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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

O.A. 717/99

Date: 18.2.00

Between:

1. K.C.Yoganand
2. G. Lakshmipathi
3. M. Subramaniya Naidu
4. R. Munikrishnaiah
5. G. Mallikarjuna Rao
6. A. Subramanyam
7. M. Surya Prakash
8. T. Venkateswarlu
9. Y. Eswara Reddy
10. G.C.Mohana Reddy
11. M.Reddappa

.. Applicants

A N D

1. The Chief General Manager,
Telecommunications,
A.P.Circle, Hyderabad 500001.

2. The General Manager,
Telecom, Tirupathi 517501

.. Respondents

Counsel for the applicants :Mr. C.Suryanarayana

Counsel for the respondents :Mr. V. Rajeswara Rao

Ceram:

Hon. Shri B.S. Jai Parameshwar, Member (J)



O.A. 717/99

O R D E R

Date: _____

(Per Hon. Shri B.S. Jai Parameshwar Member(J))

Heard Mr. C. Suryanarayana, learned counsel for the applicants and Mr. V.Rajeswara Rao, learned standing counsel for the respondents.

2. There are 11 applicants in this OA. They submit that they were absorbed in the Telecom Department on various dates between 1-6-79 and 1-1-85. Their individual dates of absorption are furnished in the OA. They are continuing in service even to this date. They submit that if there is any break in their service that should be ignored and they are eligible for grant of temporary status as they had rendered 240 days of service in a year prior to 1-10-89. They submit that certain workmen who were absorbed later the applicants have been regularised in Group'D' cadres.

3. They rely upon (i) CGM letter No.TA/STB/20-2/Corr/98 dt. 9-3-99, (ii) Order dt. 1-12-98 in OA 1446/98 of the principal bench of this Tribunal in Rampal & Ors. vs. UOI & Ors.(1991 ATJ 415) (iii) and the order reported in 1998(1)ATR 556, to submit that their technical break should be ignored.

4. They have filed this OA for the following reliefs :

"to direct the respondent-authorities to issue orders for their regularisation and absorption in Group-D cadre or cadres with effect from the date or dates from which their juniors (i.e. those that were initially absorbed as Casual Mazdoors from dates after the absorption of the Applicants herein as such Casual Mazdoors

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and in the absence of the same to direct that the Applicants be granted Temporary Status with effect from 1-10-89 if they have rendered 240 days service in any year preceding that date or from the date on which they or each or any of them have completed 240 days service in the year preceding such date"


5. On 6-5-99 an interim order was passed directing the respondents to keep 11 posts vacant pending determination of the claim of the applicants for grant of temporary status/regularisation and consequent eligibility/ineligibility to appear for the screening test of Telecom Mechanics.
6. The respondents have filed their reply. They have stated that the applicants have not submitted any representation to consider their grievance to the department. I feel that the respondents have not traversed anything as regards the material papers submitted by the applicants.
7. The applicants have been absorbed in the Telecom Department between 1-6-79 and 1-1-85. They are continuing in service as on today. Their main grievance is that even though they are eligible for grant of temporary status/regularisation they have not been considered and that even certain workers who were absorbed later have been regularised in Group 'D' post.
8. The CGM by his letter dt. 9-3-99 (Annexure-1) had given certain guidelines for regularisation of casual mazdoors.
9. Hence the following directions are given:
- (a) The respondents shall consider the cases of the applicants for regularisation/grant of temporary status in accordance with the
- DL*

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letter dt. 9-3-99 (Annexure A-1)

(b) After granting temporary status/
regularisation the respondents shall
consider the eligibility or otherwise
of the applicants to appear for
screening test for the post of
Telecom Mechanics.

(c) Till such time the interim order
dt. 6-5-99 shall be in force.

10. With the above direction the OA is
ordered accordingly.


(B.S. JAI PARAMESHWAR)
Member 15/4/00

MD



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

1ST AND 2ND COURT

COPY TO:

1. HDHND
2. HRRN M (ADMN.)
3. HBSJP M (JUDL.)
4. D.R. A (DMN.)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY
COMPOSED BY

CHECKED BY
APPROVED BY

THE HON'BLE MR. JUSTICE D.H. NASIR
VICE CHAIRMAN

THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMN.)

THE HON'BLE MR. B.S. JAI PARAMESWAR
MEMBER (JUDL.)

* * *

DATE OF ORDER: 18/2/2000

MA/RA/CP.NO.

IN

DA. NO. 717/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

