

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

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No. O.A. 350/00645/2013

Date of order: 14.6.2019

Present: Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Supriya Bandyopadhyay,
Son of Asimananda Bandyopadhyay,
Residing at Village – Jaynagar,
P.O. Hutmura, P.S. Purulia,
Muffasal, District – Purulia,
Pin – 723101.

.. Applicant

V.E R.S U S –

1. Union of India,
Service to be made on the Secretary,
Ministry of Telephones and Telecommunication,
Govt. of India,
New Delhi.
2. The Chief General Manager,
BSNL,
Calcutta – Kolkata – 700 001.
3. The Telecom District Manager,
BSNL, Purulia, P.O. Purulia,
District – Purulia,
Pin – 723 101.
4. The Sub-Divisional Engineer (Telephone),
Purulia Telephone Sub-Division,
P.O. Purulia,
District – Purulia,
Pin – 723101.

.. Respondents

For the Applicant : Mr. T.K. Biswas, Counsel

For the Respondents : Mr. S.K. Ghosh, Counsel
Mr. D. Mukherjee, Counsel

O R D E R (Oral)**Per Mr. Justice L. Narasimha Reddy, Chairman:**

The applicant claims to have been engaged as Casual Worker in the Hutmura Telephone Exchange in the year 2001 and in January, 2005, and thereafter he was engaged to work at the office of Telephone Exchange of Ladhurka in the district of Purulia at a remuneration of Rs. 1000/- to Rs. 1200/- per month, due to the absence of TM and RM staff. His grievance is that, the respondents have not registered his name as casual labourer, and on account of the same, he is not being extended benefit of temporary status and other reliefs. This O.A. is filed with a prayer to direct the respondents to pass appropriate orders for enlisting his name as casual labour and for granting other consequential reliefs.

2. The respondents filed counter affidavit opposing the Original Application. It is stated that except making statements in the O.A., the applicant did not file any proof whatever in support of his plea, that he has been engaged as Casual Labour in any establishment of BSNL.

3. We heard Mr. T.K. Biswas, learned counsel for the applicant and Mr. S.K. Ghosh, learned counsel for Union of India and Mr. D. Mukherjee, learned counsel for BSNL.

4. At one stage, the O.A. was dismissed for default, but it was restored. Today, we have examined the matter in detail and heard the learned counsel for the parties.

5. It is no doubt true that there exists a scheme in BSNL, for conferment of rights on casual workers, engaged to do work of permanent nature. The applicant, however, is not able to place any



proof of his engagement. Even if there is no specific order of engagement, at least the pay slips or other receipts, through which the remuneration was paid, could have been placed. When noticing of that sort is forthcoming, it is difficult to grant any relief to the applicant particularly, when he is said to have been engaged more than 15 years back. It is difficult for the respondents also to verify the relevant records.

6. We do not find any merits in the O.A. It is accordingly dismissed. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Justice L. Narasimha Reddy)
Chairman

SP