

**DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT,
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI,
1, PT. RAVI SHANKAR SHUKLA LANE, K.G. MARG, NEW DELHI-110001**

No. F.32 (26)/OA 100/2683/2017/CAT/Lit./DWCD/2017/37376

Dated: 16.11.2017

16 NOV 2017

ORDER

That the present order is being passed in compliance of directions of Hon'ble Central Administrative Tribunal dated 18.08.2017 in OA No. 2683/2017 & M.A. No. 2822/2017. The operative part of the order is reproduced as below:-

"In the circumstances, the O.A. is disposed of at the admission stage, without going into the merits of the case, by directing the respondents to consider Annexure A/15 (colly.) Representations of the applicants, keeping in view the averments and documents filed in the O.A., and to pass appropriate speaking and reasoned orders thereon, in accordance with law, within 90 days from the date of receipt of a copy of this order. Till then, the respondents shall maintain status quo in respect of the applicants. No order as to costs".

The applicants who are presently working as contractual Welfare Officers have sought following relief:-

1. To frame a policy for regularization of applicants to the posts of Welfare Officers and
2. To make appropriate provisions in the Recruitment Rules for absorption of the applicants to the post of Welfare Officers as done by the respondents in the case of Probation Officers under the orders of the Hon'ble High Court of Delhi in Kiran Sharma V/s GNCT of Delhi & ors. In W. P. (C) 5681/2014.

With regard to regularization of the applicants to the post of Welfare Officers it is stated that the Government of NCT of Delhi is in the process of formulation of policy in respect of the contractual employees of different categories appointed in the different Departments of the government.

As regards the appropriate provision in the Recruitment Rules for absorption of the applicants to the post of Welfare Officers as done by the respondents in the case of Protection Officers under the orders of the Hon'ble High Court of Delhi, it is stated that the Protection Officers were appointed for implementation of the "Protection of Women from Domestic Violation Act, 2005" and to fulfill the statutory requirement of posting of Protection Officer with the Courts set up under the PWDV Act, 2005, the Department has engaged the services of the applicants as Protection Officer on contract basis on fixed remuneration, against the vacancies of Welfare Officers.

The applicants were appointed against the existing Recruitment Rules on contract basis knowing fully that their contract is liable to be terminated in case the posts of Welfare Officers are filled up on regular appointment.



It is further submitted that the case of "Kiran Sharma V/s GNCT of Delhi" has not yet attained finality as the verdict of the Hon'ble High Court is in the process of being challenged before the Hon'ble Supreme Court. Thus the submission of the applicants in this regard is premature which is liable to be rejected.



(Shilpa Shinde)
Director, DWCD

All the applicants in OA 2683/2017 & M.A. No. 2822/2017.

Through their counsel

Sh. Ajesh Luthra, Advocates

(Enrolment No. D-220/1990)

L-5, Lajpat Nagar, Part-III,

New Delhi-110024