

(27)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

C.P.No.68/93
in
O.A.No.502/91

Date of Order: 19.1.94

BETWEEN:

T.Mariamma
A N D

.. Petitioner/Applicant

1. Shri H.M.Vaghly
The Secretary to Govt. of India,
Ministry of Communications,
Dept. of Telecommunications,
Central Secretariat, New Delhi,
2. Shri H.M.Vaghly,
The Director General,
Telecommunications,
New Delhi.
3. Sri P.Kameswara Rao,
The Chief General Manager,
Telephones, A.P.Circle,
Hyderabad-1.
4. Sri K.Lingaiah,
The Chief Superintendent,
Central Telegraph Office,
Hyderabad.

.. Respondents/Respondents.

Counsel for the Applicant

.. Mr.V.Venkateswara Rao

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM :

HON'BLE SHRI A.B.GORTHI : MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

27/1/94

Order of the Division Bench delivered by
Hon'ble Shri A.B.Gorthi, Member (Admn.).

We have heard Mr.V.Venkateswara Rao, Learned Counsel for the Contempt Petitioners in C.P.68/92 arising out of O.A.502/91. In the judgement in the OA a direction was given to the respondents "to absorb the applicants on a regular basis in accordance with a scheme if there is one. If there is no scheme now, they shall prepare a scheme to absorb the PHCPT Attendants". 8 months time was given to prepare the said scheme. The judgement was dated 26.9.91, but the respondents did not finalise any fresh scheme within the period ^{ed.} of stipulation. *L*

2. As could be seen from our order dt. 15.11.93 the respondents explain^{ed} that the matter of introduction of a scheme was under active consideration. Consequently additional time was given to them to finalise the scheme.

3. Mr.N.R.Devraj, Standing Counsel for the respondents has now shown us a letter from the Government of India, Ministry of Communications, Department of Telecommunications dated 12.1.94. It is to the effect that in compliance with the judgement of the Tribunal, it was decided to bring the PHCPTAs within the scope of the existing scheme ^{of Casual Labour} (grant of temporary status and regularisation) of the department of Telecommunications 1989. Under the said scheme a casual labour after serving as such for a specified period would be conferred temporary status which would entail certain financial and other benefits. The scheme also refers to the subsequent regularisation of such casual labourers.

2nd AG
g.i.

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Copy to:-

1. Sri. H.M.Vaghly, Secretary to Govt. of India, Ministry of Communications, Department of Telecommunications, Central Secretariat, New Delhi.

2. Sri. H.M.Vaghly, Director General, Telecommunications, New Delhi.

3. Sri. P.Kameswara Rao, Chief General Manager, Telephones, A.P.Circle, Hyderabad-1.

4. Sri. K.Lingaiah, Chief Superintendent, Central Telegraph Office, Hyderabad.

5. One copy to Sri. V.Venkateswarai Rao, advocate, CAT, Hyd.

6. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.

7. One copy to Library, CAT, Hyd.

8. One spare copy.

Handwritten signature
Rsm/-

4. Mr.V.Venkateswara Rao contends that the respondents did not truly comply with our judgement by not introducing a fresh scheme for the regularisation/absorption of the PHCPTAs of the Telephone Department. He further asserts that it would not be proper for the respondents to bring the PHCPTAs within the scope of the scheme governing the grant of temporary status/regularisation to casual labourers. He further states that even in the manner of the introduction of the scheme the respondents did not act fairly in that, there is no provision to give the benefit of the existing scheme to the PHCPTAs with retrospective effect, i.e. the date of their initial engagement.

5. The various contentions raised by Mr.V.Venkateswara Rao could more appropriately form part of a fresh OA, if ^{the} the Contempt petitioners ^{feel} fully aggrieved by the contents of the newly ^{introduced} ~~existed~~ scheme. So far as the CP is concerned we are satisfied that the respondents while bringing the PHCPTAs within the scope of the already existing scheme for casual labourers have sufficiently complied with the judgement in O.A.502/91.

6. The Contempt Petition is therefore dismissed without any order as to costs.

(T.CHANDRASEKHARA REDDY)
Member (Judl.)

(A.B.GORTHY)
Member (Admn.)

Dated: 19th January, 1994

(Dictated in Open Court)

sd

Amalgamated
Dt. Registrar (Judl.) cc

contd ---4/---

C.P. 68793

5-A-502/91

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHI : MEMBER(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER(J)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER(A)

Dated: 19-11-1994

ORDER/JUDGMENT:

M.A./R.A/C.A.No. 68793

in

O.A.No.

502/91

T.A.No.

(W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Rejected/Ordered.

No order as to costs.

pvm

