

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 408 of 2000

Wednesday, this the 26th day of July, 2000

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

1. K.K. Shaji,
Kizhakkeyil,
Ponkunnam PO, Kottayam.Applicant

By Advocate Mr. K. Gopalakrishna Kurup

Versus

1. Union of India, represented by Secretary,
Department of Telecommunications, New Delhi.

2. General Manager, Telecom District Kottayam,
Office of the General Manager Telecom,
Kottayam.

3. Assistant General Manager (Admn),
Telecom District, Kottayam,
Office of the General Manager Telecom,
Kottayam.

4. Sub Divisional Officer, Telecom,
Office of the Sub Divisional Officer,
Kanjirappally.Respondents

By Advocate Ms. I. Sheela Devi, ACGSC

The application having been heard on 26th of July, 2000,
the Tribunal on the same day delivered the following:

O R D E R

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The applicant seeks to direct the respondents to regularise him as Group D with all consequential benefits.

2. The applicant says that he was engaged as a casual Mazdoor by the Department of Telecom under the Sub Divisional Office, Kanjirappally in the year 1986. As per the Scheme for regularisation, a temporary status Mazdoor is to be regularised on completion of 10 years of service. He was

granted temporary status with effect from 1-4-1994. Though the applicant is having 14 years of service to his credit, he is not regularised.

3. Respondents contend that the applicant has completed 13 years of service in the Department. Casual Mazdoors were being regularised on attaining 10 years of service on year to year basis, but due to the ban on recruitment which was implemented on 30-3-1985, recruitment/re-engagement of casual Mazdoors engaged after 1985 has to be approved by the Directorate. The names of all the nine temporary status Mazdoors including the applicant eligible for regularisation as on 31-3-1998 were sent to the Chief General Manager, Telecom, Trivandrum. But since the applicant was engaged after 1985, the Chief General Manager, Telecom being not empowered to take a decision on regularisation the matter has been taken up with the Telecom Directorate vide letter dated 10-3-1999 and the matter is pending with the Directorate for approval.

4. Since it is the admitted case of the applicant that he was engaged for the first time only in the year 1986 and that is after the ban on recruitment of casual Mazdoors, the stand taken by the respondents that such engagement is to be approved by the Directorate for the purpose of regularisation seems to be correct. As it is submitted in the reply statement that the matter has been taken up with the Telecom Directorate for a decision on the regularisation of the applicant, there is nothing further to be done in this OA.

5. Accordingly, the submission of the respondents in the reply statement that the matter has been referred to the Telecom Directorate for taking a decision as to the regularisation of the applicant is recorded and the Original Application is closed. No costs.

Wednesday, this the 26th day of July, 2000



**A.M. SIVADAS
JUDICIAL MEMBER**

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