

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

OA. Sr. 2 991/96.

O.A. 1253 /96.

Dt. of Decision : 23-10-96.

1. C. Prakash
2. K.M. Sreenivas
3. Syed Muneeruddin
4. S. Sareenappa
5. P. Srinivas Rao

.. Applicants.

Vs

1. The Telecom Commission,
Rep. by its Chairman,
Telecommunications, New Delhi.
2. The Director General,
Telecommunications, New Delhi.
3. The Chief General Manager,
Telecommunications, A.P. Circle,
Abids, Hyderabad.
4. The Dy. General Manager (Admn.),
O/o the CCMT, Telecommunications,
A.P. Circle, Abids, Hyderabad. .. Respondents.

Counsel for the applicants : Mr. V. Venkateswara Rao

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

CORAM:

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



..2

ORDER

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

Heard Mr. V.Venkateswara Rao, learned counsel for the applicant and Mr. Satyanarayana for Mr.N.V.Raghava Reddy, learned counsel for the respondents.

2. There are 5 applicants in this OA who were all engaged on various dates between 17-04-89 to September 1995. It is stated that they are working continuously from the date of the engagement as casual labourer.

3. The applicants contend that by reason of the continuity in casual service without break from the respective date of their engagement they have become entitled to be granted temporary status and regularisation under (Grant of Temporary Status and Regularisation Scheme) 1989. The grievance of the applicants are that they were ~~not~~ ^{not} being granted temporary status and regularisation as per the scheme. They prayed for granting the benefit of the scheme to them. They also challenged the letter No.TA/TFC/20-1/92/PT/Kd dated 31-7-95 (Annexure -II) issued by R-3 whereby instructions were issued to disengage part time employee/casual mazdoor. They apprehend that on the basis of that letter they may be disengaged at any time, although they are ~~aware~~ ^{the steps taken in pursuance of the letter referred above} not ~~in~~ ^{not} aware of that record and they are still continuing in casual service. The applicants submit that their case is covered by the direction given in OA.No.777/96 which was decided on 18-6-96. The learned counsel for the applicants further submits that he will be satisfied if ~~similar~~ ^{similar} direction is given in this OA also.

4. The learned counsel for the respondents submits that he has no objection if a similar direction ~~as in OA.777/96~~ is given in this OA also.

5. In view of the above submission of both the sides, the following direction is given:-

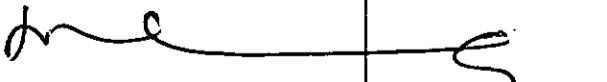
- i) It is left open to the applicants to file individual representation to the respondents for relief in the light of the observations made in CA.777/96 subject to the following condition viz., that all the applicant shall have been factually working as on ~~the~~ today and secondly the representation is filed within a period ~~of six months~~ ^{weeks} from today;
- ii) Each applicant will be required to file individual representation and leave is granted only to that extant and not to file a joint representation by more than one of the applicants.

6. On the representation being received from any of the applicants or all of them by the respondents in the respective places within the period stipulated herein above, the authority concerned shall examine the matter and take a decision as to whether benefit of the scheme can be extended to the applicant and if not, record brief reasons in support of that decision. A copy of the decision shall be supplied to the applicant.

7. The representations to be decided as early as possible preferably within a period of two months from the date of filing of the representation.

8. The respondents are directed that the applicant who files a representation ~~within~~ the stipulated time shall not be dis-engaged until a period of 2 weeks expires after the decision on the representation in the event of rejection of the representation is communicated to the said applicant. The direction to stand automatically vacated after that period. at the admission stage

9. With the above observations, the O.A. is disposed of ~~itself~~.
No order as to costs.


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 23rd Oct. 1996.
(Dictated in the Open Court)

Dy. Registrar (J)

: 3 :

Copy to:-

1. The ~~Telecom Commission~~ Chairman, Telecom Commission, Telecommunications, New Delhi.
2. The Director General, Telecommunications, ~~xxxxxx~~ New Delhi.
3. The Chief General Manager, Telecommunications, A.P.Circle, Abids, Hyd.
4. The Dy. General Manager(Admn.), O/O The CCMT, Telecommunications, A.P.Circle, Abids, Hyd.
5. One copy to Sri. V.Venkateswara Rao, advocate, CAT, Hyd.
6. One copy to Sri. N.V.Raghava Reddy, Addl. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

14/10/96

(23)

00-1253/96

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 23/10/96

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

D.A. NO. 1253/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

~~DISPOSED OF WITH DIRECTIONS~~

DISMISSED

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS.~~

YTKR

II COURT

