

**CENTRAL ADMINISTRATIVE TRIBUNAL,**  
**ERNAKULAM BENCH**

**Original Application No. 181/00031/2015**

**Tuesday, this the 12<sup>th</sup> day of March, 2019**

**CORAM:**

**Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member**  
**Hon'ble Mr. Ashish Kalia, Judicial Member**

1. Hajaromma, D/o Andari, aged 55  
Kaliammakada  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556
2. Hajara, W/o.Late Ukkas.B.C, aged 49  
Samsariakkal  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556
3. Sailanabi, W/o.Sainul Abid.C.N  
aged 40, Puthiyamoolachetta House  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556
4. Subhanabi.P.O, D/o.Kidavu  
Aged 46, Puthanpura House  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556
5. Sulekhabi, D/o.Saidukoya  
Aged 45, Lankioda House  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556
6. Nafeesath R.P, W/o.Kasim  
aged 42, Rabiypura House  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556
7. Soudabi, W/o.Nallakoya  
Aged 49, Ponthinoda House  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556

8. Kunhimol, W/o Yusuf  
aged 40, Cheriya House  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556
  9. Attabi T.P, D/o.Kunhikoya  
aged 41, Thiruvathapura House  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556
  10. Aminabi, W/o.Cheriyakoya  
Aged 49, Pallikkilam House  
Kadamath Island, Union Territory of Lakshadweep  
Pin -682 556
  11. Nafeesa, W/o.Ashraf  
Aged 46, Keelacherry House  
Kadamath Island, Union Territory of Lakshadweep  
Pin – 682 556
- ..... **Applicants**

**(By Advocate : Mr. Aashique Akthar Hajjigothi for Applicant nos.1-6 & 8-11)**

**V e r s u s**

1. Union Territory of Lakshadweep  
Represented by its Administrator  
Administration of Union Territory of Lakshadweep  
Secretariat, Kavaratti -682 555
  2. The Director of Industries  
Administration of Union Territory of Lakshadweep  
Secretariat, Kavaratti – 682 555
  3. The Director of Panchayaths  
Administration of Union Territory of Lakshadweep  
Secretariat, Kavaratti 682 555
  4. The Supervisor  
The Coir Production Centre  
Kadamat, Pin
  5. Union of India represented by its Secretary to  
Ministry of Home Affairs  
North Block  
Central Secretariat  
New Delhi-110 001
- ..... **Respondents**

**(By Advocate : Mr. S. Manu for R 1-4 & Mr.Sinu G Nath,ACGSC for R5)**

This application having been heard on 12.03.2019 the Tribunal on the same day delivered the following:

**ORDER (ORAL)**

**Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member –**

The common question raised in the present Original Application is whether the applicants are entitled for regularisation of their services as casual labourers or not ?

2. The admitted factual position of the case is that the applicants have worked with the respondents for 89 days with artificial breaks of one day and thereafter they have been re-engaged.

3. The Hon'ble High Court, in WP(C) No. 5289 of 2015 – ***Hidayathulla & Ors. v. Admn., UTL & Ors.***, dated 20<sup>th</sup> August, 2018, has considered the question of jurisdiction whether this Tribunal can entertain the case of labourers engaged by Village Panchayat. The Hon'ble High Court observed that there is nothing wrong in the direction given by the Tribunal for formulation of a transparent scheme for engagement of casual labourers and rational distribution of employment by the administration as well as Panchayat. This Original Application is disposed of in line with the judgment of the Hon'ble High Court in WP(C) No. 5289 of 2015 – ***Hidayathulla & Ors. v. Admn., UTL & Ors.***, dated 20<sup>th</sup> August, 2018. This has been followed in the judgment passed by this Tribunal in a similar matter in O.A 181/14/2015 and connected cases dated 22<sup>nd</sup> day of February,

2019.

4. Respondents are directed to follow the judgment passed by the Hon'ble High Court in WP(C) No. 5289 of 2015 – *Hidayathulla & Ors. v. Admn., UTL & Ors.*, dated 20<sup>th</sup> August, 2018. No order as to costs.

**(ASHISH KALIA)**  
**JUDICIAL MEMBER**

**(E.K. BHARAT BHUSHAN)**  
**ADMINISTRATIVE MEMBER**

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**List of Annexures**

Annexure A-1	Copy of the order bearing F No.8/3/90-Ind (2) dated 21.6.1993 issued by the 2 <sup>nd</sup> respondent
Annexure A-2	Copy of the order dated 2.1.1995
Annexure A-3	Copy of order dated 20.1.1996
Annexure A-4	Copy of order which are dated 15.12.1994
Annexure A-5	Copy of order which are dated 12.2.1997
Annexure A-6	Copy of order which are dated 7.3.2014
Annexure A-7	Copy of the order issued by the 2 <sup>nd</sup> respondent
Annexure A-8	Copy of the judgment dated 6.6.2012 in O.P(CAT) 133/2012
Annexure A-9	Copy order bearing F.No.5/8/2014-DOP dated 12.2.2015
Annexure A-10	Copy of the aforesaid Office Order F.No.8/1/2013-Ind dated 20.2.2015
Annexure A-11	True copy of representations dated 21.7.2011
Annexure A-12	Copy of representation submitted during the month of February 2012
Annexure R1(a)	A true copy of the circular F.No.5/6/2003-DoP&RD dated 12.11.2003
Annexure R1(b)	A true copy of the F.No.5/26/2003-DoP & RD dated 4.11.2008
Annexure R1(c)	A true copy of the order dated 17.8.2009 in O.A No.611/2008
Annexure R1(d)	A true copy of the common judgment in OP(CAT) No.133 of 2012 and 606 of 2012

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