

(41)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.
OA. No. 1390/95.

Date of order 15-3-96.

Between:-

A. V. V. Bhaskar ... Applicant.

And

1. The Union of India, rep. by the Secretary, Ministry of Communications, Government of India, Sanchar Bhavan, 20, Ashoka Road, New Delhi-110 001.
2. The Chairman, Telecom Commission, Sanchar Bhavan, New Delhi.
3. The Chief General Manager, Telecommunications, A. P. Telecommunications, Hyderabad-500 001.

... Respondents.

Counsel for the Applicant: Mr. A. V. V. Bhaskar

Counsel for the Respondents: Mr. K. Ramulook CGSC.

CORAM:

HON'BLE MR. JUSTICE M.G. CHOUDHARY, VICE CHAIRMAN

HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (A)

JUDGEMENT

(As per Hon'ble Sri H.Rajendra Prasad, Member (A))

The applicant was not present in the Court when the case was called for admission. The connected record was therefore scrutinised.

2. Shri A.V.V.Bhaskar, the applicant worked as Casual Mazdoor from 1982 to 1984 after which he worked successively as Part-time Messenger and Telegraphman. He was accorded temporary status in 1987 and was regularised in 1989. The Department of Telecommunications notified the rules for recruitment of Stenographers in December, 1994. According to these the recruitment to Stenographer Gr.III is to be made in the following proportion:

25% by Direct recruitment.

50% by Departmental candidates

25% by Competitive Examination from amongst temporary status/casual labourers of the Department who possess the necessary qualifications laid down for Direct recruits.

3. The applicant, who is a graduate and possesses some proficiency in Typewriting and Shorthand, is not covered by any of the categories mentioned above. His main grievance is that whereas even the casual labourers with temporary status and requisite educational/technical qualifications have a quota earmarked for them, he is excluded from the purview of eligibility for the recruitment despite the fact that he is a regular Group-D official with all the necessary qualifications. The applicant therefore prays for directing the inclusion of Group-D Telegraphman as one of the eligible categories for promotion to the Stenographers Grade. He is stated to have made representations to various authorities along the same lines, but says that he has not received any reply from any of them.

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4. Prima facie there appears to be some strength in the applicant's argument. It is noted that the Department extended a meaningful concession to casual labourers in the matter of grant of temporary status and regularisation of services as far back as November, 1989. It is also a fact that the casual labourers with temporary status have been made eligible to compete for the post of Stenographers under the 25% quota earmarked for them. Under the circumstances the claim of the applicant who possesses a higher status than a casual labourer and has all necessary qualifications for the post, may deserve some consideration.

5. It is, however, for the Department to take an overall view of their requirements and to set down the criteria for entry into any cadre or post keeping in view the interest of all eligible officials. These are matters of policy. While no direction can be issued by this Tribunal in the matter, it will be necessary to ask the respondents to give an early disposal to the representation submitted by the applicant at Annexure-9. Accordingly, it is directed that a suitable reply be issued to the applicant by respondent No.1 after considering the facts and grounds contained therein. This may be done within a period of 90 days from the date of receipt of a copy of this order.

6. Thus the O.A. is disposed at the stage of admission.

No costs.

H. Rajendra Prasad
(H. Rajendra Prasad)
Member (A)
21 MAR 96

M.G. Chaudhary
(M.G. Chaudhary)
Vice Chairman

Dt. 15-3-1996
(Open Court Dictation)

Dy. Registrar (T)

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Copy to:-

1. Secretary, Ministry of Communications,
Government of India, Sanchar Bhavan, 20 Ashoka Road,
New Delhi-110 001.
2. The Chairman, Telecom Commission, Sanchar Bhavan,
New Delhi.
3. The Chief General Manager, Telecommunications,
A.P. Telecommunications, Hyderabad-500 001.
4. One copy to Mr. A. V. V. Bhaskar, Door. No. 20/605,
Mahalakshmi Nilayam, OPP Reddy & Reddy Type
Institute, Brahmin Street, Mulapet, Nellore-524 003.
5. One copy to Mr. K. Ramolu, CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

KKU.

✓ Court
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

H. G. Chandrany
THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

H. Rajender Prasad
THE HON'BLE MR. E. RANGARAJAN : M(A)

Dated: 15-3 -1996

ORDER/JUDGMENT

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

O.A.No. 1390/95

T.A.No.

(w.p.No.)

Admitted and Interim directions issued.

Allowed.

Disposed of with directions *of the Admin.*
Dismissed. *Maye*

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Spcl Copy

