CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(2)

OA NO. 1185/2003 to 1212/2003

This the 19th day of May, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

O.A.No.1185/2003

Dharamveer Singh
S/o Sh. Sher Singh.
Village Majhri, P.O.Gobuhana.
District Jhajjar (Haryana).

O.A.No.1186/2003

Pitambar Yadav,
S/o Shri Mohan Yadav,
Village Dabar Enclave,
P.O.Jaffarpur Rautamor,
District Najafgarh,
New Delhi-110073.

O.A.No.1187/2003

Krishan Kumar,
S/o Shri Fateh Singh,
Village Khedka Gujar,
P.O.Dulheda,
District Jhajjhar(Haryana).

O.A.No.1188/2003

Ramesh,
S/o Shri Kartar Singh,
Village Majhri,
P.O.Gobuhana,
District Jhajjhar (Haryana).

O.A.No.1189/2003

Jagdish,
S/o Shri Laddu Lal,
Village & P.O. Issapur,
New Delhi-110073.

O.A.No.1190/2003

Suraj Prakash,
S/o Shri Kewal Singh,
Village & P.O. Issapur,
New Delhi-110073.

O.A.No.1191/2003

Jaivir Singh,
S/o Shri Nafe Singh,
Village Majhri,
P.O.Gobuhana,
District Jhajjhar (Haryana).

O.A.No.1200/2003

Satveer,
S/o Shri Ram Chand,
Village Majhri,
P.O.Gobuhana,
District Jhajjhar (Haryana).

O.A.No.1201/2003

Ganesh Yadav,
S/o Shri Mohan Yadav,
Village Dabar Enclave,
P.O.Jaffarpur Rautamor,
District Najafgarh,
New Delhi-110073.

O.A.No.1202/2003

Raj Kumar,
S/o Shri Prithvi,
Village & P.O. Issapur,
New Delhi-110073.

O.A.No.1203/2003

Ramesh Kumar,
S/o Shri Balwant Singh,
Village Majhri,
P.O.Gobuhana,
District Jhajjhar (Haryana).

O.A.No.1204/2003

Parmanand,
S/o Shri Bujan Singh,
Village Magri,
P.O.Gobuhana,
District Jhajjhar (Haryana).

O.A.No.1205/2003

Rohtash,
S/o Shri Ramer Singh,
Village Majhri,
P.O.Gobuhana,
District Jhajjhar (Haryana).

O.A.No.1206/2003

Mamman Singh,
S/o Shri Sukhi Ram,
Village & P.O. Issapur,
New Delhi-110073.

O.A.No.1207/2003

Bhim Singh,
S/o Shri Sher Singh,
Village & P.O. Issapur,
New Delhi-110073.

O.A.No.1208/2003

Suresh Das
S/o Shri Chattar Das.
Village & P.O. Mitrau,
New Delhi-110073.

O.A.No.1209/2003

Dharamveer,
S/o Shri Sri Krishan,
Village & P.O. Issapur,
New Delhi-110073.

O.A.No.1210/2003

Jai Prakash,
S/o Shri Anandi Ram,
Village & P.O. Jaffarpur,
New Delhi-110073.

O.A.No.1211/2003

Ravinder Rai,
S/o Shri Jaddu Rai,
Village Dabar Enclave,
P.O.Jaffarpur Rautamor,
District Najafgarh,
New Delhi-110073.

O.A.No.1212/2003

Smt. Anita,
S/o Shri Dharam Pal Singh,
Village & P.O. Issapur,
New Delhi-110073. -APPLICANTS

(By Advocate: Sh. L.C.Goyal alongwith
Ms. Manjusha Wadhwa and
Ms. Pratibha Kumari)

Versus

1. National Bureau of Plant Genetic Resources, I.C.A.R., PUSA, New Delhi-110 012. (through its Director)

2. The Indian Council of Agricultural Research PUSA, New Delhi-110 012. (Through its Director General) -RESPONDENTS

ORDER (ORAL)

I will decide the OAs-1185/2003 to 1212/2003 together as common issue of facts and law is involved in these cases.

2. Applicants are aggrieved of the fact that despite their continuous long service as casual labour as all the applicants have been appointed during the year 1977 to 1992 at different times but they have not been regularised. All the applicants claim that they have been working for the last so many years but have not been regularised. For this purpose they have relied on a scheme issued by Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training vide their OM dated 7.6.88. It is further stated that respondents vide order Annexure A-1 dated 29.10.99 has ordered that as per the recommendations of the committee constituted for the purpose continued in OM dated 7.6.88 issued by the Department of Personnel & Training had approved the payment of wages to be made to the casual labourers engaged at National Bureau of Plant Genetic Resources, Issapur and submitted that respondents are acting in piecemeal fashion and are issuing the orders based on the DOPT scheme of 7.6.88 but are not regularising the employees though there are vacancies.

3. However, counsel for applicants was unable to point out if any junior to the applicants have been regularised or if any seniority list is being maintained. Counsel for applicants has also been unable to satisfy, if at all the applicants had ever made any representation seeking regularisation. Applicant's counsel submitted that though applicants had been agitating through their union for regularisation but it appears that everything was only oral as no representation has ever submitted by the Union has been annexed with the OA. The fact that respondents had applied the scheme dated 7.6.88 in piecemeal fashion as per Annexure A-1, so it is quite manifest that respondents in spirit appears to have accepted the scheme of 7.6.88.

4. I think these OAs can be disposed of at this initial stage itself without issuing notice to the respondents with a direction to them to examine the case of the applicants for regularisation. if the applicants can be regularised in accordance with the scheme dated 7.6.88. They should pass a reasoned and speaking order thereon.

5. For this purpose, let these OAs be treated as representation of the applicants and same be sent alongwith the copy of this order to the respondents who are directed to pass a reasoned and speaking order thereon within a period of 3 months from the date of receipt of a copy of this order and to see to it that applicants can be regularised within the framework of the scheme. OAs stands disposed of.

6. A copy of this order be placed in all the files.

(KULDIP SINGH)
Member (J)

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Attested
26/9/07
SO (J-II)