

(930)

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

Original Application No:432/96

Dt. of decision:2-4-1996

Between:

1. M. Krishnamurthy
 2. S. Niranjan
 3. B. Linga Reddy
 4. B. Venkara Reddy
 5. S. Rami Reddy
 6. M. Venkateswara Rao
 7. A. Ramkumar
 8. G. Narayana Rao
 9. B. Veeraswamy
 10. K. Prasad
 11. S. Linga Reddy
 12. G. Appa Rao
 13. Ch.V. Mangeswara Rao
 14. D. Satyanarayana
 15. G. Ravinder
 16. R. Srinivasa Rao
 17. Smt. Ch.Sarojana
 18. A. Nagaraju .. Applicants
- and

1. The Secretary, Dept. of Telecom,
New Delhi.
2. The Chief General Manager, Telecom,
Hyderabad-500001.
3. The General Manager, Telecom,
Warangal at Hanmakonda
4. The Telecom Dist. Manager,
Khammam-507 050 .. Respondents

COUNSEL FOR THE APPLICANTS: SHRI T.V.V.S. MURTHY

COUNSEL FOR THE RESPONDENTS: SHRI N.R. DEVARAJ

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CORAM:

HON'BLE SHRI JUSTICE M.G. CHAUDHARI : VICE CHAIRMAN

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

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O.A.No.432/96

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

There are 18 applicants in this O.A. who are working as part-time casual mazdoors in various telegraph offices and Telecom centres under R-4. It is stated for the applicants that they apprehend that they may be discharged and there is a possibility of the work assigned to them being performed by ~~a~~ contract labourer. Under the circumstances, this O.A. is filed for a direction to the respondents (R-3 and R-4) not to terminate ^{them} ~~in~~ service and confer ^{on} ~~them~~ temporary status and regularise the services in due course.

2. The applicants in this O.A. were appointed as part-time casual mazdoors during the period 1991-94, as can be seen from Annexure-AI of the application. They were appointed after the issue of the DOT Circular in June, 1988 which prohibits the appointment of casual labourer directly without going through the Employment Exchange. Hence, the applicants can be considered for engagement as casual labourers ^{in future}, if there is work and in case they are discharged now as apprehended by them, if there are no fresh candidates sponsored by Employment Exchange. If any freshers to be appointed other than through the Employment Exchange, in future the applicants in this O.A. are to be considered, if they are now discharged and are to be engaged in future if there is work as the applicants herein acquired some knowledge in the working of the Department due to their working in the Department ranging from 2 years to 4 years.

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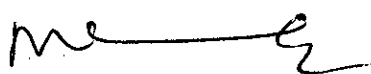
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3. In the result, the following direction is given:

If any engagement of ^{departmental} casual labour is to be done in future other than through sponsorship of Employment Exchange, the applicants herein, if they are now discharged are to be considered for such engagement in preference to freshers from the open market, if there is work and there is need for engaging casual labour. In case the applicants are to be re-engaged, they should be reengaged in the last unit from where they are discharged. In pursuance of this order, if they are going to be engaged as a part-time casual labour, none of the casual labourers who are already in service in that unit shall be retrenched.

4. It is stated for the applicants that there is a reduction in the daily wage. But this point can be considered only by the respondents, if the applicants submit representations to the concerned. If such a representation is received, the same should be disposed of in accordance with the rules.


5. The O.A. is ordered accordingly at the admission stage itself. No costs.


(R. Rangarajan)
Member (A)


(M. G. Chaudhari)
Vice Chairman

Dt. 2-4-1996
(Open Court Dictation)

kmv


Deputy Registrar (D) CC

To

1. The Secretary, Dept.of Telecom.
New Delhi.
2. The Chief General Manager, Telecom,
Hyderabad-1.
3. The General Manager, Telecom,
Warangal at Hanmakonda.
4. The Telecom Dist.Manager, Khammam-050.
5. One copy to Mr.T.V.V.S.Murthy, Advocate, CAT.Hyd.
6. One copy to Mr. N.R Devraj, Sr.CGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One sparecopy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

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

Dated: 2 - 4 - 1996

ORDER/JUDGMENT

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

in

O.A.No. 437/96

T.A.No. (w.p.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default

Ordered/Rejected.

No order as to costs.

pvm

No Spare Copy

