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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.29/96

DATE OF ORDER : 30-04-1998.

Between :-

Dasari Vara Prasada Reddy

... Applicant

And

1. The Directorate of Telecommunications,
Sanchar Bhavan,
New Delhi - 110 001.
2. The Chief General Manager,
Telecommunications, AP,
Telecom Circle,
Hyderabad-1.

... Respondents

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Counsel for the Applicant : Shri Venkata Rangadas Kanuri

Counsel for the Respondents : Shri Kota Bhaskar Rao, 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 B.S.Jai Parameshwar, Member (J)).

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... 2.

(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

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None for the applicant. The applicant was also absent when the O.A. was taken up for hearing. Heard Sri Kota Bhaskar Rao, learned standing counsel for the respondents.

2. Eventhough the respondents have not filed any counter in this O.A., standing counsel for the respondents submits that the case of the applicant was reviewed by a High Power Committee headed by the Chief General Manager, Telecom, Hyderabad and grace marks were given to the applicant and his case was recommended to the Department of Telecom, New Delhi, for promotion to one of the remaining vacancies for ST in the cadre of Phone Inspectors for which vacancies were notified in 1989.

3. The applicant in this OA belongs to ST community. He had appeared for the written examination for promotion to the cadre of Telephone Inspector/Phone Inspector/Repeater Station Asst./Wireless Operators against the vacancies for the years 1987, 1988 and 1989. He submits that the grace marks were included and he got through the examination and qualified for next promotion i.e. the post of Telephone Inspector/Phone Inspector/Repeater Station Asst./Wireless Operators.

4. The applicant submits that the respondents during the year 1990 decided that the cadre of Telephone Inspector/Phone Inspector/Repeater Station Asst./Wireless Operators was treated as wasting cadre and decided no further recruitment be made for these cadres.

5. Eventhough the applicant was qualified for the post of promoted Phone Inspector, he was not / to the said post.

6. The applicant has filed this OA to call for the records connected with the selection for the post of Telephone Inspectors and Repeater Station Assistants/Wireless Operators to the 1989 cadre and accordingly direct the respondents to promote the applicant as Telephone Inspector in the existing Scheduled Tribe community vacancies by declaring the action of the respondents in not taking appropriate steps to fill in the vacancies of Phone Inspectors and R.S.A.s through recommendations have been made by the respondents through Order dt.5-11-92 (which are not communicated) as illegal, arbitrary, unjust, violative of the fundamental rights guaranteed under the constitution of India for the STs.

7. The applicant also relied upon the decision of the Tribunal rendered in OA 879/8/ dt.16-8-95 (J.Shankar BabuVs. Directorate of Telecommunications, Sancharbhavan, New Delhi-1 & another). Learned standing counsel for the respondents submits that this case is covered by the decision referred to in ~~the~~ above and the similar directions hold good in this case also.

8. Hence the respondent No.1 is directed to consider the case of the applicant as recommended by the High Power Committee on merits. If the respondent No.1 selects the applicant, the applicant has to be appointed as Phone Inspector/^{on national basis} from the date on which the ^{person} last/in the panel that was prepared in pursuance of 1989 notification ^{and charge and he will get the seniority from that date. But}4.

the monetary benefit has to be given only from 28-12-94 i.e. from one year prior to the filing of this OA (This OA was filed on 28-12-95).

9. O.A. ordered accordingly. No costs.


(B.S.JAI PARAMESHWAR)
Member (J)
30-4-98


(R.RANGARAJAN)
Member (A)

D.R.

Dated: 30th April, 1998.
Dictated in Open Court.

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DA. 29/96

Copy to:-

1. The Directorate of Telecommunications, Sanchar Bhavan, New Delhi.
2. The Chief General Manager, Telecommunications, A.P., Telecom Circle, Hyderabad.
3. One copy to Mr. Venkata Rangadas Kanuri, Advocate, CAT., Hyd.
4. One copy to Mr. K. Bhaskar Rao, Addl. CGSC., CAT., Hyd.
5. One copy to BSJP M(J), CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate copy.

srr

25/3/98
II COURT

TYPED BY
COMPARED BY

CHECKED BY
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: 30/4/98

ORDER/JUDGMENT

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

in
O.A.NO. 29/96

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

Central Administrative Tribunal
State of Andhra Pradesh
HYDERABAD BENCH

12 MAY 1998

Delivered by *[Signature]*

RECORDED

RECORDED
Vikram/KAPPAI SECTION