

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 539 OF 1996

DATE OF ORDER : 10-7-1998

BETWEEN :

1. T. Narsing Rao
2. G. Padmalatha
3. C. Vidyasree
4. E.N. Raj Kumar
5. R. Sudhalaxmi
6. M. Narayan Reddy
7. S. Ramani
8. D. Mallaiah

AND

1. The Chief General Manager
Telecommunications, A.P. Circle
Hyderabad.
2. The General Manager
Hyderabad Telecom. District
Suryalok Complex,
Hyderabad.
3. The Chief Superintendent
General Telegraph Office
Hyderabad.
4. The Senior Superintendent
Telegraph Traffic
Hyderabad Division
Hyderabad.
5. The Senior Superintendent
Telegraph Traffic
Secunderabad.

... Respondents

Counsel for the Applicants - Shri V. Venkateswara Rao
Counsel for the Respondents - Shri V. Rajeswara Rao

Coram :

The Hon'ble Shri R. Rangarajan - Member (A)
The Hon'ble Shri B.S. Jai Parameshwar - Member (J)

Jai

(26)

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

Heard Shri V. Venkateswara Rao for the Applicant and
Shri V. Rajeswara Rao for the Respondents.

There are 8 applicants in this O.A. They were
appointed as short-duty Telegraph Assistants ^{between} ~~from~~ 1981 ^{and}
1983 and were regularised as Telegraph Assistants between
1983 and 1986. The details of the appointment of the
applicants as short-duty Telegraph Assistants and their
appointment as regular Telegraph Assistants ^{are} ~~is~~ enclosed
at Annexure IV (page 14 to the O.A.). The applicants
in this O.A. request that they are entitled for regularisation
from the date of their appointment as short-duty Telegraph
Assistants and for that they rely on the judgement of
this Tribunal in O.A. 1064 of 1992 and 1084 of 1992.

This O.A is filed praying for a direction to the
Respondents for regularisation of ^{their} services as
Telegraph Assistants and consequential benefits such
as fixation of pay and arrears of pay and allowances
in terms of the judgement dated 16.2.1995 of this Tribunal
passed in O.A 1064/92 and 1084/92.

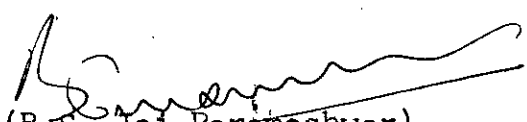
A reply has been filed in this O.A. The Respondents
resist the grant of that prayer on the ground that this
O.A is not covered by the other judgements referred to above.


It is not necessary for us to consider, at this
juncture, the various judgements given by this Tribunal
and other Tribunals, as the Hon'ble Apex Court had
categorically stated that the RTPs are entitled for
seniority only from the date of the regularisation.
The above direction was based on the fact that there is
a proper scheme for regularisation of the RTPs in
service and as such ^{since} a scheme already exists,
RTPs cannot demand regularisation from the date of their

earlier appointment as RTP. In this connection, it is preferable to reproduce the relevant portion of the judgement of the Hon'ble Apex Court reported in 1998 (1) SLJ 109 in the Union of India & Anr. and K.N. Sivasdas & Others -

"In the first place, the very scheme which constituted RTPs provided for their absorption as regular employees. With this in mind, they were also given the same training as regular employees. They were required in the meantime, to carry out short-term duties or to handle peak hour traffic on an hourly wage basis. However, there was clear assurance in the scheme that they would be accommodated in future vacancies as regular employees in the manner set out in the scheme."

In view of the above direction given in the above case by the Hon'ble Apex Court, we find no merit in this O.A. Hence, the O.A is dismissed. No costs.


(B.S. Jai Parameshwar)
Member (J)

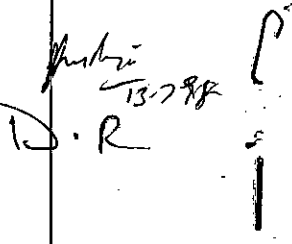

(R. Rangarajan)
Member (A)

10.7.98

DICTATED IN THE OPEN COURT

Dated : 10-7-1998.

...js/-


13.7.98
D.R.

OA.539/96

Copy to:-

1. The Chief General Manager, Telecommunications, A.P.Circle, Hyd.
2. The General Manager, Hyderabad Telecom.District, Suryalok Complex, Hyderabad.
3. The Chief Superintendent, Central Telegraph Office, Hyderabad.
4. The Senior Superintendent, Telegraph Traffic, Hyderabad Division, Hyderabad.
5. The Senior Superintendent, Telegraph Traffic, Secunderabad.
6. One copy to Mr. V.Venkateswara Rao, Advocate, CAT., Hyd.
7. One copy to Mr. V.Rajeswara Rao, Addl.CGSC., CAT., Hyd.
8. One copy to D.R.(A), CAT., Hyd.
9. One duplicate copy.

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14/7/98

II COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH, HYDERABAD

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

AND

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

DATED:

10/7/98

~~ORDER/JUDGMENT~~

~~M.A./R.A./C.P.NB.~~

C.A.NB.

in

539/96

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

