

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD.

ORIGINAL APPLICATION NO. 1508 of 1995

Shri M. Rajasekhara Reddy or applicant(s)

V E R S U S

The Director General, Telecom

New Delhi or anote

Respondent(s)

The application has been submitted to the Tribunal by
Shri N. R. Srinivasan Advocate/party-in-
person, under section 19 of the Administrative Tribunal Act,
1985 and the same has been scrutinised with reference to the
points mentioned in the check list in the light of the
provisions in the Administrative Tribunal (procedure) Rules
1987.

The application is in order and may be listed for
admission on 12-9-5

Our
scrutiny Asst.

Prabh
DEPUTY REGISTRAR (JUDL)

N. G. Reddy

10. Has the impugned orders Original/duly attested legible copy been filed ? Yes

11. Have legible copies of the annexures duly attested been filed ? Yes

12. Has the Index of documents been filed and pagination done properly ? Yes

13. Has the applicant exhausted all available remedies ? Yes

14. Has the declaration as required by item No.7 of Form I been made. Yes

15. Have required number of envelopes (file size) bearing full address of the respondents been filed ? Yes

16. (a) Whether the relief sought for, arise out of single cause of action ?
(b) Whether any interim relief is prayed for ? Yes

17. In case an MA for condonation of delay is filed, is it supported by an affidavit of the applicant ?

18. Whether this case can be heard by Single Bench ?

19. Any other point ?

20. Result of the scrutiny with initial of the scrutiny clerk ? May be filed

Out 11/12
Scrutiny Asst.

On
2/12/95

Section Officer.

Deputy Registrar.

Registrar.

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

Dairy No. 3638/05

Report on the Scrutiny of Application

Presented by M. N. R. Srinivasan Date of presentation 30/11/95

Applicant (S) M. Rajasekhar Reddy (H.O.)

Respondent (S) The D.G., Telecom, N. Delhi & another

Nature of grievance Promotion

No. of applicants 3 No. of Respondents 2

CLASSIFICATION

Subject (No.)

Department Telecom (No)

1. Is the application in the proper form ?
(Three complete sets in paper books form in two compilations) Yes
2. Whether name, description and addresses of all the parties been furnished in the cause title ? Yes
3. (a) Has the application been duly signed and verified ? Yes
(b) Have the copies been duly signed? Yes
(c) Have sufficient number of copies of the application been filed ? Yes
4. Whether all the necessary parties are impleaded. Yes
5. Whether English translation of documents in a language other than English or Hindi been filed ?
6. Is the application on in time ? (See Section 21) Yes
7. Has the Vakalatnama / Memo of Appearance / authorisation been filed ? Yes
8. Is the application maintainable ? (u/s 2, 14, 18, or U.R. 8 etc) Yes
9. Is the application' accompanied IPO/DD, for Rs. 50/- ? Yes

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD.

I N D E X - S H E E T

O.A.No.

1508

of 1995

CAUSE TITLE

M.R.S. Reddy & Zott

VERSUS

666 D-h, Telcom, N. Delhi & anot

SL.NO.	Description of documents	Page No.
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4.	Objection sheet	—
5.	Spare copies 2 (Two)	
6.	Covers 2. A.	

1. Reply statement filed by Mr.
2. Lemulos in Block 6.

4/2/95

Regd. To declare that the applicants are eligible for promotion as JTOs as per the DOT's letter dt 24.8.1994 and direct the Respondents to promote the applicants to the cadre of JTOs from the date when

Juniors were promoted under the A.T. Act, 1985

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Hyderabad Bench :: Hyderabad

Bench Case

O.A. No.1508 of 95

Promotion
Telecom(C)

Between

M. Rajasekhara Reddy and 2 ors.

Applicants

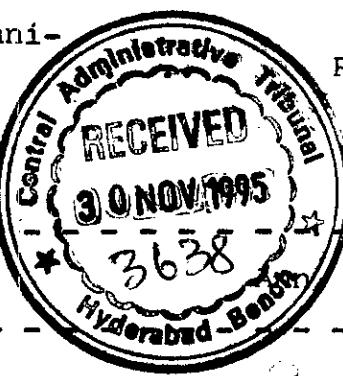
and

The Director General, Telecommunications, New Delhi & Anr.

Respondents

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Hyderabad,
25-11-1995.

N. R. Srinivasan
(N. R. SRINIVASAN)
Counsel for Applicants

Regd. by
N. R. Srinivasan
25.11.95

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U/S 19 of the A.T. Act, 1985
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH :: HYDERABAD

O.A. No.) SC 8 of 1995

BETWEEN

1. M. Rajasekhara Reddy, s/o Chinnappa Reddy, aged about 31 years, Telephone Inspector, Vemana Telephone Bhawan, Anantapur - 51 001,
2. Ch. S. V. Subrahmanyam, s/o Hanumaiah, aged about 35 years, Transmission Assistant, Telephone Exchange, Pamidi - 515 775, Anantapur District,
3. K. Prabhakara Rao, s/o Chandramouli, aged about 37 years, Telephone Inspector, % Sub Divisional Engineer, Cables, Tirupathi - 517 501.

..... Applicants



A N D

1. The Director General, Telecommunications (Rep. Union of India), Sanchar Bhawan, New Delhi - 110 001,
2. The Chief General Manager, Telecommunications, A.P. Circle, Hyderabad - 500 001.

..... Respondents

DETAILS OF APPLICATION

1. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

The application is against the 2nd respondent's letter No. TA/RE/3-5/92/II dt. 20-12-1994 (Annexure A-9) wherein a select list of 42 officials for promotion to the cadre of Junior Telecom Officers was published without including the names of applicants herein in violation of the 1st respondent's instructions contained in his letter No. 5-5/93-NCG dt. 24-8-1994 (Annexure A-5).

2. JURISDICTION OF THE TRIBUNAL:

The applicants declare that the subject matter of this application is covered under Sec. 14(1) of the A.T. Act, 1985.

3. LIMITATION:

The applicants further declare that the impugned order of the 1st respondent was issued on 20-12-1994 and hence the application is within the limitation prescribed under Sec. 21 of the A.T. Act, 1985.

4. FACTS OF THE CASE:

(4.1) The applicants submit that whereas the 1st and 2nd applicant were initially recruited as Telecom Office assistants, the 3rd applicant was recruited as Telephone Operator in the Telecommunications Department. Subsequently, the applicants were promoted to the cadre of Telephone Inspector/Transmission Assistant after a competitive examination. They were promoted to the new posts on various dates as given hereunder:

Sl. No.	Name of the applicant	Promoted cadre	Promoted Scale	Date of promotion
1.	M. Rajasekhara Reddy	Tele. Inspector	1320-2040	5-3-88
2.	Ch. S. V. Subrahmanyam	Trans- mission Asst.	1320-2040	29-2-88
3.	K. Prabhakara Rao	Tele. Inspector	1320-2040	14-3-88

(4.2) The applicants have appeared for the examination for promotion to the cadre of Junior Telecom Officers under the 15% Competitive Quota allotted to the officials in the cadre of Telephone Operators/Telecom Office Assistants/Technicians and others for the year 1991. Under the departmental instructions officials working in the 1320-2040 grade but do not fulfil the eligibility criteria for appearing under the quota allotted

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for the officials in the 1320-2040 grade like the Telephone Inspectors, Transmission Assistants etc., are allowed to appear for the said competitive examination for the quota given to the Telephone Operators/Telecom Office Assistants etc., i.e., under 15% quota. This eligibility is given subject to the condition that the officials should not have exhausted all the 4 chances available to them.

(4.3) The Recruitment Rules for promotion to the cadre of Junior Telecom Officers vide Annexure A-1 dt. 15.6.90 provide that the Departmental quota of 35% vacancies will be regulated as follows:

(i) 15% by promotion of departmental candidates in the cadre of T0s/TOAs/Techs. etc. through a competitive examination,

(ii) 10% by promotion of TAs/TIs/WOs/AEAs through a competitive examination.

(iii) 10% by promotion of TIs/TAs/WOs/AEAs who have completed 10 years of service through a qualifying examination.

Under the 1st respondent's Lr. No. 27-4-87-TE-II(L) dt. 16-10-90, Annexure A-2 the recruitment policy for the JTO cadre was changed as a result of the restructuring of cadres in Group 'c' and 'D' 'with a view to rationalise and eliminate overlapping duties and also to ~~xxxx~~ meet the requirements of the changing technologies.' As per the new policy

"the departmental recruitment quota of 35% will be filled through competitive examinations open to all cadres and from those officials who possess a three-year Diploma in Engineering Diploma after 10th standard or 1st Class in B.Sc., with Physics and Mathematics."

However, it was declared by the 1st respondent that for the 1990 and 1991 recruitment years the existing recruitment rules would be followed.

(4.4) As many of the officials in the department do not possess the newly prescribed qualification of Diploma in Engineering or B.Sc., with mathematics, the staff unions urged upon the Government to relax the conditions for some more years to enable the existing staff to get promoted to the JTO cadre

under the existing rules. Consequently, the department has not only declared that the new policy would be kept under abeyance for the recruitment years 1990 to 1994 but also increased the departmental quota to 50% of the total vacancies.

