

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.1604/95.

Dt. of Decision : 22-4-98.

Sara Indra Prasad

.. Applicant.

Vs

The District Manager,
Telecommunications,
Medak At Sangareddy.

.. Respondent.

Counsel for the applicant

: Mr.Kalyan Rao Joshi

Counsel for the respondents

: Mr.N.R.Devaraj, Sr.CGSG.

CORAM:-

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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

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ORDER

ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN: MEMBER (ADMN.))

Heard Mr.Kalyan Rao Joshi, learned counsel for the applicant and Mr.N.R.Devaraj, learned counsel for the respondents.

2. The applicant filed this OA praying for a direction to the respondents to consider the case of the applicant for appointment to the post of Telephone Operator in any Telephone exchange in Medak District by considering his case along with the other suitable and eligible candidates as per rules.

3. The applicant submits that he was engaged as ^aPart-time Telephone Operator during 1989 to 1990 at Telephone Exchange, Narayankhed. He further submits that he worked there for one year ~~xxxxxx~~ uninterruptedly. It is stated that his services were terminated for want of vacancy. A service certificate was also issued by the respondents having worked in the Telephone Exchange, Narayankhed from 31-1-89 to 31-1-90. The applicant adds that he was assured that as and when vacancy arises, ^{he}his services will be absorbed or ^{his services will be}utilised. The applicant submits that his representation for reengaging him did not find favour of the respondents. Hence, he has filed this OA.

4. The applicant earlier filed OA.230-94 which was disposed of by order dated 2-3-94. The operative portion of the orders reads as below:-

"But if it is the case of appointment for less than three months and when the appointment can be made even without reference to the Employment Exchange, then offer has to be made to the applicant before offering it to the freshers."


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5. A reply has been filed in this OA. It is stated in the reply that all the manual exchanges are ~~xxxx~~ converted into Automatic exchanges and in most cases as Electronic Exchanges. STD facilities have been introduced ~~xxxx~~ in many Trunk exchanges and hence the manual operation has become extinct. It is also stated that the cadre of Telephone Operators in the Department of Telecom is being phased out introducing a restructured cadre of Senior TOA. After the issue of the order in OA.230/94 no fresh appointment to the cadre of Telephone Operator was made. There is no possibility for engaging the applicant as Telephone Operator even for less than three months.

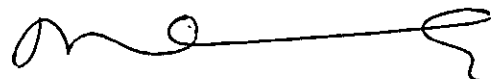
6. From the above reply it appears that no freshers have been appointed even for vacancies less ~~xxxx~~ than three months. The cadre of Telephone Operator is ~~in a dying~~ ^{a dying} category in view of the introduction of these sophisticated exchanges. If that be the case this Bench cannot force the respondents to re-engage the applicant when there is no work for a manual Telephone Operator. However, we are of the opinion that the order in OA.230/94 is equally applicable to the applicant in this OA. Hence, we are once again ~~express~~ ^{impose} upon the respondents to adhere to the order extracted above in OA.230/94 if there is short ~~of~~ ^{of} vacancies of less than three months and the appointment to ~~that~~ ^{those} vacancies ^{are} made without reference to the employment exchange. The applicant should ^{as indicated above in short term vacancies} be posted, if conditions are fulfilled instead of recruiting freshers from the open market.

7. The OA is ordered accordingly. No costs.


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

22.4.98

Dated : The 22nd April, 1998.
(Dictated in the Open Court)


(R. RANGARAJAN)
MEMBER (ADMN.)

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Copy to:

1. The District Manager, Telecommunications,
Medak at Sangareddy
2. One copy to Mr. Kalyanrao Joshi, Advocate, CAT, Hyderabad.
3. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT, Hyderabad.
4. One copy to D. R. (A), CAT, Hyderabad.
5. One duplicate copy.

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19/5/98

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II COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 22/4/98

ORDER/JUDGMENT

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

in

O.A.NO. 1604/95

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

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