

(105)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NOS. 73, -74, -651 & -930 OF 1995

DATE OF ORDER: - 24th - September, 1997 -

BETWEEN:

O.A. NO. 73/95

1. G. GALAIAH,
2. G. SATYANARAYANA,
3. P. BALARAMA PRASAD,
4. V. VENKATA RATNAM,
5. G. RAMAKRISHNA RAO,
6. AZEEZ BAIG,
7. V. GOPALAKRISHNAIAH,
8. R. LINGESWARA RAO,
9. P. VENKATESWARA RAO,
10. D. VALLABH RAO,
12. SDVV PRASAD REDDY,
13. MOHD. ABDUL KHADEER,
14. M.A. RAFEEQ.

.. APPLICANTS

AND

1. Union of India rep. by the Secretary,
Telecommunications, Sanchar Bhavan,
New Delhi 110 001,
2. The Chief General Manager,
Telecommunications, A.P. Circle,
Hyderabad,
3. The General Manager,
Hyderabad Telecom District,
Hyderabad,
4. The Telecom District Engineer,
Nizamabad,
5. The General Manager,
Vijayawada Telecom District,
Vijayawada.

.. RESPONDENTS

O.A. NO. 74/95

1. Ch. S. JOHNSON,
 2. D. RAMESH BABU,
 3. M. VENKATESWARA RAO,
 4. B. VENKATESWARA REDDY,
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5. K.SAMBA MURTHY,
6. G.V.HANUMANTHA RAO,
7. G.RAJESHWAR,
8. C.V.RATNAM,
9. B.NAGESWARA RAO,
10. Y.MALLIKARJUNA RAO,
11. TVN PAVAN KUMAR,
12. Sk.MASUM,
13. V.APPA RAO,
14. K.SRINIVASA RAO,
15. M.MURALI KRISHNA,
16. M.SREENIVASA REDDY,
18. SANGITA GHOSH ROY,
19. P.NAGAMANI,
20. T.K.SRIDHARAN,
21. Ch.SAVITRI,
22. Y.MADHUSUDANA RAO,
23. M.LAKSHMAYYA,
24. B.SIVA KUMARI,
25. TND MALLESWARI,
27. JN MALLIKHARJUNA RAO,
28. C.KRISHNA RAO,
29. M.PRAMEELA,
30. P.LEELA JAYARANI,
31. G.RADHAKRISHNA REDDY,
32. M.VENKATESWARA RAO,
33. K.VANAJAKSHI,
34. M.VENKATESWARLU,
35. PRV SWARNA KUMARI,
36. G.BHAVANI,
37. B.CHANDRAVANI,
38. C.SUNIL KUMAR,
39. CHEKKA HARINATH,
40. B.SRIHARI RAO.

. APPLICANTS

AND

1. Union of India rep. by the Secretary,
Telecommunications, New Delhi 110 001,
2. The Chief General Manager,
Telecommunications, A.P.Circle,
Hyderabad,
3. The General Manager,
Hyderabad Telecom District,
Hyderabad,
4. The General Manager,
Vijayawada Telecom District,
Vijayawada.

. RESPONDENTS

O.A.NO:651/95

1. S.SESHA TALPA SAI,
2. K.LOUIS BABU,
3. M.V.BHASKARA RAO,

4. P.NARASIMHA REDDY,
5. J.SATYANARAYANA RAO,
6. K.V.KRISHNAJI RAO,
7. N.KOTESWARA RAO,
8. K.SREERAMA MURTHY,
9. SHAIK SAMBAIAH,
10. N.SIVAIAH,
11. N.VENKATESWARA RAO,
12. V.BUTCHI BABU,
13. B.V.NARAYANA,
14. M.VENKATA MOHAN,
15. T.SRINIVAS.

.. APPLICANTS

AND


1. Union of India, rep. by the Secretary,
Telecommunications, New Delhi-110001,
2. The Chief General Manager,
Hyderabad,
3. The General Manager,
Vijayawada Telecom District,
Vijayawada,
4. The General Manager,
Guntur Telecom District,
Guntur,
5. The General Manager,
Hyderabad Telecom District,
Hyderabad.

.. RESPONDENTS

O.A.NO.930/95

1. N.KAMESWARA RAO,
2. M.NAGESWARA RAO,
3. R.C.SATYANARAYANA,
4. D.BABU RAO,
5. MD. H.RAHMAN,
6. KSN RAJU,
7. U.SATYANARAYANA,
8. BVR CHOWDARY,
9. TSN MURTHY,
10. M.SATYANARAYANA,
11. RV RAMANA MURTHY,
12. THRK REDDY,
13. Ch.KRISHNAJAYA,
14. V.SEETHARAMAIAH,
15. B.VENKATA RAO,
16. M.SURYANANDA RAO,
17. M.SATYANARAYANA,
18. K.RAMA LINGESWARA REDDY,
19. M.SINGARAIH,
20. J.JOGINAIDU,
21. M.SRINIVASA CHARI,
22. P.BABU RAO.