(4.5) The applicants were allowed to appear in the said competitive examinations and were allotted Roll Nos.

1) APT/81/91/52, 2) APT/81/91/86 and 3) APT/79/91/747 respectively. The applicants herein have qualified themselves in the said competitive examination and secured the following marks, vide Annexures A-3 to A-4 ~~dt 30.6.93~~ A 8. dt 31.10.94

Sl. No.	Name	Paper I	Paper II	Paper III	Paper IV
1.	M. Rajasekhara Reddy	74	65	63	76
2.	Ch. S. V. Subrahmanyam	63	59	46	58
3.	K. Prabhakara Rao	60	45	54	78

The applicants submit that inspite of their passing the exam they were not selected as JTOs due to non-availability of vacancies.

(4.6) Subsequently, ~~the staff unions in the department to the government~~ made representation that in view of the virtual barring of the officials in the ~~cadres~~ like Telephone Inspectors, Transmission assistants from being promoted to the cadre of Junior Telecom Officers, the only promotional avenue hitherto available for them, in view of the revised educational qualifications prescribed in the new recruitment policy and further in view of the fact that whereas the cadres like TOS/TOAs etc., continue to have an opportunity to be absorbed in the restricted cadres unlike the cadre of Telephone Inspectors/Transmission Assistants which are declared as 'dying cadres', these cadres should be given additional chances of promotion to the cadre of Junior Telecom Officers before the new recruitment policy comes into effect. As a consequence of these representations made on behalf of the Telephone Inspectors, Transmission Assistants etc., the 1st

respondent vide D.OT Lr. No. 5-5-93-NCG dt. 24-8-1994, vide Annexure A-5 in relaxation of the existing ~~policy~~ ^{rules} issued directions to the effect that 'all the available vacancies against direct recruitment quota as on date may be diverted to departmental competitive quota IN ORDER TO ABSORB THOSE PIAs/TAs/AEAs/WOs who have already qualified the competitive examination but could not be selected due to shortage of vacancies.' It was also clarified therein that selection should be made according to the marks obtained and the candidates be absorbed according to the seniority maintained as per the orders on the subject.

(4.7) Thereupon, the 2nd respondent issued the Lr. No. TA/RE/3-5/92/II dt. 20-12-94 (Annexure A-9) under which 42 officials who qualified in the competitive examination held on 14 and 15th of March, 1992 were selected for promotion to the cadre of Junior Telecom Officers. by diverting outside vacancies but the ~~ltd~~ failed to include the names of the applicants herein though they have qualified in the competitive examination and have secured more marks than Sri K. Subba Reddy(at Sl. No.28 of the list of promotees) who scored 232 marks and that of Sri D. Krishna Murthy (Sl. No 37) who scored 214 marks only. Both the officials are presently under training at Trivandrum. The applicants submit that i.r.o Sri K. Subba Reddy while the Annexure A-8 ^{dt 31-12-94} under which his marks were communicated by the 2nd respondent shows that his Roll. No. as APT/77/91/1039 implying that he had applied under the 15% quota reserved for TOs/TOAs/Techs. etc., Annexure A-9 dt.20-12-1994 shows his Roll No. as APT/86/91/1039 implying thereby that he was selected under the 20% quota reserved for the officials in the 1320 grade. It is not clear as to how and why the Roll No. of the said official was changed. In any case, the applicants were discriminated by selecting officials

less marks than them.

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respondent vide D.OT Lr. No. 5-5-93-NCG dt. 24-8-1994, vide Annexure A-5 in relaxation of the existing ~~policy~~ issued directions to the effect that 'all the available vacancies against direct recruitment quota as on date may be diverted to departmental competitive quota IN ORDER TO ABSORB THOSE PIs/TAs/AEAs/WOs who have already qualified the competitive examination but could not be selected due to shortage of vacancies.' It was also clarified therein that selection should be made according to the marks obtained and the candidates be absorbed according to the seniority maintained as per the orders on the subject.

(4.7) Thereupon, the 2nd respondent issued the Lr. No. TA/RE/3-5/92/II dt. 20-12-94 (Annexure A-9) under which 42 officials who qualified in the competitive examination held on 14 and 15th of March, 1992 were selected for promotion to the cadre of Junior Telecom Officers. by diverting outside vacancies but the ~~list~~ failed to include the names of the applicants herein though they have qualified in the competitive examination and have secured more marks than Sri K. Subba Reddy(at Sl. No.28 of the list of promotees) who scored 232 marks and that of Sri D. Krishna Murthy (Sl. No 37) who scored 214 marks only. Both the officials are presently under training at Trivandrum. The applicants submit that i.r.o Sri K. Subba Reddy while the Annexure A-8 under which his marks were communicated by the 2nd respondent shows that his Roll. No. as APT/77/91/1039 implying that he had applied under the 15% quota reserved for TOs/TOAs/Techs. etc., Annexure A-9 dt. 20-12-1994 shows his Roll No. as APT/86/91/1039 implying thereby that he was selected under the 20% quota reserved for the officials in the 1320 grade. It is not clear as to how and why the Roll No. of the said official was changed. In any case, the applicants were discriminated by selecting officials who scored less marks than them.

(4.8) The applicants submit that Applicant No.1 herein viz. M. Rajasekharà Reddy represented to the 2nd respondent vide his letter Annexures A-11 dt. 6.10.1993 [redacted] but there was no response. His subsequent representation Annexure A-12 dt. 26.4.95 also failed to evoke any response from the 2nd respondent. Applicant No.3, viz. K. Prabhakara Rao represented to the 2nd respondent vide his letter dt. 20-10-1994, Annexure A-6 but the the same was rejected by the 2nd respondent under his Lr. No. TA/RE/3-5/92/I dt. 26-10-1994, vide Annexure A-7 on the plea that his case 'will not be considered against 20% quota for the unfilled vacancies of JTO competitive examinations, held prior to 1992' as [redacted] 'he was having less than 5 years of service as on 1-7-92 in the said cadre including training period.'

(4.9) In this connection, the applicants submit that the DG's instructions dated 24-8-94, Annexure A-5 never stipulated that the outside vacancies should be diverted only to the 20% quota officials as is being interpreted by the 2nd respondent. On the other hand the said instructions clearly stated that the 'VACANCIES AGAINST DIRECT RECRUITMENT QUOTA AS ON DATE MAY BE DIVERTED TO DEPARTMENTAL COMPETITIVE QUOTA IN ORDER TO ABSORB THOSE PIs/TAs/AEAs/WOs who have already qualified the competitive examination but could not be selected due to shortage of vacancies.' A plain reading of the instructions will show that the benefit of absorption in the diverted vacancies is intended to be made available only on fulfilment of the following conditions, viz.

- (1) that the officials should be in the cadre of TIs/TAs/WOs/AEAs and not in other cadres
- (2) that such officials should have appeared in the competitive quota and not in the qualifying quota; and [redacted]
- (3) that such officials should have passed the exam but were not selected due to shortage of vacancies

Denying the benefit of absorption to the JTO cadre to the applicants herein and similarly placed other officials by [redacted]

either by a wrong interpretation of the instructions of the DOT or by stipulating a condition which do not find a place in the original instructions is not only beyond the power and authority of the 2nd respondent but is also arbitrary and discriminatory inasmuch as the condition has no nexus with the avowed objective of absorbing those PIs/TAs/AEAs/WOs who have already qualified the competitive examination but could not be selected due to shortage of vacancies.

(4.10) Under the circumstances, the applicants herein have no other alternative or efficacious remedy except to approach this Hon'ble Tribunal in the exercise of its jurisdiction under Secs. 19 and 22 of the A.T. Act, 1985 for the redressal of their grievances.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS:

(5.1) The 1st respondent's instructions dt. 24-8-1994, Annexure A-5 on the diversion of outside vacancies to the departmental officials in the cadre of TAs/TIs/AEAs/WOs never stipulated that the benefit should be extended only to the officials who have appeared the competitive examination under the 20% quota and not to others. Imposition of such a condition by the 2nd respondent herein is not only against the avowed purpose of these instructions viz. 'to absorb those PIs/TAs/AEAs/WOs who have already qualified the competitive exam but could not be selected due to shortage of vacancies but also is not only beyond the power and authority of the 2nd respondent, but also arbitrary and discriminatory and therefore is illegal.

(5.2) Even if the stipulation is held by this Hon'ble Tribunal to have been validly made the 2nd respondent, the said stipulation restricting the benefit of absorption against outside vacancies to the TAs/TIs/AEAs/WOs who have appeared for the 20% quota is discriminatory and is devoid of any rationale justifying the exclusion of other officials in the same cadres. Therefore, the said condition is violative of Article 14 and 16 of the Constitution of India and illegal.

