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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 341/95

DATE OF ORDER : 04-11-1997.

Between :-

Smt.Ch.Simhachalam

... Applicant

And

1. The Chief General Manager,
Telecommunications,
AP, Hyderabad.
2. Sr.Superintendent,
Telegraph Traffic Division,
Visakhapatnam.
3. Sr.Telgephr.Master Telegraph Office,
Near Sri Kanya Theatre,
Visakhapatnam.
4. V.Ramanamma, Sweeper

... Respondents

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Counsel for the Applicant : Shri M.P.Chandramouli

Counsel for the Respondents : Shri V.V.Raghava Reddy, Addl.CGSC

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CORAM:

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

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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... 2.

(Order per Hon'ble Shri R. Rangarajan, Member (A)).

MP Chandramouli, counsel
Heard Sri for the applicant & Shri N.V. Raghava Reddy, standing
counsel for the respondents. Respondent No.4 called absent. Notice
has been served on Respondent No.4.

2. The applicant in this OA originally appointed as a part-time Sweeper by Respondent No.2 on 1-6-74. She was regularised as a Group-D Official by memo No. EST-6/80-81 dt. 14-11-1980. On absorption ^e she was entrusted with the duties of farash as per the requirements at that time. The post of Group-D includes the duties of farashing, sweeping, watchman, waterman etc.. The applicant was given selection grade against the 20% quota in the cadre of Group-D from 1-3-94. The 20% quota for the selection grade is on the basis of seniority amongst Group-D staff. Respondent No.4 was appointed as Sweeper subsequently and Respondent No.4 was given sweeper duties which is in the non-test category. Respondent No.4 represented her case for rotation of the duties to be marked to herself and applicant. Since the applicant and Respondent No.4 ^{belong} _{was} to same category, the request of respondent No.4 ^{considered} _{offer} rotational duties were offered.

3. Aggrieved by the action of the respondents, the applicant had filed this OA protesting against the rotation of duties and praying for continuing her in Farash duty only.

4. A reply has been filed by the respondents. The main contention of the respondents is that the Group-D services ^{includes} ~~possesses~~ the duties of Farash, Watchman, Waterman etc., and incumbents of all these posts can be rotated to any other post even if they are working as

Selection Grade Group-D officials. For this they are relying on the letter No.1-49/73-NCG dt.11.1.74 (Annexure-II to the counter). As per this letter the rotation of Group-D officials to man in all the posts like Farash, Waterman, Sweeper and watchman is permissible, even the Group-D officials in the selection grade can be rotated. Since interchangeability is permissible including the selection grade in Group-D, the applicant cannot resist her posting in term of letter dt.11-1-74. The applicant has not filed any rejoinder. She has not even challenged the letter dt.11-1-74. Hence the allotment of duties was done in accordance with the existing instructions of the department. Hence the applicant cannot resist the duties allotted to her and she has to perform the duties. In view of the above discussion, we find no merits in this case.

5. Accordingly the OA is dismissed. No order as to costs.


(B.S.JAI PARAMESHWAR)
Member (J)
4.11.97


(R.RANGARAJAN)
Member (A)

Dated: 4th November, 1997.
Dictated in Open Court.

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11/11/97
TYPED BY
COMPARED BY

CHECKED BY
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: 4/11/97

ORDER/JUDGMENT

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

in

O.A.NO. 341/95

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
प्रेषण/DESPATCH

10 NOV 1997

हैदराबाद न्यायपीठ
HYDERABAD BENCH