.. APPLICANTS



AND

1. Union of India rep. by the Secretary,
Telecommunications, New Delhi-110001,
2. The Chief General Manager,
Telecommunications,
AP Circle, Hyderabad.

... RESPONDENTS

COUNSEL FOR THE RESPONDENTS: Mr.K.BHASKAR RAO, Addl.CGSC
IN OAs 73/95 & 74/95

Mr.V.BHIMANNA, Addl. CGSC
in OA 651/95 and

Mr.N.V.RAGHAVA REDDY, Adl.CGSC
in OA 930/95

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

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

JUDGEMENT

ORDER (PER Hon'ble SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.PNA Christian, learned counsel for the applicants in all these four OAs and heard Mr.K.Bhaskar Rao, learned standing counsel for the respondents in OA Nos.73/95 and 74/95, Mr.K.Bhaskar Rao for Mr.V.Bhimanna in OA No.651/95 and MR.K.Bhaskar Rao for Mr.N.V.Raghava Reddy in OA No.930/95.

2. The contentions raised in all these OAs are same so also the relief asked for. Hence all the 4 OAs are disposed of by ^{this} common order.

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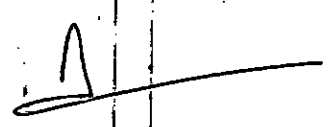
3. In OA 73/95, there are 14 applicants. All of them are working as Technical Supervisors and they are also Diploma (holders) in Engineering.

4. In OA 74/95 there are 40 applicants. All of them are working as Technical Supervisors.

5. In OA 651/95 there are 15 applicants. The applicants 1 and 15 are Technicians. The Applicants 2 to 9 are Technical Supervisors and the applicants 11 to 14 are Telecom Technical Assistants (TTAs). The first applicant in this OA possessed B.Sc. qualification. The applicants 2 to 14 are Diploma holders in Engineering.

6. In OA 930/95 there are 22 applicants. All of them are Technical Supervisors in the grade of Rs.1400-2300 and all of them are Diploma holders in Engineering.

7. All these 4 OAs are filed for implementation of the orders contained in the letter No.27-4/87-TE-II dated 16.10.90 for them without keeping those instructions in abeyance till the year 2000 by the letter No.27-11/91-TE-II dated 11.1.94 and to hold the circular No.27-2/94-TE-II dated 18.4.94 and 23.6.94 which are detrimental to the interests of the applicants herein, is illegal, unlawful, irrational, partisan etc. and also introduce the system of "walk-in" group for their categories also to the post of JTOs as existing for PIs etc.



8. The contentions raised in these 4 OAs are same as the contentions raised in OA 1182/94 which is disposed of today.

9. No reply has been filed in all these four OAs. The respondents submit that the reply filed in OA 1182/94 will hold good equally in these 4 OAs also. Hence the reply given in OA 1182/94 is also taken as reply in all these 4 OAs.

10. OA 1182/94 was disposed of noting the submission of the respondents in that OA. The submission made by the respondents in that OA is as below:-

"The learned counsel for the respondents under instructions from his clients as Gazetted Officer of the Telecom Department, Shri Kanakiah was present in the court at the time of hearing, who we presume instructed the Repsondents' counsel obtaining instructions from the higher officials) submitted that the 15% quota examination for 1993 had already been held. In that year, 53 posts of JTOs were to be filled against that quota. As that quota is filled on the basis of selecting those who volunteered and appeared for the competitive examination, the applicants and others in this cadre, who had not volunteered, could not have been considered. However, he promised that the position will be checked to see whether any of the volunteered candidates from this cadre had not been permitted for the selection. If any one had been prevented from the selection among those

who volunteered for no cogent reason, they will be allowed to sit in a fresh supplementary examination for that year and further action taken on the basis of the result of that examination.


In 1994 there were no vacancies earmarked against the 15% quota.

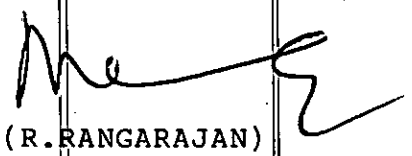
In 1995 and 1996 upto 18.2.96 vacancies numbering 81 and 21 were earmarked against the 15% quota for promotion to JTOs. The selection for those two years against that quota will be conducted shortly."

11. The submission made in OA 1182/94 by the respondents which has been extracted above equally holds good for the applicants in all these 4 OAs.

12. In view of the foregoing, all the 4 OAs are disposed of noting the submission of the respondents as extracted above in paragraph No.10 and directing the respondents to act on their submissions expeditiously.

13. No order as to costs.



(B.S.JAI PARAMESHWAR)
MEMBER (JUDL.)


(R.RANGARAJAN)
MEMBER (ADMN.)

DATED: 24th September, 1997

vsn




D.R.(J)