(5.3) In the absence of a stipulation in the original instructions issued by the Department restricting the benefit only to those TAs/TIs/WOs/AEAs who have appeared under the 20% quota, the applicants herein who are presently as Telephone Inspectors/Transmission and have passed the competitive examination and secured more marks than Sri. K. Subba Reddy and D. Krishna Murthy, are eligible for being promoted as JTOs against the outside vacancies diverted to the TAs/TIs etc. as per DOT Lr. Dt. 24-8-94, Annexure A-5.

(5.4) The non-consideration of the applicants for promotion to the cadre of JTOs notwithstanding the fact that they have scored more marks than the above mentioned officials selected as JTOs is discriminatory and, therefore illegal.

(5.4) The applicant may be allowed to urge other grounds at the time of Final Hearing.

6. DETAILS OF REMEDIES EXHAUSTED:

The applicants declare that whereas applicant No.1 has represented to the 2nd respondent vide Annexure A-11 & A-12, the applicant No.3 submitted his representation A-6 dt 20.10.1995 and A-11 dt 1.1.95. The applicants submit while there was no response to A-11 the 2nd respondent rejected the representation A-6. Similar representations made by other similarly placed officials were either not considered or rejected. Hence this application.

7. MATTERS NOT PREVIOUSLY FILED IN OR PENDING WITH ANY OTHER COURT:

The applicants further declare that they had not previously filed in any application, WP or suit before any Court or authority or any other Bench of this Hon'ble Tribunal regarding the matter in respect of which this application has been made.

8. RELIEFS SOUGHT:

In view of the facts and submissions in paras 4 and 5 supra, the applicants pray for the following reliefs:

(1) To declare that the impugned order passed by the 2nd respondent vide his Lr. No. TA/RE/3-5/92/II dt 20-12-1994 vide Annexure A - 9 is discriminatory and violative of the DOT's instructions contained in the 1st respondent's Lr. No. 5-5/93-NCG dt. 24-8-1994, vide Annexure A-5.

(2) To declare that the applicants herein are eligible for promotion as JTOs as per the DOT's instructions dt. 24-8-1994, Annexure A-5 and consequently direct the respondents to promote the applicants to the cadre of Junior Telecom Officers from the date their juniors and those who scored lesser marks than the applicants in the competitive examination are promoted with all consequential benefits

(3) To grant such other relief or reliefs as this Hon'ble Tribunal may deem just and proper in the circumstances of the case.

9. INTERIM ORDERS:

Pending finalisation of this O.A. the applicants pray that directions may be issued to the respondents to keep three posts of JTOs ~~vacant~~ reserved for the applicants.

10. PARTICULARS OF THE I.P.O IN R/O APPLICATION FEE:

I.P.O. No. 8-10-426269 dt. 28.11.95 for Rs. 50/-.

✓ ✓
I.P.O./B.C./B.D./Removed

11. LIST OF ENCLOSURES:

a) Vakalat; b) Annexures as per index; and
c) IPO as mentioned.

VERIFICATION

I, M. Rajasekhara Reddy, S/o Chinnappa Reddy, aged about 31 years, Telephone Inspector, Telephone Exchange, Anantapur - 515 001 and authorised to sign on behalf of all the applicants herein temporarily come down to Hyderabad do hereby that the contents of paras 1 to 4, 6, 7, 10 are true to my personal knowledge and that those of the remaining paras are believed to be true on legal advice and I have not suppressed any material fact.

Hyderabad,
25-11-1995

X. Reddy

(M.RAJASEKHARA REDDY)
Signature of the 1st Applicant
on behalf of all the applicants.

N. R. Srinivasan

(N.R.SRINIVASAN)
Counsel for Applicants.

From

1. M.Rajasekhara Reddy,
S/o Late M.Chinnappa Reddy,
Aged 31 years,
Telephone Inspector,
A N A N T A P U R - 515001.
2. Ch.S.V.Subrahmanyam
Ch.S.V.Subrahmanyam,
S/o Hanumaiyah,
Aged, 35 years,
Transmission Assistant,
P A M I D I - 515775.
3. K. Prabhakara Rao, S/O Late K. Chandra Mouli
Telephone Inspector (Cables) Age 37 years,
Office of the S.D.O. Cables, Tirupathi 517501

To

The Registrar,
Central Administrative Tribunal,
H Y D E R A B A D.

Sir,

We the following signatories have joined together to file a common application as we have a common interest in the matter.

As we are working at different places, it is inconvenient for us together to verify the applications. We, therefore request you to permit us to authorise the first signatory herein, viz., Sri.M.Rajasekhara Reddy to verify the applications to be filed in the above O.A.

Thanking you,

Yours faithfully,

1. M.Rajasekhara Reddy

(M.RAJASEKHARREDDY)

2. Ch.S.V.Subrahmanyam

(CH.S.V.SUBRAHMANYAM)

3. K.Prabhakara Rao

(K. PRABHAKARA RAO.)

Sanchar Bhawan
20, Ashoka Road
NEW DELHI-110017

Dated 15th June '90.

All Heads of Telecom Circles/Districts.
The CGM, MTNL Bombay/Delhi
The CGM AL/TC Ghaziabad/TTC Jabalpur
All Heads of other Administrative Units

Subject - Rules for recruitment to the cadre of Junior Telecom Officers.

Kindly refer to this office letter No. 5-7/87-NCG Vol.II(Pt) dated 25.10.89 vide which it was intimated that the recruitment to the cadre of Junior Telecom Officers against the outsiders' quota of vacancies would be through a competitive examination w.e.f. the recruitment against the vacancies of the year 1990 and onwards.

2. The Recruitment Rules have accordingly been revised and an advance copy of the new set of rules notified under memo. of even number dated 15.6.90 is enclosed herewith. These rules supersede the Junior Engineer (Recruitment Rules 1980) notified vide No. 41-3/77-NCG(Pt) dated 26.12.80 read with amendment No. 5-7/87-NCG dated 9.12.88.

3. The new rules will come into force w.e.f. the date these are published in the official Gazette. The date of publication in the Gazette of India will be intimated to you in due course.

4. The syllabus for the competitive examination for recruitment against the 65% outsiders' quota of vacancies has already been sent to you vide this office letter No. 5-5/90-NCG dt. 19.3.90.

5. Action to announce the examination is being taken by the D.E. Section of the Directorate. You will be hearing from them in this regard shortly.

Ref No:- CGMPL R101/8/5 ~~10~~ M/S-CUS. REC ... PTO ... 7.9.01
BPL to All "Dear" Sirs: for information & guidance of

(12)

(16)

Page 2

6. The recruitment will continue to be done at Circle level. The select panel will be drawn up Circle-wise. As mentioned above, examination will be organised centrally by the D.E. Section of the Directorate.

Receipt of this letter may please be acknowledged.

Verma
(B. S. Verma)
Assistant Director General (STC)
Ph 3032468

Copy to -

1. Member(S)/Adv(HRD) Telecom Commission for kind information.
2. DDG(Pers)/DDG(E)/DDG(TRG)
3. ADGs STC/STG/STN/CSE/TRG/DE
4. STN/CSE/STG II/O&M/TRG/DE Sections of the Dte.
5. JTOs Association.
6. All other Staff Federations.

Re/Ref *Ans*
(S. N. Anand)
Section Officer (NCG)
Encl. No. CXH/EST/RLG/II/65 dt. HD-1 26-7-1990
Office of the Director Telecom Transmission project, Hyderabad-1

Copy to:-

1 & 2) The DET, C.C.P, HD/RM/ } For information
3 & 4) The DET, MWP, HD/ VJ } and guidance

Verma
काशा अधिकारी / Accounts Officer,
निदेशक, दूरसंचार का कार्यालय
Office of the Director, Telecom,
ब्रिटिश परियोजना/Transmission Projects,
हैदराबाद/Hyderabad-500 001.

(TO BE PUBLISHED IN PART-II, SECTION 3, SUB-SECTION(i)
OF THE GAZETTE OF INDIA)

No. 5-31/89-NCG
Government of India
Ministry of Communications
Department of Telecommunications
(N.C.G. Section)

Sanchar Bhavan, 20 Ashoka Road,
New Delhi - 110001.

Dated; the 15th June, 1990.

NOTIFICATION

G.S.R..... - In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the Junior Engineers(Recruitment) Rules, 1980, except as respects things done or admitted to be done before such supersession, the President hereby makes the following rules regulating the method of recruitment of Junior Telecom Officers in the Department of Telecommunications, namely :-

1. Short title and commencement :- (i) These rules may be called the Junior Telecom Officers Recruitment Rules, 1990. (ii) They shall come into force on the date of their publication in the Official Gazette.
2. Number of posts, classification and scale of pay:- The number of the said post, its classification and the scale of pay attached thereto shall be as specified in Columns 2 to 4 of the Schedule annexed hereto.
3. Method of recruitment, age limit, qualifications, etc.- The method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in Columns 5 to 14 of the said Schedule.
4. Disqualifications:- (a) who has entered into or contracted a marriage with a person having a spouse living, or (b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post: Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.
5. Bond and training:- (i) All candidates provisionally recruited against the 65% quota of direct recruits shall execute a Bond in the format specified by the Department indicating their willingness to serve the Department for a period of at least five years from the date of their appointment as Junior Telecom Officers.

