

50

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A. 667 OF 1996

Dated, the 19th August, '98.

BETWEEN :

1. Y. Suryanarayana.II
2. G. Apparee
3. S. Suryanarayana
4. P. Adinarayana
5. H. Dasanna
6. H. Jagannadham.II
7. H. Krishnamurthy
8. K.Simhachalam
9. CH. Bhaskararae
- 10.D.Jegulu
- 11.S.Apparee
- 12.K.Rajappadu
- 13.P.Simhachalam
- 14.B.Simhachalam
- 15.A.Sadhu
- 16.M.Simhachalam
- 17.H.Suryanarayana
- 18.H.Lakhumayya
- 19.H.Krishnamurthy
- 20.G.Bhaskararae
- 21.G.Trimurty
- 22.CHKaruvudu
- 23.G.Madhava Rao
- 24.E.Govinda Rao
- 25.E.Venkata Rao

R

- : 2 :-

26. D.Mallayya
27. CH.Dalappa
28. K.Jagga Rao
29. K.Simhachalam
30. H. Rama Rao
31. CH. Krishnamurthy.II
32. E. Venkata Ramana,
33. D.Venkatesam
34. Duppala Sanyasi

.... Applicants

A N D

1. The Chief General Manager,
Telecom, Hyderabad.
2. The General Manager,
Telecom, Visakhapatnam.
3. The Telecom Dist. Engineer,
Srikakulam.

.... Respondents

COUNSELLS :

For the Applicants : Mr. M. Keshava Rao

For the Respondents : Mr. V. Rajeswar Rao

CORAM :

THE HON'BLE MR. R. RANGARAJAN, MEMBER (A)

THE HON'BLE MR. B.S. JAI PARAMESHWAR, MEMBER (J)

O R D E R

(PER: HON'BLE MR. B.S. JAI PARAMESHWAR, MEMBER (J))

1. Heard Mr. M. Keshava Rao, Learned Counsel for the applicants and Mr. V. Rajeshwara Rao, Learned Counsel for the respondents.

J

Contd..3

-: 3 :-

2. There are 34 applicants in this O.A. They all are working as Linemen in Srikakulam Sector under the Telecom District Engineer, Srikakulam. These Linemen are identified as belonging to either Group 'C' or Group 'D' and each group is subdivided into three Divisions.

3. They submit that the department had restructured all the groups into a single group of Telephone Mechanic and those who were recruited to this group would start in the scale of pay of Rs.975/-1540

4. They submit that a screening test was conducted, that the General Manager, Telecom, Visakhapatnam conducted this test; that the first test was conducted during the year 1994; and that many of the linemen were not aware of the object of the test with which the said test was conducted. They submit that training was imparted in Batches of 25 candidates and the duration of training was 8 weeks and that in the year 1995, it was made clear that only those who had passed the screening test and underwent the training would be taken to the new category of "Phone Mechanic".

5. Hence, they submit that the applicants who were all seniors had appeared in the year 1996 for the screening test and the results were announced in the year 1996 itself. They submit that in the meanwhile 2 batches of candidates, who passed the screening test during the year 1994 had completed training ^{and} ~~under~~ the 3rd batch commenced on 11.4.96 under the leadership of the Telecom District Engineer, Srikakulam. They submit that the ranking in the restructured category will be on the basis of the earliest trainee getting the first rank and so on. They submit that the recruitment to the new cadre of Telephone

R

- : 4 :-

Mechanic should be done by selecting the candidates, who passed the screening test and also underwent training and in accordance with the seniority.

6. Each of the applicants has submitted the representations to the 3rd respondent and a copy of the same is annexed at page 11 to the O.A. The applicants submit that the respondent authorities have not taken any action on their representations.

7. The applicants submit that they have to be given seniority above their juniors though they had been screened later. The Counsel for the applicants submits that the DOT has issued instructions accordingly vide order No.7-27/94-NCG dt. 11.7.96, Annexure-R7 to the reply. However, for some unknown reasons that order was withdrawn by the letter No.7-27/94-NCG dt. 9.9.96, Annexure-R8 to the reply. The Learned Counsel for the applicants submit that the seniority should be given in accordance with the letter dt. 11.7.96 referred to above. If this is done, there will be no grievance in this connection.

8. When the representations are pending, it has to be held that the respondent authorities have not come to a definite conclusion in this connection.

9. Hence, it is proper for this Bench to dispose of this O.A. directing the respondents to reply the representations of all the applicants which they had submitted already.

10. In case, if some of them or all of them have not submitted representations, the competent authority should

3r

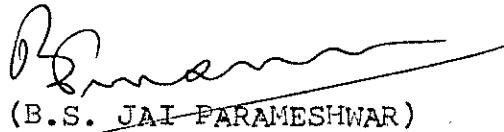
Contd..5

-: 5 :-

direct them to submit the representations expeditiously.

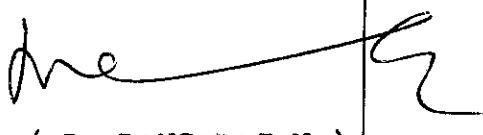
11. The respondents thereafter should check the same and take a judicious decision giving due consideration to their decision on the letter dt. 11.7.96.

12. With the above directions the O.A. is disposed of.
No costs.


(B.S. JAI PARAMESHWAR)

MEMBER (J)

19.8.98


(R. RANGARAJAN)

MEMBER (A)

Dated, the 19th August, 1998

Dictated in open Court.

CS

DA.667/96

Copy to :-

1. The Chief General Manager, Telecom, Hyderabad.
2. The General Manager, Telecom, Visakhapatnam.
3. The Telecom Dist., Engineer, Srikakulam.
4. One copy to Mr. M.Keshava Rao, Advocate, CAT., Hyd.
5. One copy to Mr. V.Rajoswar Rao, Addl.CGSC., CAT., Hyd.
6. One copy to BSJP M(J), CAT., Hyd.
7. One copy to D.R.(A), CAT., Hyd.
8. One duplicate.

srr

Chal 98
8

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:

19/8/98

ORDER/JUDGMENT

M.A/R.A/E.P.NO.

in

C.A.NO.

667/98

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

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
शेषण / DESPATCH

31 AUG 1998

हृदयशाह भावरीह
HYDERABAD BENCH