

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 122/94

Date of Order: 6.5.97

BETWEEN:

T.Narasamma

.. Applicant.

AND

1. The Director General, Telecom.
Department, New Delhi.
 2. The General Manager, Telecom
District, Suryalok Complex,
Hyderabad.
 3. The Asst. Engineer, GM Telecom Dist,
Hyderabad.
 4. The Junior Engineer (External), Golconda,
Mehdipatnam, Hyderabad.
- .. Respondents.

- - -

Counsel for the Applicant

.. Mr.S.Ashokanand Kumar

Counsel for the Respondents

.. Mr.V.Bhimanna

- - -

CORAM:

HON'BLE SHRI K.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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J U D G E M E N T

X Oral order as per Hon'ble Shri B.S. Jai Parameshwar, M(J) X

- - -

None for the applicant. None for the respondents.

Since the application was filed in the year 1994 we are not inclined to adjourn the proceedings. Hence we are deciding this OA on the basis of the material placed on the record in accordance with the Rule 15 (1) of CAT(Procedure) Rules.

2. The applicant herein is a Sweeper performing the duties at the rate of 3 hours per day in the office of R-4. She has filed this OA for regularisation of her services with all consequential benefits.


Be

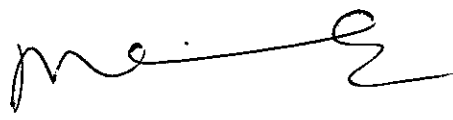
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3. A reply has been filed stating that the applicant has been working on part-time basis 3 hours per day that part-time mazdoors cannot be regularised that in order to regularise ^{the} part-time contingent staff for less than 8 hours per day, they are required to club 2 or 3 offices so as to make their work load 8 hours and then such part-time employee ~~could~~ ^{can} be considered for regularisation. Such an opportunity was given to the applicant. The applicant did not agree to work in the nearby units to enable to increase her daily work load that hence her representations could not be considered.

4. Since the applicant has failed to work 8 hours per day by working in other 2 or 3 offices in the units and has been working as a part-time contingent Sweeper working only 3 hours per day the applicant cannot claim the benefit of regularisation on par with other casual labourers working 8 hours a day. Infact the respondents in their counter categorically stated that they gave an opportunity to the applicant to enable her to eligible for regularisation to work in 2 or 3 offices and that she refused to work. She has not filed any rejoinder to the counter. In that view of the matter the submission of the respondents that the applicant is not entitled to be regularised has to be accepted.

5. Hence we feel that the applicant who is only a part-time contingent sweeper cannot claim regularisation as her daily work is less than 8 hours per day. Therefore the applicant is not entitled to any of the reliefs. Hence the OA is dismissed. No costs.


(S.B. JAI PARAMESHWAR)
Member (Judl.)


(R. RANGARAJAN)
Member (Admn.)

615197
Dated: 6th May, 1997

(Dictated in Open Court)

Ar. 162
Dy. Registrar

: 3 :

Copy to:-

1. The Director General, Telecom, Department, New Delhi.
2. The General Manager, Telecom District, Suryalok Complex, Hyd.
3. The Asst. Engineer, GM Telecom Dist, Hyd.
4. The Junior Engineer(External), Golconda, Mehdipatnam, Hyd.
5. One copy to Sri. S.Ashokanand kumar, advocate, CAT, Hyd.
6. One copy to Sri. V.Bhimanna, Addl. CGSC, CAT, Hyd.
7. One copy to Deputy Registrar(A), CAT, Hyd.
8. One copy to Hon'ble Mr. B.S.Jai Parameswar, JM, CAT, Hyd.
9. One spare copy.

Rsm/-

8/7/97

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)
AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M
(J)

DATED: 6/7/97

ORDER/JUDGEMENT

M.A./R.A./C.A. NO.

O.A. NO.

in
122/97

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
ब्रेवण/DESPATCH
- 4 JUL 1997
हयदराबाद
HYDERABAD