(ii) The candidates selected both against the 65% outsiders' quota of vacancies and 35% departmental quota of vacancies shall, before their appointment as Junior Telecom Officers, have to successfully undergo prescribed training as per the training plan laid down and amended by the Department from time to time..

(iii) During the period of training the direct recruited Junior Telecom Officers will be entitled to a stipend of Rs.1150/- plus dearness allowance admissible thereon or such stipend and allowance as amended by the Department from time to time.

6. Service under Territorial Army/Signal Units .- All candidates (both direct and departmental) shall if so required, be liable to serve in the territorial army/Signal Units for a period specified in the Territorial Army Act, 1948 (56 of 1948) and the rules made thereunder.

7. Power to relax: Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

8. Saving: Nothing in these rules shall affect reservations/relaxation of age limit and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes, Ex-Servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

-: 3 :-

S C H E D U L E

Name of the post	Number of posts	Classification	Scale of pay	Whether selection or non-Selection post	Age for direct recruits	Whether benefit of added years of service is admissible under Rule 30 of the CCS(Pension Rules, 1972.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Junior Telecom. Officer	23,324 as on 31.12.83 (subject to variation dependent on workload)	General Central Service Group 'C' Non-Gazetted Non-Ministerial	Rs.1640-60- 2600-EB-75- 2900.	As explained under column 11 of the Schedule.	Between 19 and 27 years (Relaxable for eligible departmental candidates upto 40 years/45 years in case of SC/ST officials in accordance with the instructions or orders issued by the Central Government).	Not applicable.

Note: The crucial date for determining the age limit or service condition for both departmental and direct recruits, as the case may be, shall be 1st July of the year in which examination is held.

(b1)

Educational and other qualifications required for direct recruitment.

(8)

Bachelor of Engineering/
Bachelor of Technology
in a recognised
University in any one of
the following disciplines:
1. Mechanical Engineering,
2. Electrical Engineering,
3. Telecommunication Engineering,
4. Electronics,
5. Radio Engineering,
6. Computer Sciences.

OR

Bachelor of Science or
Bachelor of Science (Hons.)
with Physics and Mathematics as main/elective/
subsidiary/optional/
additional subjects with
at least 60% marks in
aggregate obtained in the
examination of the
recognised University.

Note 1 -- The applicants should be registered with the Employment Exchange located in the territorial jurisdiction of the recruitment unit.

Note 2 -- Educational and other qualifications are relaxable at the discretion of the Union Public Service Commission/competent authority.

Educational and other qualifications regarding experience etc. are relaxable at the discretion of the Union Public Service Commission/competent authority.

Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees.

(9)

Not applicable.

Period of probation, if any.

(10)

Two years.

Method of recruitment whether by direct recruitment or by promotion or deputation/ transfer and percentage of vacancies to be filled by various methods.

(11)

i) 65% by direct recruitment through a competitive examination in accordance with the instructions issued by the Department in this behalf.

ii) 35% by promotion of departmental candidates through competitive/qualifying examination as indicated under column 12 of the schedule.

transfer to be made.

1. 35% recruitment by promotion of departmental candidates referred to in item (2), of column 11 will be regulated as under:-

- i) 15% by promotion of departmental candidates through a competitive examination;
- ii) 10% by promotion of Transmission Assistants, Telephone Inspectors, Auto Exchange Assistants and Wireless Operators through a competitive examination; and
- iii) 10% by promotion of Transmission Assistants, Telephone Inspectors, Auto Exchange Assistants and Wireless Operators on seniority-cum-fitness basis through a separate qualifying test, the inter-se-seniority of the officials being decided on the basis of length of service in the grade.

2. Against 15% quota of vacancies referred to in Serial No. (i) above, the following Group 'C' employees in the Department whose scale of pay is less than that of Junior Telecom Officer, shall be eligible:-

- i) Those borne on regular establishment and working in Telecom Engineering Branch of the Department including those working in the office of Chief General Manager, Telecom Circles/Districts;
- Transmission Assistants, Telephone Inspectors, Auto Exchange Assistants and Wireless Operators,
- Group 'C' employees of the Telegraph Traffic Branch of the Department, and
- ii) Those working in Telecom Factory, other than those borne on industrial establishments.
- iii) Those borne on the regular establishment and working as Accounts Clerks in the Accounts Wing under the Telecommunication Circles.
- iv) Those borne on the regular establishment and working as Works Clerks, Grade I and II, Work Assistants, Draftsman, Junior Architects and Electricians in the Civil Wing under Telecom Circles.

Provided that-- (a) they have passed High School/Matric Examination or its equivalent,

(b) they have put in atleast five years of continuous satisfactory service in one or more eligible cadres. Those employees who hold the qualifications as prescribed in Column 8 of the Schedule will be eligible to appear in the competitive examination after three years of continuous satisfactory service in one or more eligible cadres. The length of service for the purpose of eligibility will be determined on the crucial date referred to in Note under Col.6 of the Schedule.

(c) they are not above the age of 40 years (45 years in the case of Scheduled Castes/Scheduled Tribes candidates) on the crucial date referred to in note below Column 6.

Against the quota of 10% referred to in item I(ii) above, Transmission Assistants, Telephone Inspectors, Auto Exchange Assistants and Wireless Operators, who have rendered 3/5 years continuous satisfactory service as explained in 2(b) above in any of the aforesaid four cadres as on the crucial date defined in note below Column 6 will be eligible to appear in the competitive examination for promotion to the cadre of Junior Telecom Officers::

Provided - (a) they have passed the High School/Matriculation examination or its equivalent examination.
 (b) they are not above the age of 40 years (45 years in case of Scheduled Caste/ Scheduled Tribe candidates) on the crucial date defined in note below Column 6.

Against the quota of 10% referred to in item I(iii) above, Transmission Assistants, Telephone Inspectors, Auto Exchange Assistants and Wireless Operators, who have put in ten years of continuous satisfactory service in any of the aforesaid four cadres as on the crucial date referred to under Column 6 will be eligible to appear in the qualifying examination for promotion to the cadre of Junior Telecom Officers::

Provided - (a) they have passed the High School/Matriculation examination or its equivalent examination.

NOTE:.. There shall be no upper age limit in their case. They shall, however, have to undergo a simple medical test to ensure that they are physically fit and mentally alert to perform the duties expected of a Junior Telecom Officer.

EXPLANATION:.. i) The service for the purpose of eligibility in case of Rule-38 transferees would count from the date they joined the new unit.
 ii) The candidates who once pass the qualifying examination need not appear again in the examination held subsequently.

If a Departmental Promotion Committee exists, what is its composition.

Circumstances in which U.P.S.C. is to be consulted in making recruitment.

12.

(Continued)

NOTE : :: No candidate other than those belonging to Scheduled Castes and Scheduled Tribes Communities shall be granted more than four chances to appear in the competitive examination. But those candidates who secure more than 70% marks in the 4th chance but are not selected for appointment as Junior Telecom Officers may be allowed one more chance as a special case. The restriction in respect of number of chances is not applicable to members of Scheduled Caste and Scheduled Tribe communities. They will be eligible to appear in the Departmental examination till they reach 45 years age under provisions of extended age limit applicable to such communities.

13.

Group 'C' Departmental Promotion Committee (for considering confirmation of direct recruits) consisting of -

14.

Not applicable.

1. An Officer of Group 'A' in the Junior Administrative Grade of Indian Telecommunication Service Chairman.
2. Two Officers of Group 'A' in the Senior Time Scale of Telecom Engineering Service Members.

(B.S. VERMA)
Assistant Director General (ST-C)
Tele No. 3032468

TRUE COPY
N. R. Srinivasan
(N.R. SRINIVASAN)
Advocate for Applicant/Petitioner
To

The Manager,
Government of India Press,
Mayapuri Industrial Area,
NEW DELHI.

20

Annexure A
24

Copy of DOT Letter No. 27-4487-TE-II(L) dt. 16-10-90 on recruitment in the cadre of JTOs in the Dept. of Telecom.

....

As per recruitment rules for the cadre of JTO, 65% recruitment is from the market among all the candidates having either B.A. degree or B.Sc., 1st Class with Physics and Mathematics. Out of the remaining 35% posts, the recruitment is made amongst the departmental candidates.

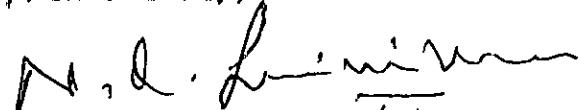
2. The proposal for restructuring of Cadres in Group 'C' and 'D' with a view to rationalise and eliminate overlapping duties and also to meet the requirements of the changing technologies, has recently been approved by the Government.

3. It has now been decided that for the posts of Junior Telecom Officers, the departmental recruitment quota of 3% will be filled through competitive examinations open to all cadres and from those officials who possess a three-year Engineering Diploma after 10th standard or 1st Class in B.Sc., with Physics and Mathematics. This arrangement will be during transitional phase. However, for the department examination, i.e., one during 1990 and the second in 1991 the existing recruitment rules for JTOs for departmental employees will be followed.

