

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.246/97

Date of order: 6.3.97

BETWEEN:

A.Siva Prasad

.. Applicant.

AND

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.),
Office of the OGMT, Telecommunications,
A.P.Circle, Abids, Hyderabad.
5. The General Manager,
Telecom District, Central Telegraph
Office, Vijayawada.
6. The Senior Superintendent,
Telegraph Traffic, O/o General Manager,
Telecom District,
Central Telegraph Office,
Vijayawada. .. Respondents.

Counsel for the Applicant .. Mr.V.Venkateswara Rao

Counsel for the Respondents .. Mr. N.R.Devraj

CORAM:

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

JUDGEMENT

Heard Mr.V.Venkateswara Rao, learned counsel for the applicant and Mr.N.R.Devraj, learned standing counsel for the respondents.

2. The applicant in this OA alleges that he had been engaged as a casual labour in D.O.T. from 1.11.93 and is

working under R-6. But no engagement order has been enclosed to the OA. The applicant further contends that by the reason of his service without break as casual labour from the date of his engagement he has become entitled to be granted temporary status and regularisation under "Casual Labourers (Grant of Temporary Status and Regularisation Scheme). It is his grievance that the respondents have not granted him temporary status and regularisation. He therefore prays that the respondents may be directed to give him the benefit of that scheme indicated above. The applicant also challenges the letter dt. 31.7.95 (A-1) issued by R-3. He further states that he apprehends that on the basis of the letter he may be dis-engaged at any time although no steps has been initiated so far and he is continuing as a casual labour even on date.

3. Both the sides agreed that this OA is a covered case and the direction as given in OA.777/96 disposed on 18.6.96 will hold good in this case also. In view of the above submissions I follow the direction already given and direct as follows:-

(i) It is left open to the applicant to file a representation to the respondents for the relief as prayed for in this OA subject to the condition that he is factually working as on today and secondly the representation is filed within a period of 6 weeks from today.

(ii) On the representation being received from the applicant within the stipulated period the respondents after taking the factual position shall examine the matter and take a decision as to whether the 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 final decision taken shall be supplied to the applicant. The representation to be decided as early as possible preferably within a period of 3 months from the date of receipt of the representation.

.. 3 ..

4. The respondents are directed that the applicant shall not be dis-engaged until a period of 2 weeks expires after the decision on the representation in the event of rejection of his representation is communicated to the applicant. The direction shall stand automatically vacated after that period. Till such time the representation if submitted in time is disposed of the applicant shall be continued as a casual labour.

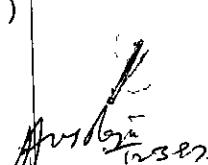
5. With the above observations the OA is disposed of with no costs.


(R.RANGARAJAN)

Member (Admn.)

Dated : 05-03-1997

Dictated in the Open Court


D.Y. Rajeswaran (S)

sd

Copy to:-

1. The Chairman, Telecommunications, Telecom Commission, New Delhi.
2. The Director General, Telecommunications, New Delhi
3. The Chief General Manager, Telecommunications, A.P. Circle, Abids, Hyd.
4. The Dy. General Manager(Admn.), O/O OGMT, Telecommunications, A.P.Circle, Abids, Hyd.
5. The General Manager, Telecom District, Central Telegraph Office, Vijayawada.
6. The Senior Superintendent, Telegraph Traffic, O/O General Manager, Telecom District, Central Telegraph Office, Vijayawada.
7. One copy to Sri. V.Venkateswara Rao, advocate, CAT, Hyd.
8. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
9. One copy to Deputy Registrar(A), CAT, Hyd.
10. One spare copy.

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25/3/97

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 25/3/97

ORDER/JUDGEMENT

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

D.A. NO.

246197

ADMITTED AND INTERIM DIRECTIONS ISSUED.

ALL DIED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

