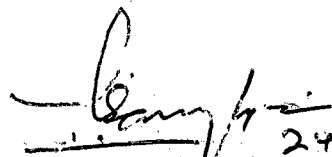
We have heard learned S^r.C.G.S.C. and the learned counsel for the applicant.

In the absence of any facts furnished by the respondents we feel that it is not possible for this Tribunal to come to any findings on the contentions of the applicants. As such we are of view that the matter is to be considered by the respondents. For this purpose we direct that the each applicant submit a representation to the competent authority of the respondents within one month from the date of receipt of this order. Further we direct that on receipt of the representation, respondents shall consider each case according to its facts and communicate a speaking order to the applicant^{concerned} within three months from the date of receipt of the representation. We direct that till the representation is disposed of the service of the applicant concerned shall not be disturbed by the respondents.

Application is disposed of. No order as to costs.



(D.N. BARUAH)
VICE-CHAIRMAN



(G.L. SANGLYINE)
ADMINISTRATIVE MEMBER

24.3.99

LM