4. As a long-term measure for the recruitment of JTOs, 65% quota for open recruitment will be from the candidates who are engineering graduates. In case of non-availability of graduate engineers, candidates with 1st Class B.Sc., with Physics and Mathematics will be considered.

5. The existing recruitment rules will be amended and instruction issued separately.

//TRUE COPY//



(N.R.SRINIVASAN)
Counsel for Applicant.

G.O.I.

TELECOMMUNICATIONS : : ANDHRA PRADESH
HYDERABAD - 500 001.

H.O.C.

21

Ann A 3/25

25

TO

Mr. S. N.

11.1.

MO.

11.1.1993



Date: 30/6/93

Sub:-Communication of marks obtained in the

Ref:-Your letter No. E 2-6/16/151

The marks obtained by the following official/s in the above mentioned Examination are given below :-

Sl.No.	Roll No.	Name of the Candidate	Papers I	Papers II	Papers III
1	121/21/52	S. M. Rajsekhar Reddy	65	76	63
		P.I.			
			Paper IV	76	

TRUE COPY

N. D. Reddy

(N.R. SRINIVASAN)

Advocate for Applicant, Petitioner

Asst. Director (Rect.)
S.C.G.M.T., A.P. Circle
HYDERABAD-500 001.

RECD

Encl. No 1228. 2/1x/4647-7-7-93

Copy to the official (through) S.D.O. A.P.

No E43/ii/9293/123 dt 12.7.93 अध्याक्ष इन्स्टिट्यूट अन्ध्रप्रदेश

Copy to Mr. K. S. Reddy Assistant

SDO मंत्रालय अधिकारी (फोन)

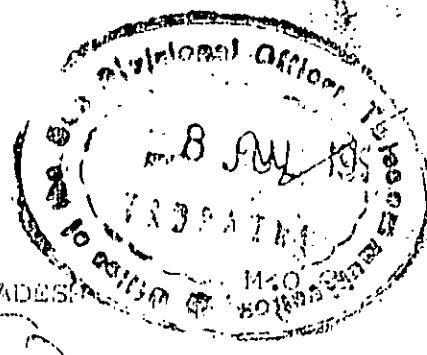
S.D.O. Divisional Officer (Phones)
Andhra-Pradesh-500 050

फोन नंम्बर

500 050

Ann. A-4 26

22



Q.O.I.

TELECOMMUNICATIONS : ANDHRA PRADESH
HYDERABAD - 500 001.

TO THE C.R.

3/3

3/7

NO. 1000000000000000

Date: 16/7/93

Sub:-Communication of marks obtained in the

Ref:-Your letter No. E 9/4 dated 23/7/93

The marks obtained by the following official/s in the
above mentioned Examination are given below : -

Sl. No.	Roll No.	Name of the Candidate	Papers
1	1000000000000000	Subramanyam T.A PT.S	I 62 II 59 III 46 Paper IV 58

Examination held on 10th July 1993.

TRUE COPY

(N.R. PRINIVASANI)
Advocate, Barrister
Petitioner

Asst. Director (Recd.)
C.G.M.T., A.P. Circle,
HYDERABAD-500 001.

Encl. 00582 (Gen/1x/L1) dt 7-7-93

Copy to the official concerned, SDOT Tadipatri

1. Mr. D. S. Rao (Officer)

2. Mr. H. S. Rao (Officer)

3. Mr. V. V. Rao (Officer)

Asst. Director

Gen. Secy.

Off.

Adm.

Secy.

Mo. Secy.

25
23
27

Copy of DOT Letter No. 5-5-93-NCG dt. 24-8-1994 on filling up of J.T.O. Posts.

• • •

The matter has again been examined and it has now been decided that as a one time measure all the available vacancies against direct recruitment quota as on date may be diverted to Departmental Competitive quota in order to absorb those PIs/TAs/AEAs/WOs who have already qualified the competitive examination but could not be selected due to shortage of vacancies.

It may be ensured that selection be made according to marks obtained and the candidate be absorbed according to the seniority maintained as per the orders on the subject.

//TRUE COPY//



(N.R.SRINIVASAN)
Counsel for the Applicants.

From

K. Prabhakara Rao,
Telephone Inspector, Cables,
O/O S.D.O. Phones,
Tirupati - 517 501.

(21)

ANNEXURE NO 28
Tirupati.

20-40-94.

To

The Chief General Manager,
Telecommunications,
A.P. Circle,
Hyderabad.
(Through proper channel)

Respected Sir,

Sub: Injustice in issue of hall permits of JTO's Competitive Examination 1992 Reg:-

.. ..

I humbly submit the following few lines for favour of your kind consideration and necessary favourable action.

I have applied for JTO's competitive examination in 1992 under 20% quota, but I have not received hall permit from the department. I was enquired about the hall-permit at divisional office. The concerned official said that your service is not sufficient in your present cadre. (5 days leave). Recently I came to know that my batch mate Sri M. Srinivasu I/1 Ramachandra Puram have taken the above examination under 20% quota. His hall permit number is APT/85/92/3103.

He is junior to me as per circle gradation list and some particulars are given below for verification.

No.	Name of the Official Circle Recruit	Recruit- Gradation	PI Teg.	Batch No.
1.	Sri K. Prabhakara Rao	28	1985	6-7-37 CRTC-KL 13
2.	Sri M. Srinivasu	28	1985	-do- 18

Herewith enclosed relieving orders of PI Teg for verification.

My application (JTO) has submitted at MDT Cables Office, Tirupati within the time. Divisional Office forwarded the above application to circle office as per Lt. No.

TEH-IIP Lt. No. E-9-5/JTO/AL/95/187 dated 30-1-93.

I have lost the chance due to non issuing of hall permit for the above said examination. Hence I request you to kindly give the justice in the above matter in any manner i.e.,

1. I have taken JTO examination 1991 under 15% quota. My hall permit No. is APT/79/91/747. Recently, I have heard that the officials (PI/DS/MEA/WO) who have qualified but not selected in the competitive examination 1991 will be permitted in JTO Training. Hence I request you to permit me for JTO Training if I passed in the above examination with sympathetic and sympathetic manner.

2. I have passed B.Sc., with Physics, Chemistry and Zoology in 1 class. My marks were 66.6%. I have submitted my marks list (verax) for walk in group selection of JTO. My application was forwarded to circle office as per TEL-IIP Lt. No.

TEL-IIP/8-27/JTO/8/02 dated at TIP the 23-9-94.

Hence I request you to select me for JTO training in walk-in-group.

I once again request you to consider my request for which
TRUE COPY ~~TRUE COPY~~ Thank you for ever.

N. R. Srinivasan
(N.R. SRINIVASAN)

Advocate for Appellate Petitioner

Yours faithfully,

Cont. 22

Department of Telecommunications

मुख्य महाप्रबन्धक द्वारा द्वारा
Chief General Manager, Telecommunication:
आधा ब्लैक, हैदराबाद-500 001,
Andhra Pradesh, Hyderabad-500 001.

卷之三

• The Telecom District Manager,
Tirupathi.

Annexe 8

三

A7

..... File No TA/RE/3-5/92/I..... Date at HYD-1, the 26-10-1940.

Sub:- Departmental Competitive Examination for promotion to the cadre of JTO held on 24 and 25th September '94.

詩經卷之二

A direct representation dt, 20-10-94 from Sri K.Prabhakara Rao, T.I./Tirupathi has been received in this office, on the above subject. The same has been examined and the official may please be informed the following.

be informed the following:

- (1) Sri K. Prabhakara Rao was having less than five years of service as on 1-7-92 in the said cadre including training period. Hence his application was rejected and the same was intimated to T.D.M. TPT vide this office letter of even no. dated 24-5-93.
- (2) He does not possess qualifications as prescribed for direct recruitment for selection as JTO under Walk-in-Group Scheme i.e. B.Sc 1st Class with M.P.C.
- (3) His case will not be considered against 20% quota for the un-filled vacancies of JTO competitive examinations held prior to 1992, in view of (1) and (2) above.
- (4) Sri M. Srinivas who was stated to be junior to K. Prabhakara Rao, ~~1/2~~ possesses qualifications as prescribed for direct recruitment i.e. First Class B.Sc with M.P.C. Hence his name was shown against 20% quota which is ~~concerning~~ ^{order}

(CH. RAMAMURTHY)
Assistant Engineer (Rectt)
for C.G.M.T. A.P. Hyderabad-1

✓ Sri. K. Prabhakar Rao, P. I. Sub Divisional Engineer (HHD)
to S. D. & P. T. R. for information o/o T. D. M., TIRUPATI.

TRUE COPY

N. L. Minim

(N.R. SRINIVASAN)
Advocate for Appellant/Petitioner

26

Annexo

पत्रा-7
Corr-7

दूरसंचार विभाग

5/81/94

(A.9)

DEPARTMENT OF TELECOMMUNICATIONS

श्रीमान
From : Chief Inspector of Examinations
Date : 30.4.91
Address : Department of Telecommunications, Hyderabad-500 001

सेवा में
To : The Telecom Disitrcit
Manager, Tirupathi.

