

**Central Administrative Tribunal  
Madras Bench**

**OA 310/01734/2016**

**Dated the 20<sup>th</sup> day of December Two Thousand Eighteen**

**P R E S E N T**

**Hon'ble Mr. R.Ramanujam, Member(A)**

1. R. Thangaiah  
Casual Labour with Temporary Status  
Central Excise, Tirunelveli Division  
Tirunelveli.

2. P. Murugesan  
Casual Labour with Temporary Status  
Central Excise, Sivakasi Division  
Tirunelveli Commissionerate  
Tirunelveli.

3. M. Ganesan  
Casual Labour with Temporary Status  
Central Excise, Tirunelveli Division  
Tirunelveli.

.. Applicants

By Advocate **M/s. V. Raghavachari**

**Vs.**

1. The Union of India rep. by  
The Secretary  
Ministry of Finance  
Department of Revenue, CBEC  
North Block, New Delhi.

2. The Chairman  
Central Board of Excise and Customs  
North Block, Department of Revenue

Ministry of Finance, Government of India  
New Delhi.

3. The Chief Commissioner of Central Excise  
Chennai.

4. B.V.V.T. Prasath Naik  
The Commissioner of Central Excise  
Tirunelveli.

.. Respondents

**By Advocate Mr. K. Umesh Rao**

**ORAL ORDER**

Pronounced by Hon'ble Mr. R. Ramanujam, Member(A)

Heard. The applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To direct the respondents to regularise the service of applicants and to grant the benefits due to regular service and from the date 10.09.1993 pass such further or other orders”

2. Although the OA was filed on 16.11.2016, proof of service filed on 13.3.2017 and a memo was filed on behalf of the respondents on 7.4.2017, no reply has been filed so far.

3. Learned counsel for the applicants would submit that the applicants joined service before 1990 as Sweepers and Scavengers. By an order dated 13.01.1994, they were appointed as temporary staff retrospectively w.e.f. 01.09.1993. The applicants have been working as temporary staff till date but their services had not been regularised. The applicants filed Annexures A14, A15 and A16 representations seeking to be allowed to contribute to the GPF as they had completed 3 years of service from the date of their temporary appointment. The second applicant made a further representation for regularisation on 05.08.2016 which also remained pending with the respondents. As the applicants had a legal right to be regularised and be covered by the CCS (Pension) Rules 1972, this OA has been filed seeking the

aforesaid relief, it is submitted.

4. Mr. K. Umesh Rao appearing for the respondents submits that the respondents would have no objection to pass a reasoned and speaking order, if so directed by the Tribunal.

5. In view of the above submissions, this OA is disposed of with a direction to the respondents to consider the aforesaid representations of the applicants in accordance with law and the relevant scheme of regularisation of Casual Labourers as amended from time to time and pass a reasoned and speaking order on the claim of the applicants within a period of two months from the date of receipt of a copy of this order.

6. OA is disposed of as above. No costs.

**(R. Ramanujam)**  
**Member (A)**  
**20.12.2018**

AS