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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD.

O.A.No.862/92

Date of Order:21.10.93

N.Y.Jojappa

.. Applicant

vs.

- 1.The Sub-Divisional Officer,
Telecom, Tadpatri-515 411.
- 2.The Telecom District Manager,
Anantapur-515050.
- 3-Shri G.V.Gopichandran,
General Manager, Telecom,
Hyderabad Area, CTO Compound,
Secunderabad-500 003.
- 4.The Chief General Manager,
Telecommunications, AP,
Hyderabad-500 001.
- 5.Shri H.P.Wagle,
Chairman, Telecom Commission
(representing Union of India),
New Delhi-110 001.

.. Respondents

Counsel for the Applicant : Mr.C.Suyanarayana; Advocate

Counsel for the Respondents: Mr.N.V. Raghava Reddy,
Adil. C.G. SC.

CORAM:

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

THE HON'BLE MR.T.CHANDRASEKHARA REDDY : MEMBER (JUD L.)

21/10/93

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O.A.No.862/92

Dt. of decision:21-10-1993.

J u d g e m e n t

The applicant was initially engaged as a part time employee ~~working~~ in the Telecom Staff Quarters/Telephone Exchange, Tadpatri w.e.f. 29-7-86. In October^{1988, A} the number of working hours of the applicant were increased from three hours a day to five hours a day. He continuously worked under the respondents from the date of his initial engagement till 1-12-90 when his services were terminated by means^{of} Memo. dt.31-10-90. As per Annexure A-2 attached to the application, the termination of the services of certain part time employees was done consequent to a decision of the Dept. of Telecom dated 19-10-90. The said memo contains a direction to the effect that the work being done by part time employees would be got done on contingent basis. On the basis of such direction the applicant was ~~being~~^{re-^h} engaged, on contingent basis, till 1-8-92 from which date the services were not utilised at all. The claim of the applicant is for grant of temporary status and for his subsequent regular absorption in a Group-D post under the respondents.

2. The respondents in their reply affidavit ~~has~~^{have^h} stated that part time officials who worked atleast for 240 days in an year in any four years prior to 31-3-87 were eligible for regularisation. As the applicant did not work for 240 days in any year he was not entitled to regular absorption.

3. In the rejoinder the applicant ~~asserted~~^{asserted^h} that after his engagement on 29-7-86 he worked for 246 days upto 31-3-87 and thereafter continuously for 365 days in

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Copy to:-

1. The Sub-Divisional Officer, Telecom, Tadpatri-411.
2. The Telecom District Manager, Anantapur-050.
3. Shri. G.V.Gopichandran, General Manager, Telecom, Hyderabad Area, CTO Compound, Secunderabad-003.
4. The Chief General Manager, Telecommunications, A.P. Hyd-001.
5. Shri. H.P. Wagle, Chairman, Telecom Commission (representing Union of India), New Delhi-001.
6. One copy to Sri. C. Suryanarayana, advocate, CAT, Hyd.
7. One copy to Sri. N.V. Raghava Reddy^{Addl.} CGSC, CAT, Hyd.
8. One spare copy.
9. One copy to Library, CAT, Hyd.

Rsm/R6

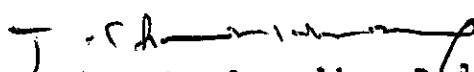
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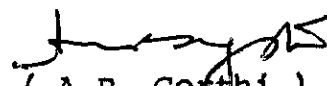
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each year till 31-3-1992.

4. We have heard Sri C. Suryanarayana, learned counsel for applicant, and Sri N.V. Raghava Reddy learned counsel for respondents. The applicant's counsel has drawn our attention to the judgement of a Full Bench of the Tribunal in OA 912/92 and 961/92 dt. 7-6-93 covering the aspect of grant of temporary status to part time employees of the Telecom Department.

5. As it is evident that the applicant worked with the respondents from 29-7-86 to 1-12-90 as a part-time casual labour, we are satisfied that the case of the applicant is covered by the decision of the full bench to which reference has been made. Consequently, we direct the respondents to reengage the applicant, if there is work and in preference to any fresher or other employee who has rendered lesser length of service. The respondents further consider his case for grant of 'temporary status' pending his absorption in Group-D post in accordance with Casual Labour (Grant of Temporary Status and Regulation) Scheme. The applicant will not be entitled to any arrears of emoluments arising out of the said direction. This direction should be complied with by the respondents within a period of four months from the date of receipt of this order. No order as to costs.

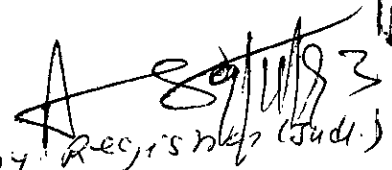

(T. Chandrasekhar Reddy)
Member (Judl.)


(A.B. Gonthi)
Member (Admn.)

Dt. 21-10-1993
Dictated in Open Court

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Dy. Registrar (Judl.)

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COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT 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 (JUDL)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M (A)

Dated: 21/10/1993

ORDER/JUDGMENT:

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

in

O.A.No.

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.

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