क्र. No. TA/BE/3-5/91/IV. Dated at Hd. the 31.10.94.

Sub :- Intimation of marks - Case of Sri
K. Prabhakar Rao, PI, SDO Phones, TPT.

The marks obtained by the above official
for JTO competitive examination held on 14 & 15th
March 92 is as follows, the same may be intimated
to the candidate at your end.

Papers I II III IV

K. Prabhakar Rao APT/79/91/747 60 45 54 78

A/11/02/05

RC-I

Ch. Ramamurthy
(Ch. Ramamurthy)
Asst Engineer (Rect)
for CGM Telecom.,
Hyderabad.

Examination : C/27/5T/91/92 at TRP 2-11-94

To : K. Prabhakar Rao I.T.O.
I.S.O.P. TPT
int/28/91

Sub Divisional Engineer (IRD)
O.O. T. D. I. TPT
E/8/1

True copy
Notarized
Counsel for Appellants

(27)

Ann. Aq. 32

GOI

MOC

TELECOMMUNICATIONS :: ANDHRA PRADESH.
OFFICES OF THE CHIEF GENERAL MANAGER TELECOMMUNICATIONS
A.P. CIRCLE, HYDERABAD -500 001.

No. TA/RM/3-5/92/II

Dated at Hyd the 20.12.94.

To

The General Manager Telecom District Hyderabad, ad/Rajahmundry
Guntur/Vijayawada.The General Manager Telecom Area Warangal/Hyderabad/Vizag, Vizianagaram
All Telecom District Managers in A.P. Circle.

All Telecom District Engineers in A.P. Circle.

The Director RTTC Secunderabad.

The Deputy General Manager (Switching Instalations)
Suryalok Complex, Hyderabad.

The Divisional Engineer (Carr & VFT) Red hills Hyd-4.

The Divisional Engineer Telecom. R.E. Projects, Padmarao-
nagar Secunderabad.

The General Manager Railway Electrification project, Nagpur.

The D.E.T. (A/T Transmission), Samarat Complex, Hyd-4.

The D.E.T. (A/T Switching) Samarat Complex, Hyd-4.

The D.E.T. (Instalations) I/II/III, Suryalok Complex, Hyd-33.

The D.E.T. NMC, CTO Compound Secunderabad.

The D.E.T. 2nd Line Maintenance Hyderabad/Vijayawada.

The Director Maintenance, Hyderabad/Vijayawada.

The General Manager Telecom Transmission Projects, Hyd-1.

Sub :- Filling up of Junior Telecom
Officers Posts -reg.

As per the instructions of Department of Telecom, New Delhi Lr. No. 5-5/93-NCG dtd 24.8.94, the following PIs/TAs/AEAs/JOs who have already qualified in the Junior Telecom Officers Competitive Examination held on 14th & 15th March 1992 but could not be selected due to shortage of vacancies, are now been selected as Junior Telecom Officers against the available vacancies diverted from direct recruitment quota as one time measure.

Sl. No. Name of the candidate Roll No. Division to which belongs.

S/Sri

1.	P. Balasubrahmanyam	APT/81/91/1047	Khairmam
2.	K. Narayana Rao	80/91/1109	Vijayawada
3.	P. Venkateswara Rao	86/91/1028	Guntur
4.	S. Sudhakar	81/91/1036	Ongole
5.	P. V. Sivagopal	83/91/1043	Khairmam
6.	O. Maruthi Varaprasad	82/91/1035	Ongole
7.	P. Chalapathi Rao	83/91/1102	Vijayawada
8.	D. S. Prakasa Rao	82/91/1073	Rajahmundry
9.	Y. Kurumnaikulu	83/91/1063	S. N. Areddy

Cont...2.

-2-

S. No. Name of the candidate Roll No. Division to which belongs

1. S/o/sr

10.	R. Venkateswarlu	APT/91/21/1013	Tirupathi
11.	R. Viswanadham	84/91/1043	Kurnool
12.	R. Komaraju	35/91/1112	Visakhapatnam
13.	R. N. Lakshmanam	83/91/1117	-do-
14.	K. Nagabhushana	85/91/1004	Anantapur
15.	R. Ramamohan	81/91/1019	Eluru
16.	G. Panduranga Rao	80/91/1113	Visakhapatnam
17.	N. L. Valvokar	82/91/1141	Mahabubnagar
18.	B. Srinivasulu	05/91/1051	Mahabubnagar
19.	M. Madhu	84/91/1108	Vijayawada
20.	M. Kasiviswanadham	82/91/1030	Guntur
21.	J. Thirivaram	84/91/1058	Nellore
22.	M. Ranveer Singh	84/91/1084	Sangareddy
23.	G. Kusi	83/91/1015	Eluru
24.	B. Srinivasulu Reddy	85/91/1143	Tirupathi
25.	V. Subba Reddy	79/91/1059	Nellore
26.	S. Gopalakrishna Rao	80/91/1030	Rajahmundry
27.	CH. Siva Reddy	85/91/1034	Guntur
28.	K. Srinivas Reddy	83/91/1039	Guntur
29.	SK. Zileni Basha	84/91/1133	Nellore
30.	R. G. K. Chowdary	83/91/1021	Eluru
31.	K. Swarna Kumari	HTDB/13/91	Hyd. District.
32.	L. Musaiayy	APT/83/21/1025	Eluru
33.	B. Jamababu	83/91/1055	Wligonda
34.	V. Veerabrahmam Chotty	83/91/1009	Cuddapah
35.	K. Dayanidhi	85/91/1033	Mizamabad
36.	M. Nagabhushanam	84/91/1099	Tirupathi
37.	D. Krishnamurthy	80/91/1035	Guntur
38.	V. Nagaraju	85/91/1003	Anantapur
39.	Y. Thejapidhi	80/91/1090	Tirupathi
40.	Shaik Abdul Saleem Basha	84/91/1100	Tirupathi
41.	P. V. Narayana	83/91/1140	Kurnool
42.	BH. Gopalakrishnamurthy	80/91/1023	Eluru

The names are arranged in the order of merit and the candidates will be admitted for JTO training according to the seniority.

Copy to :

The M.O.(S)/A.S.(Trg) C.O.

Notice Board

All recognized Class III Unions

(CH. Krishnamurthy)
Asst Engineer(Recd)
for C.G.M. Telecom.,
Hyderabad.

TRUE COPY

N. R. Srinivasan

(N.R. SRINIVASAN)

For the Applicant/Petitioner

Ann. A 1C

From

K. Prabhakara Rao,
 Phone Inspector (Cables)
 & S.D.O. Phones,
 Tirupathi 517501.

Date: —1-1-95.

To

The Chairman,
~~Parliamentary~~ Telecom Commission,
 Parliament Street,
 New Delhi, 110 001.

// through proper channel//

Respected sir,

Sub:- Filling up Junior Telecom Officers post - regarding.

Ref:- The C.O.M. Telecom, Hyderabad Lr No.
 TA/48/3.5/92 dtd 26.10.1994.

After due respects to you and the office you hold
 I wish to bring a few lines for your kind consideration.

I submit that I was selected as Telephone operator during 1979 and posted at Nellore. Thus I entered into the department. After that I was promoted as Phone Inspector under 1985 quota.

The Department conducted the phones inspectors/ASAs examination for the two years i.e., 1985 and 1986 in the end of 1986 and results were published in 1987. My bulk permission training was commenced from 6.7.1987. After completion of successful training period, I was posted at Godavari Khani (in Karimnagar Dist in A.P.). The FIs/ASAs, those who are recruited on 1984 they got eligibility for writing the JTO's examination in 1991. Due to unknown reasons the department could not conduct the said two years examination at the end of 1986. Thus I got loss one year seniority in the said examination. I have written the said examination in 1991 under 13% quota. My Hall permission No. was APT/79/91/747. At the time of said examination, I was working as phone inspector with more than four and half years service. I was passed the said examination and got 59.29% marks.

Under DPT Lr No. 5.5/93 NOT dated 24.8.94 circulated by C.O.M. Telecom Hyd Lr No. TA/RM/3.5/92/11 dated 20.12.94 revealed that who had already qualified in the JTO competitive examination held in 1992, but could not selected due to shortage of vacancies, are now been selected as JTOs against the available vacancies diverted from direct recruitment quota.

k.t.o.,

28(h)

35

page two.

While the matter was so on, I made an representation to the G.O.M. Telecom, A.P. Circle Hyderabad requesting him to consider my application in 15% quota in the year 1991. Then I was working as Phone Inspector and passed the said examination with 59.2% marks, but the candidates who wrote the said examination and got less marks, they selected in the JT0a list. Now-a days the newly restructured cadre TTA/PI is also eligible in JT0a screening test without any service limit. In that said time I was working as Phone Inspector with more than four and half years service.

