

(6)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO : 3043/2003

New Delhi, this the 19th day of May, 2004

HON'BLE MR. SHANKER RAJU, MEMBER (J)

In the matter of :

Smt. Jasoda W/o Shri Moti Lal,
C/o Phool Chand Sonkar,
H.No.990, Jamun Mohalla,
Lal Kurti, Meerut Cantt,
(Casual Labourer conferred with Temporary
Status under Respondent No.5)

... Applicant

(By Advocate : Shri V.P.S. Tyagi)

Versus

1. Union of India (Through Secretary)
Ministry of Defence,
South Block, New Delhi-110 001
2. The Adjutant General,
AG's Branch Org4/Civil (b),
Army H.Q. DHQ
P.O. New Delhi-110 011
3. The Director General,
Supply and Transport (St - 12)
QMG's Branch, Army Head - Quarters
DHQ P.O. New Delhi
4. The Controller of Defence Accounts (Army)
Belvadir Complex,
Meerut Cantt.
5. The Commandant,
40, Supply Coy ASC Type D
Meerut Cantt.

.... Respondents

(By Advocate : Shri A. Nischal, proxy for
Shri Rajinder Nischal)

O R D E R (ORAL)

Heard the parties.

2. The applicant and other similarly situated persons are to be considered for regularisation as per DOP&T Scheme dated 10.9.1993. The claim of the applicant has been rejected for want of necessary minimum qualification.

3. Learned counsel for the applicant referred to clause 8 of the DOP&T's OM dated 10.9.1993. According to this clause, in the case of illiterate casual labourers who fail to fulfil the minimum qualification prescribed for the post, regularisation has to be considered only against those posts in respect of which literacy or lack of minimum qualification will not be a requisite qualification. It is also provided that they will be allowed relaxation equivalent to the period for which they have worked continuously as casual labourers. The applicant in her representation has accordingly asked for regularisation against a group 'D' post which also include the post of Mazdoor for which literacy is not a requisite qualification. The learned counsel for the respondents clearly stated that on availability of vacancy, the case of the applicant will be considered.

4. In the light of the above, the OA is disposed of with a direction to the respondents that immediately on availability of vacancy of a Group 'D' post, the case of the applicant for regularisation will be considered as per Clause 8 of DOP&T's OM dated 10.9.2003.

5. The OA is accordingly disposed of in the aforestated terms. No costs.

S. Raju
 (Shanker Raju)
 Member (J)

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