

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/21/1368/2013

Dated: 23/10/2019

Between

L. Ramulu, S/o. Nanya,
Aged about 48 years,
Working as Night Watchman,
Subedari S.O.,
Hanumakonda ó 506 001.

... Applicant

And

1. Union of India rep. by its
Secretary to Govt. of India,
Ministry of Communication & IT,
Dept. of Posts ó India,
Dak Bhavan, Sansad Marg,
New Delhi ó 110 001.
2. The Postmaster General,
Hyderabad Region,
Abids, Hyderabad ó 500 001.
3. The Superintendent of Post Offices,
Hanamkonda Division,
Hanamkonda ó 506 001.

... Respondents

Counsel for the Applicant : Mr. M. Venkanna
Counsel for the Respondents : Mr. M. Venkata Swamy, Addl. CGSC

CORAM :

Hon'ble Ms. Manjula Das, Member (Judl.)
Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORAL ORDER

{Per Honøble Ms. Manjula Das, Member (Judl.)}

The applicant has filed the present O.A. seeking a direction to the respondents to absorb and regularize his services as Multi-Tasking Staff (MTS) against the 25% quota earmarked for Part Time Casual Labourers.

2. The brief facts of the case are that the applicant was appointed as Watchman, Subedari S.O. w.e.f. 5.6.1980 on the basis of 5 hours a day and the wages were also paid accordingly. His working hours were from 6.00 p.m. to 6.00 a.m. On restoration of quarters in the Subedari Post Office, he was ordered to work as Gardener at Deval Hazar Suttoon Post Office w.e.f. 12.8.1998. A proposal to combine the work of waterman for one and half hour per day with the working hours of the applicant so that he can be conferred temporary status was sent by the 3rd respondent to the 2nd respondent vide letter dated 30.05.2000.

3. The applicant submitted that he belongs to ST community and is 54 years of age as of now and is well within the upper age limit of 55 years and, therefore, he has prayed that he may be considered for promotion to the post of MTS as per the Recruitment Rules dated 12.12.2010, which were duly notified by the 1st respondent vide Memo dated 28.01.2011.

4. Learned counsel for the applicant submitted that the case of the applicant is covered under Para (e) of the said revised Recruitment Rules, which is extracted hereunder:

ö(e) Appointment of part time casual labourers engaged on or before 1.9.1993, of the recruiting Division or Unity on the basis of selection-cum-seniority failing which by..ö

5. The respondents have filed a reply statement opposing the O.A. They stated that vide letter dated 30.5.2000, the 3rd Respondent requested the 2nd Respondent to consider the case of the applicant and accord approval for absorbing him in the ED cadre by relaxing the educational qualification. The 2nd Respondent vide letter dated 1.6.2000 informed that as per the Directorate orders, casual labourers can be considered for appointment to ED posts, provided they fulfil all the conditions of eligibility for such posts and were initially sponsored by the Employment Exchange. Hence, no relaxation in educational qualification in this case is permissible. The same was intimated to the applicant vide 3rd respondent's letter dated 9.6.2000.

6. Heard Mr. M. Venkanna, learned counsel for the applicant and Sri M. Venkata Swamy, learned counsel for the respondents.

7. Recently, the respondent department has issued revised Recruitment Rules for MTS. The applicant is apparently covered prima facie under Para (e) of the said rules. We are of the opinion that the case of the applicant can be considered by the respondents for recruitment as Multi Tasking Staff as per the extant policy.

8. The O.A. is accordingly disposed of directing the respondents to consider the case of the applicant in accordance with the extant policy. This order shall not be construed as conferring any status temporary or otherwise on the applicant. The respondents shall complete the process within a period of three months from the date of receipt of a certified copy of this order.

9. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

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(MANJULA DAS)
MEMBER (JUDL.)