

3

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH:CUTTACK

**ORIGINAL APPLICATION NO.460 OF 2010**

Cuttack this the 26th day of August, 2010

CORAM:

THE HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER  
Prafulla Nayak & Ors. ... Applicant  
-VERSUS-  
Union of India & Ors. ... Respondents

**ORDER**

None appears either for the applicants or for the Respondents on call.

Misc.Application No.529/2010 filed by the twelve applicants seeking permission to jointly prosecute this O.A. is allowed. M.A. 529/2010 is thus disposed of.

ADMINISTRATIVE MEMBER

Perused the Original Application and the documents annexed thereto. In this Original Application, the applicants have sought for the following relief.

“Appellants prayed for regularization of service considering the length of service in the Department and the decision have taken by the Respondents. Applicants have approached to the Respondents filing a representation to consider their cases vide Annexure-3(series) within a stipulated time as per the approval order dated ....”

The interim relief sought for by the applicants reads as under.

“Pending disposal of the applications direction be made to the respondents to consider their representations/grievance to give appointment as per the approval order dated 3.10.2003”.

From the documents filed to this O.A., it is seen that the representation as at Annexure-7 dated 15.6.2010 is pending with the Chief General Manager, B.S.N.L., Telecom, Orissa Circle, Bhubaneswar, who is Respondent No.4 in this O.A. It is also seen from the records that similar applications have been filed before this Bench for regularization of casual labourers in the B.S.N.L. On the earlier occasion some of the

4  
applicants had agitated this matter before the Hon'ble High Court of Orissa in W.P.(C) No.17474/2009 and the B.S.N.L. authorities vide Annexure-5 series dated 29.5.2010 intimated those petitioners as under:

"In connection with your joint petition cited above on the subject, this is to intimate you that as per order of Hon'ble High Court Orissa, Cuttack in the W.P.C.No.17474 dated 27.11.2009, your request for regularization is examined. It is to intimate you that the regularization of 455 ex-casual labourers have been kept in abeyance by BSNL Corporate Office, New Delhi vide its letter No.269-94/98-STN-II Pers. IV(Vol.IV) dated 04.03.2004. Further there is no provision/guideline from BSNL Corporate Office for regularization in BSNL. Hence your request for regularization can not be acceded to".

It is seen from the reply given by the BSNL authorities in the Office of Chief General Manager, Telecom, Orissa Circle, Bhubaneswar that regularization of 455 ex-casual labourers have been kept in abeyance by BSNL Corporate Office, New Delhi since 2004 and that no guideline or provision has been made by the BSNL Corporate Office for regularization of casual labourers in BSNL. From this, it appears that the decision in the matter of regularization of casual labourers cannot be taken by the BSNL authorities at Bhubaneswar. Hence, a joint representation dated 15.6.2010 has been submitted at Annexure-7 to the Chief General Manager, B.S.N.L., Telecom, Orissa Circle, Bhubaneswar with copies to Respondent Nos.1,2 and 3.

Since hardly one and half month is over from the date of submission of this representation, it would not be proper for this Tribunal to intervene and adjudicate the matter at this stage. In the fitness of things, it would be proper if a direction is issued to Respondent Nos. 1, 2 and 3 to reconsider the issue keeping in mind the submissions made by the applicants in their representation at Annexure-7 and communicate the decision within a period of 45 days from the date of receipt of this order.

1

5

Therefore, without expressing any opinion on the merit of the case, it is so ordered.

With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

Send copies of this order along with copies of the O.A. to Respondent Nos. 1, 2 and 3 for compliance.

  
ADMINISTRATIVE MEMBER