In these circumstances please include my name also in the CGMT Lr No. TA/RE/3.5/92/11 dated 20.12.1994 and do justice in the interest of service rendered by me to the department.

Yours faithfully,

K. PRASAKARA RAO.

// K. PRASAKARA RAO. //

List of documents enclosed:-

1. My representation dated 20.10.94 to CGMT Ld.
2. Marks statement dated 31.10.1994 (of 1991 quota)
3. The G.O.M.T Hyd letter dated 20.12.1994.

copy to the

1. The Chief General Manager, A.P. Telecom, A.P. Circle Hyderabad for information please.
2. The Telecom District Manager, Tirupathi for information and necessary action please.
3. Copy posted to the Chairman, D.O.T New Delhi to give delay please.

TRUE COPY

N. R. Srinivasan

(N.R. SRINIVASAN)
Advocate for Applicant/Petitioner

29
36
Ann - APP
Anantapur,
Dated: 06.01.1995

From:
N.Rajasekhara Reddy,
Telephone Inspector,
Vemana Telephone Bhavan,
Anantapur.515 001.

To
The Chief General Manager,
Telecommunications,
A.P. Circle, H Y D E R A B A D.

THROUGH PROPER CHANNEL

Respected Sir,

Subject: Filling up of Junior Telecom. Officers

posts - Representation - Regarding.

Reference: Your office letter no.TA/RE/3-5/92/II
dated at Hyderabad 20.12.94.

With reference to above cited letter, I submit the following few lines for your kind consideration.

I, M.Rajasekhara Reddy, Telephone Inspector, Anantapur appeared for the Junior Telecom. Officers Competitive Examination held on 14th to 15th March 1992 with Roll No.APT/81/91/52. In that competitive examination, I have qualified by securing 69.56 marks. I am herewith enclosing the xerox copy of communication of marks obtained in that Examination. I learnt that I have missed the selection by marginal marks in the previous list.

In the reference cited above, P.I/T.A's/AEAs/WOs who have qualified in the Junior Telecom Officers Competitive Examinations held on 14th and 15th March, 1992 are now been selected as Junior Telecom Officers against the vacancies diverted from direct recruitment quota. In that selection list, my name is not available, eventhough I have qualified with 69.56 marks (Paper.I - 74; Paper.II - 65; Paper.III - 63; Paper.IV - 76 = Total - 278) in the Competitive examinations held on 14th and 15th March, 1992.

My name also may be considered for the selection of Junior Telecom Officers post. I humbly request the authorities to consider my selection for Junior Telecom Officers post since I have qualified in the Competitive examination held on 14th and 15th March, 1992.

I hope early positive reply in this matter.

Thanking you, Sir,

Yours faithfully,
N.R. Rajasekhara Reddy
(M.RAJASEKHARA REDDY)

Direct copy to save delay.

Encls:1. Xerox copy of marks communication.

TRUE COPY
N. R. Srinivasan
(N.R. SRINIVASAN)
Advocate for Applicant/Petitioner

(30)

Ann. A 1037

Anantapur
Dated: 26.4.1995

From
N. Rajasekhar Reddy,
Telephone Inspector
Vemana Telephone Bhavan,
A U A N T A P U R.

To
The Chief General Manager
Telecommunications,
A.P. Circle
H Y D E R A B A D . 500001

(THROUGH PROPER CHANNEL)

Respected Sir,

Sub:- Filling up of Junior Telecom. Officers Posts - Representation - Reg.

Ref:- (1) Your Office letter No. TA/RE/3-5/92/II dated 20.12.94
(2) My representation dated 6.1.1995

With reference to above cited letter, I submit the following few lines for your kind consideration.

I, N. Rajasekhar Reddy, Telephone Inspector, Anantapur appeared for the Junior Telecom. Officers Competitive Examination held on 14th to 15th March, 1992 with Roll No. AT/81/91/52. In that competitive examination, I have qualified by securing 69.5% marks. I am herewith enclosing the xerox copy of communication of marks obtained in that examination. I learnt that I have missed the selection by marginal marks in the previous list.

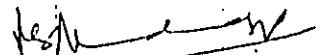
In the reference (1) cited above, PIs/TAs/AEs/NOs who have qualified in the J.T.O. competitive examinations held on 14th to 16th March, 1992 are now been selected as Junior Telecom. Officers against the vacancies diverted from direct recruitment quota. In that selection list, my name is not available even though I have qualified with 69.5% marks (Paper I 74; Paper II - 65, Paper III - 63, Paper IV - 76 = Total 278) in the competitive examination held on 14th and 15th March, 1992.

My name also may be considered for the selection of Junior Telecom. Officers post. I humbly request the authorities to consider my selection for Junior Telecom. Officers post since I have qualified in the competitive examination held on 14th & 15th March, 1992.

I hope early positive reply in this matter.

Thanking you Sir,

Yours faithfully



(N. RAJASEKHARA REDDY)

Direct copy to safe delay

Encl:- Xerox copy of Marks communication

TRUE COPY



(N.R. SRINIVASAN)

Adv. S. S. Srinivasan, Practitioner

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD

O.A.NO: 1508 of 1995

C 38

Between:

Sri.Y.Rajasekhara Reddy

... Applicant

A N D

The Director General
Telecommunications,
Rep. by The Union of India
Sachar Bhavan, New Delhi and
another.

... Respondent.

COUNTER AFFIDAVIT FILED BY THE RESPONDENTS

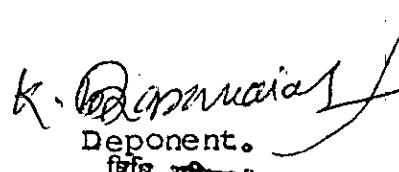
I, K. V. Basavaiah S/o Late Kanakaiah Aged 53 years,
R/o Hyderabad do hereby solemnly and sincerely affirm and
state on oath as follows.

1. I am working as Law Officer in the O/o CGM Telecom., as such I am well acquainted with the facts of the case. I am filing the counter Affidavit on behalf of the above Respondents, as I have been authorised to do so.
2. I have read the contents of the O.A filed by the Applicants and I submit that it is replete with incorrect facts. All the averments, facts and rules which are inconsistent and at variance with the following history of the case are hereby denied.
3. In reply to para 4.2 it is submitted that as per recruitment rules. TIs/TAs/AEAs/WOs who have not completed 5 years of service in the grade of PI/TA/AEA/WO are not eligible for JTO competitive exam in the capacity of TI/TA/AEA/WO. For 15% of JTO competitive Examination, Group-C employees other than TI/TA/AEA/WO who have put in at least 5 years of service are only eligible.

Ist page.

Corrs.


D. HARANATH BABU
A. D. (S. (C-III))
O/o. C.G.M. Telecom.
Hyderabad - 500 001.


K. Basavaiah
Deponent.
धिक्षित अधिकारी
LAW OFFICER
I. M. प्र. द्वारकाचार अ.प्र. का. कार्यालय
O/o. C. G. M. Tel.com, A. P.
Hyderabad/Hydrbad - 500 001.

As per DOT Lr. No. 41-7/81-NCG; dtd. 1-6-82 and 27-1-83 (copies enclosed), the applicants in O.A. cited above were allowed to write the JTO comp. exmn. against 15% quota in the capacity of lower grades of TO/TOA only, BECAUSE THEY HAVE not exhausted 4 chances in their lower cadres. The criteria for allowing the applicants in O.A. in JTO departmental com. exmn. under 15% quota was putting in 5 years of service in the lower cadre of TO/TOA, since they have not availed 4 chances in the lower cadres. The 3 applicants in question were allowed in the capacity of lower cadres of TO/TOA and not in the capacity of TI/TA

4. In reply to para 4.6 it is submitted that as per JTO Recruitment Rules, 1990, TIs/TAs/AEAs/WOs with 5 years of service, are being allowed to sit for the deptl. Comp. Exmn. for recruitment to the cadre of JTO under 20% quota and whereas, TIs/TAs/AEAs/WOs, who have less than 5 years of service have not exhausted permissible chances of four in their lower cadres and have completed total service of 5 years in TO/TOA, are being allowed to sit for the said examination under 15% quota along with other TO/TOAs.

As per the instructions of DOT-ND in Lr. No. 5-5/93-NCG dtd. 24-8-94, the TIs/TAs/AEAs/WOs, who have qualified in the JTO comp. exmn. held on 14/15-3-92 but could not be selected due to shortage of vacancies have been selected as JTOs against the available vacancies diverted from direct recruitment quota as one time measure vide Lr. No. TA/RE/3-5/92/II, dt. 20-12-94. This is applicable only to the departmental comp. quota of TIs/TAs/AEAs/WOs but not for the lower cadres.

2nd page.

Corrs.

D. Haranath Babu
Attestor
D. HARANATH BABU
A. D. (S. C-II)
O/o. C.G.M. Telecom.
Hyderabad - 500 001.

K. Basavaiah
Deponent.
विवि बसवाई
LAW OFFICER
1. म. प्र. दूरसंचार औ.प्र. का कार्यालय
2. o. C. G. M. Telecom, A. P.
हैदराबाद/Hyderabad - 500 001.

