

Urgent



GOVERNMENT OF INDIA
DIRECTORATE OF INCOME TAX
(HUMAN RESOURCE DEVELOPMENT)
CENTRAL BOARD OF DIRECT TAXES

Jawaharlal Nehru Stadium, 2nd Floor, Lodhi Road, New Delhi - 110003.

F.No. HRD/ADG-II/160/3/2023-24 | ५

Date: 02.04.2024

To,

The Pr.CCsIT/PDGsIT/DGIT (by name)

ATTN : CsIT (Admn & TPS)

Madam/Sir,

Sub: Regularization of Casual Workers in light of Hon'ble Supreme Court of India Judgement dated 3.7.2023 in the case of SLP (C) No.7898/2020 Raman Kumar & Ors.Vs.UOI&Ors

Kindly refer to the above mentioned subject.

2. In this regard, this office had referred the matter for seeking opinion/advice of the DoPT regarding implementation of order dated 03.07.2023 passed by the Hon'ble Supreme Court of India in the case of SLP (C) No.7898/2020 Raman Kumar & Ors. Vs. UOI & Ors read with Uma Devi and M.L.Kesari judgements in rem across various CCA Charges of the Department so as to have a uniform approach and also to avoid unnecessary litigation on the issue.

3. The DoPT has agreed to the proposal to implement the aforesaid decision of Hon'ble Supreme Court of India in rem subject to the following conditions:

- (i) The CCAs shall ensure that all such similarly placed casual workers satisfy the mandatory conditions for regularization under the Uma Devi Judgment such as being duly qualified as per extant guidelines etc..
- (ii) The casual workers had been working against the sanctioned posts for ten years or more on the date of Uma Devi Judgment i.e. 10.04.2006 but not under cover of Orders of Courts or Tribunals.

4. The DoPT has further agreed to the proposal that in view of the fact that all the erstwhile Group D posts had been upgraded to Group C posts and recruitment to erstwhile Group 'D' posts, placed in Group 'C', PB-1, Grade Pay 1800/- (non-technical as MT Staff), is now made only through Staff Selection Commission, therefore, the Department may regularize the eligible casual workers in Group D cadre and then subsequently merge them into MTS cadre in pursuance to the DoPT's O.M. No. AB-14017/6/2009-Estt(RR) dated 30.04.2010 and O.M. No. AB-14017/39/2013-Estt. (RR) dated 23.12.2013.

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4.1. The Department of Expenditure has also concurred with the proposal.

5. In light of the above, I am directed to request to regularize services of similarly placed casual workers eligible for regularization under cover of order dated 3.7.2023 passed by the Hon'ble Supreme Court of India in the case of SLP (C) No.7898/2020 Raman Kumar & Ors.Vs.UOI across various CCA regions of the Department.

6. This issues with the prior approval of the Competent Authority.

Yours faithfully,

(Diwakar Singh)

Joint Director Income Tax, CMD-II
HRD, New Delhi

Copy to:

1. The Joint Secretary (Admn.) CBDT
2. The web manager (www.incometaxindia.gov.in) for uploading on the website

Joint Director Income Tax, CMD-II
HRD, New Delhi