

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.742 of 1999

DATE OF JUDGMENT: 28 JANUARY, 2000

BETWEEN:

1. T.VIJAYA RAGHAVA RAO,
2. T.SRINIVAS,
3. P.MUTTAIAH,
4. A.SESHAGIRI RAO,
5. R.CHAKRAPANI,
6. V.VENKATESWARLU,
7. R.SRINIVAS.

.. APPLICANTS

AND

1. Union of India rep. by the
Chairman, Telecom Commission,
New Delhi,
2. The Chief General Manager,
Andhra Pradesh Telecom Circle,
Abids, Hyderabad,
3. The Telecom District Manager,
Nalgonda,
4. The Telecom District Manager,
Khammam.

.. RESPONDENTS

COUNSEL FOR THE APPLICANTS: Mr.R.YOGENDER SINGH

COUNSEL FOR THE RESPONDENTS: Mr.B.NARASIMHA SARMA, Sr.CGSC

CORAM:

HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

HON'BLE SRI S.MANICKAVSAGAM, MEMBER (ADMN.)

JUDGMENT

ORDER (PER HON'BLE SRI S.MANICKAVASAGAM, MEMBER (ADMN.))

A group of 7 applicants have joined in this OA
to seek the following relief:-

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"To call for the relevant records and direct the respondents to permit the applicants to sit for the JTO examination, scheduled in May, 99 by setting aside the impugned order NO.55-1/96-NCG dated 8.2.96 of 1st Respondent, mentioning service limit of 5 years under 15% quota."

2. The applicants are working as Telecom Technical Assistants (TTAs for short). Their date of promotion as TTAs vary and are in the region of 1996-97. Before their promotion to the rank of TTAs, they were working as Technicians. It is their case that they were not permitted to sit for the promotion examination for the rank of Junior Telecom Officer when the examination was conducted in the year 1999. They were requesting the respondents' department for permitting to write the examination under 15% quota for which they are eligible.

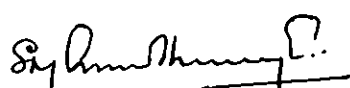
3. The respondents have filed a detailed reply. It is averred that the rules permit promotion to the cadre of JTOs from among the departmental candidates who have put in 5 years of service and fulfills certain other qualifications. The Department had scheduled one such examination in the year May 1999 for which eligible candidates were asked to apply.


4. It is stated in the reply that the crucial date for counting 5 years of service is 1st July of the

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
recruitment year, in this case 1995. Since the applicants did not possess the adequate number of years of service as required under the Recruitment Rules, they were not called to write the examination. It is further stated that in the subsequent recruitment years, all the applicants except Mr.P.Muttaiah were issued the hall tickets since they had completed 5 years of regular service by that time.

5. Heard the counsel for both the sides and perused the records. On the face of it, it would appear that nothing survives in this OA as the proposed examination in the year May 1999 is over. It is also learnt from the learned counsel during the course of arguments that the recruitments for the subsequent years have also been made and this will continue further depending on the vacancy position. Therefore, as and when the applicants complete the required qualification both in terms of education and otherwise, we hope that they will be called upon to apply for the post of JTO by writing examination etc. With these observations, we dismiss the OA. No order as to costs.


(S.MANICKAVASAGAM)
MEMBER (ADMN.)


(D.H.NASIR.j)
VICE CHAIRMAN

DATED: 28th JANUARY, 2000


23-1-2000

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