



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA/020/00466/2019

HYDERABAD, this the 20th day of February, 2020.

THE HON'BLE MRS.NAINI JAYASEELAN: ADMINISTRATIVE MEMBER

K. Padmavati W/o Raja Rao
Age : 48 years, Occ : Sweeper, (Gr-D),
Gannavaram Telephone Exchange,
Vijayawada, R/o H.No.32-11/1-4,
Madavarao Street, Near CSI Church,
Mogalrajpuram, V ijayawada.

(By Advocate : Mr. S. Anuradha)

...Applicant

Vs.

1. The Union of India, Rep by its Secretary,
Dept of Telecom., Ministry of Communications
And Information Technology, 20, Ashoka Road,
New delhi-110001.
2. Bharat Sanchar Nigam Limited, repd. By its
Chairman-cum-Managing Director,
Statesman House, Barakamba Road,
New Delhi-110001.
3. The Chief General Manager,
Bharat Sanchar Nigam Limited,
Door Sanchar Bhavan, Nampally Station Road,
Abids, Hyderabad-500001.
4. The General Manager, Telecom District,
Bharat Sanchar Nigam Limited,
Telecom A.P.Circle, Chuttugunta,
Vijayawada.

(By Advocate:Mrs.K.Rajitha, Sr.CGSC & Mr. K. Ajay Kumar,
SC for BSNL)

....Respondents

(Oral Order per Hon'ble Mrs.Naini Jayaseelan, Administrative Member)

The prayer of the applicant is to grant Temporary Status and



regularization since she has been working from 11.04.1990. The applicant was initially appointed for a period of two months as Casual Water Sprinkler in seasonal vacancies and thereafter from March, 1991 to July, 1993 at Gannavaram Telephone Exchange as a part time Casual Labour.

2. Heard Mrs. S. Anuradha, learned counsel for the applicant and Mr. K. Ajay Kumar, learned Standing Counsel for BSNL.

3. It is the contention of the learned counsel for the applicant that based on the Circulars of Department of Telecommunications, dated 28.06.2000 and 25.08.2000, her case can be considered for grant of Temporary Status and regularization. The counsel for the applicant also cited the order of the Hon'ble High Court in Writ Appeal No.2560/2005, decided on 09-10-2014, in which the appellants, who according to the counsel for applicant were similarly placed, were deemed to have been converted from part time casual labourers to full time casual labourers and then conferred with temporary status from 30.06.2004. The Hon'ble High Court also ordered that they shall be deemed to be regularized from 01.07.2007 but not entitled to any arrears of salary on account of such measures. Against this order, the Union of India represented by the Department of Telecommunications and BSNL filed a Review WAMP No.190/2015 and the same was decided on 23.12.2016, the operative portion of which reads as under :

“ We find considerable force in the submission of Sri Vemuri Venkateswara Rao that the order of the Division Bench, to the extent temporary status was directed to be granted to the



respondents-appellants, does not necessitate review. The earlier order of the Division Bench, to the limited extent the appellants were deemed to have been regularized with effect from 1.7.2007, is set aside. It is made clear that this order shall not preclude the review petitioners from considering the case of the respondents-appellants, for regularisation of their services, in accordance with law.”

4. Mr. K. Ajay Kumar, learned Standing Counsel for BSNL states that the case of the applicant for regularization was rejected on 07.07.2005 vide proceedings No.E-1/MAZ/MISC/2002-2005/KW/44, as she does not fulfil the eligibility conditions such as she was not working continuously as on date and not on rolls as on date i.e.01.08.1998. This letter also disposes of the applicant's representations dated 21.12.2001, 09.09.2002, 26-12-2002 & 30.03.2005. The matter therefore is closed. However, it is the contention of the learned Standing Counsel for the Respondents that the subsequent representation dated 27.02.2018, filed along with this Original Application (Annexure A8) has not been received by the Department.

5. In view of the above, the applicant is directed to submit a comprehensive representation along with all the documents and records available with her to the Respondents-Department within a period of one month from the date of receipt the certified copy of this order and thereafter the Department is directed to consider the said representation within three months and pass a reasoned speaking order as per the extant Rules in force.

6. Original Application is disposed as above. There shall be no order as

to costs.



(NAINI JAYASEELAN)
ADMINISTRATIVE MEMBER

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