20

M. Rajesekhara Reddy & 2 others (the applicants in O.A. were allowed to sit for the departmental competitive Exmn. for promotion to the cadre of JTO under 15% quota held on 24/25-9-94 in the capacity of Lower grade only but not in the capacity of TI/TA. Hence, question of diversion of outside quota vacancies to these candidates does not arise.

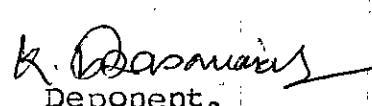
5. In reply to Para 4.7, it is submitted that the official who was allotted Roll No. 1039 had applied for JTO deptl. Comp. exmn. under 20% quota. As the official had fulfilled the conditions prescribed to write the exmn. under 20% quota, he was permitted to write the exmn. under 20% quota only.

6. In reply to para 4.9, it is submitted that the TIs/TAs/AEAs/WOs who have completed 5 years of service in their present cadre are eligible to sit for the comp. exmn. under the quota of TIs/TAs/AEAs/WOs i.e. 20% quota of comp. exmn. in the capacity of TIs/TAs/AEAs/WOs. The 3 applicants in O.A. have not completed 5 years of service in TI/TA, their cases are not considered for the comp. exmn. of TIs/TAs/AEAs/WOs to the cadre of JTO in TI/TA/AEA/WO quota. They have written the examination in the capacity of lower cadre only as they have not completed 4 chances in their lower cadre. The officials will be allowed to sit for the comp. exmn. of TIs/TAs/AEAs/WOs to the cadre of JTO when they completes 5 years of continuous service in the cadre of TI/TA only. Hence their candidature is not coming in the way of selection. Also question of diversion of outside quota vacancies to these three candidates does not arise.

3rd page.

Corrs.


Attestor
D HARANATH BABU
A.D. (Suff-III)
O/o. C.G.M. Telecom,
Hyderabad - 500 001.


Deponent.

विधि अधिकारी
LAW OFFICER
म. म. प. दूरसंचार अ०.प. का कार्यालय
O/o. C. G. M. Telecom, A. P.
हैदराबाद/Hyderabad-500 031.

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL : AT HYDERABAD

OA NO : 1508 / 93.

Between

4. Rajeshkhan Reddy
and

The Director General

Telecommunications

Rep by The Union of India
Sanchay Bhawan New Delhi
and another

Reply Statement

filed on . 13 - 6 - 96.

filed by : Komireddi
Ravuloo Add/Cas

Counsel for Respondents



In view of the above facts there are no merits in the application as such it is prayed that the Hon'ble Tribunal may be pleased to dismiss it with further order or orders as may deem fit in the circumstances of the case.

solemnly affirmed and signed

before me on this day of 13th

June 1996, at Hyderabad.

(P. R. S. S.)
(C. K. M. Tel. Com.)
13/6/96

K. Basemawali
DEPONENT.

विधि विभाग
LAW OFFICER
म. प. प्र. दूरसंचार बां. का कार्यालय
O/o, C. G. M. Tel. Com, A. P.
हैदराबाद/Hyderabad-500 001.



CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

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

ORIGINAL APPLICATION NO. 1508

OF 1995

TRANSFER APPLICATION NO.

OLD PETITION NO

CERTIFICATE

Certified that no further action is required to be taken
and the case is fit for consignment to the Record Room (Decided)

Dated: 26/3/98

Counter Signed.
Section Officer/Court Officer.

PVM


Signature of the Dealing
Assistant

42

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

Original Application No.1508/95

Friday this the 6th day of March, 1998.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. H. RAJENDRA PRASAD, ADMINISTRATIVE MEMBER

1. M.Rajasekhara Reddy, S/o Chinnappa Reddy,
aged about 31 years, Telephone Inspector,
Vemana Telephone Bhawan,
Ananatpur.1.
2. Ch.S.V.Subrahmanyam, S/o Hanumaiah,
aged about 35 years, Transmission
Assistant, Telephone Exchange,
Pamidi-515 775, Anantapur Dist.
3. K.Prabhakara Rao, S/o Chandramouli,
aged about 37 years, Telephone Inspector,
O/O Sub Divisional Engineer,
Cables, Tirupathi-517501.

...Applicants

(By Advocate Shri NR Sreenivasan)

1. The Director General, Telecommunications,
(Rep.Union of India), Sanchar Bhavan,
New Delhi-110 001.
2. The Chief General Manager,
Telecommunications,
A.P.Circle,
Hyderabad-500 001.

...Respondents

(By advocate Mr. K.Ramulu,CGSC)

The application having been heard on 6.3.1998, the Tribunal
on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicants were rendering service as Telephone
Operators/Telecom Office Assistants. Applicant No.1 was
promoted as Telephone Inspector on 5.3.88, applicant No.2
on 29.2.88 as Transmission Assistant and the Applicant No.3
on 14.3.1988 to the cadre of Telecom Assistant. According
to the Recruitment Rules promotion to the post of Junior
Telecom Officers were to be made 15% by promotion of
departmental official candidates in the cadre of
TOS/TOAs/Techs etc. though a competent examination, 10% by

promotion of TA/TIs/WOs/AEs through competitive Examination and 10% by promotion of TIs/TAs/WOs/AEs who have completed 10 years of service through a qualifying examination and remaining 65% by Direct Recruitment.

2. The recruitment policy was changed as a result of cadre restructuring of Group 'C' and 'D' cadre, as per the letter of the first respondent dated 16.10.90. According to the above policy the Departmental recruitment quota of 35% was to be filled through a competitive examination open to all cadres and those officials who possess 3 years Diploma after 10th standard or First Class B.Sc. with Physics and Mathematics. However, it was decided that recruitment for the year 1990-91 would be made according to the existing Recruitment Rules. The competitive examination was held on 15.3.92. The applicants did not have the length of service to be eligible to appear for the competitive examination in the quota for Phone Inspectors/Transmission Assistants/Wireless Operators and Auto Exchange Assistants. However, they could yet compete for the 15% quota for the Telephone Operators etc. Therefore, the applicants appeared for the examination in that quota and got the minimum qualifying marks in their quota. However, for want of sufficient vacancy in the quota the applicants could not get absorbed. The Department of Telecom decided as a one time measure to divert all the Direct Recruit vacancies to be filled by absorption of those Phone Inspectors/Transmission Assistants/Auto Exchange Operators/Wireless Operators who had already qualified in the competitive examination but could not be selected due to shortage of vacancies and this decision was communicated by letter dated 24.8.94. The grievance of the applicants is that the benefits under this dispensation was given only to those Phone Inspectors/Transmission Assistants, etc. who at the time of appearing at the

examination had 5 years of service and had appeared in their quota denying the benefit to those like the applicants.

3. The applicants, therefore, have filed this application for a declaration that Annexure.A9 order by which the Phone Inspectors, Transmission Assistants, Wireless Operators and Auto Exchange Assistants who had appeared in their quota after completing 5 years of service alone were absorbed as discriminatory and that the applicants are also entitled to get the benefits of A.5. orders.

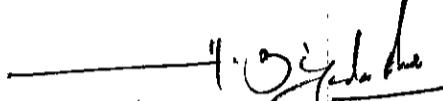
4. The respondents in their reply affidavit contend that it was for the purpose of avoiding stagnation amongst the senior Phone Inspectors/Transmission Assistants/Wireless Operators/Auto exchange Assistants who qualified in the examination as a one time measure that the entire vacancies in the grade of Junior Telecom Officers in the Direct Recruitment Quota was diverted and that the applicants who appeared for a different quota of Telephone Operators etc. is not entitled for the benefit of Annexure.A5 order.

5. After hearing the learned counsel on either side and after perusing the pleadings we are satisfied that the contention taken by the respondents is well taken. Phone Inspectors, Transmission Assistants, AAEs, who had completed more than five years of service appeared and got qualified in the examination for recruitment to the post of JTOs but could not be accommodated for want of vacancies for a class different from those did not have the length of service of PIs, TAs, WOs and AEAs but had appeared in the quota for Telephone Operators. The benefits under

Annexure.A5 order having been intended only to those senior officials for avoiding stagnation cannot be extended to the applicants in whose case there was no stagnation. The Annexure.A5 order is therefore cannot be faulted.

6. In the light of what is stated above, we do not find any merit in the application which is dismissed leaving the parties to bear their own costs.

Dated the 6th day of March, 1998.

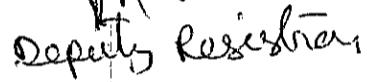


H. RAJENDRA RASAD
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

|ks|



17/1/98
6
TYPED BY
COMPIRED BY

I Court
CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE AvHaipara,
VICE-CHAIRMAN (Ernakulam
Bench)
AND

THE HON'BLE MR.H.RAJENDRA PRASAD: M(A)

DATED: 6-3-1998

ORDER/JUDGMENT:

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

O.A.No. 1508/95
in

T.A.No. (W.P.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

