

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

**OA/020/00913/2019, 020/00102/2020, 020/00256/2020,
020/00377/2020, 020/00475/2020, 020/00685/2019 & 020/1143/2019**

HYDERABAD, this the 7th day of January, 2021.



Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member

OA No.913/2019

T.Narsimhulu S/o Rajappa,
Age about 57 years,
Occ : Skilled Farm Worker (TS),
TSFW No.100012,
Regional Sericultural Research Station,
(CSR&TI, Mysore) Central Silk Board,
Govt of India, Ministry of Textiles,
Ananthapur – 515 001, A.P.

...Applicant

(By Advocate : Mr. K. Sudhaker Reddy)

Vs.

1. Union of India, Rep by its Secretary,
Ministry of Textiles, Udyog Bhavan,
New Delhi.
2. Central Silk Board,
Represented by it's CEO & Member Secretary,
CSB Complex, BTM Layout, Madivala,
Bengaluru - 560068.
3. National Silkworm Seed Organisation,
Central Silk Board, IV Floor, CSB Complex,
BTM Layout, Madivala,
Bengaluru – 560 068.
4. Scientist 'D' & Head,
Regional Sericultural Research Station,
(CSR&TI, Mysore), Central Silk Board,
Govt of India, Ministry of Textiles,
Ananthapur – 515 001, A.P.

....Respondents

(By Advocate : Mr. SS Varma, SC for CSB)

OA No.102/2020

B. Krishna S/o B.Gangulappa,
Aged 58 years, Occ : Skilled Farm Worker (TS) Gr.'C',
TSFN No.549, P2, Basic Seed Farm, National Silkworm
Seed Organization, Central Silk Board, Government of India,
Horsely Hills, Kotevuru – 517325, Chittoor District,
Andhra Pradesh State, R/o Mandemvaripalli Village,
Thettu Post, Kurvalakotta Mandal, Chittoor District. ...Applicant



(By Advocate : Mr. L V S Nagaraju)

And

1. The Central Silk Board,
Represented by its CEO & Member Secretary,
CSB Complex, BTM Layout, Madivala,
Bengaluru – 560068, Karnataka State.
2. National Silkworm Seed Organisation,
Central Silk Board, IV Floor, CSB Complex,
BTM Layout, Madivala, Bengaluru – 560 068,
Karnataka State, Represented by its Director.
3. Silk Worm Seed Production Centre,
National Silkworm Seed Organization,
Central Silk Board, Govt of India, Ministry of Textiles,
Nakkaladinne, Bangalore Road,
Madanapalle – 517 325, Chittoor District,
Andhra Pradesh State, Represented by Scientist D/ Scientist C.
4. P2, Basic Seed Farm, Silk Worm Seed Production Centre,
National Silkworm Seed Organization, Government of India,
Ministry of Textiles, Horsely Hills, Kotevuru – 517325, Chittoor
District, Andhra Pradesh State, Represented by Deputy Director/
Scientist D.
5. Union of India / Government of India,
Ministry of Textiles, Udyog Bhavan,
New Delhi. ...Respondents.

(By Advocate : Mr. SS Varma, SC for CSB)

OA No.256/2020

C. Nagaiah S/o C.Gangulappa,
Aged 58 years, Occ : Skilled Farm Worker (TS) Gr.'C',

SSPC, Basic Seed Farm, National Silkworm
Seed Organization, Central Silk Board, Government of India,
Madanapalle – 517325, Chittoor District, Andhra Pradesh State,
R/o B-24 Araveetivandla Palli Galivedu,
Kadapa District.Applicant

(By Advocate : Mr. L V S Nagaraju)



Vs.

1. The Central Silk Board,
Represented by its CEO & Member Secretary,
CSB Complex, BTM Layout, Madivala,
Bengaluru – 560068, Karnataka State.
2. National Silkworm Seed Organisation,
Central Silk Board, IV Floor, CSB Complex,
BTM Layout, Madivala, Bengaluru – 560 068,
Karnataka State, Represented by its Director.
3. Silk Worm Seed Production Centre,
National Silkworm Seed Organization,
Central Silk Board, Govt of India, Ministry of Textiles,
Nakkaladinne, Bangalore Road,
Madanapalle – 517 325, Chittoor District,
Andhra Pradesh State, Represented by Scientist D/ Scientist C.
4. P2, Basic Seed Farm, Silk Worm Seed Production Centre,
National Silkworm Seed Organization, Government of India,
Ministry of Textiles, Horsely Hills, Kotevuru – 517325, Chittoor
District, Andhra Pradesh State, Represented by Deputy Director/
Scientist D.
5. Ministry of Textiles, Union of India /
Government of India, Represented by its Secretary,
Udyog Bhavan, New Delhi. ...Respondents

(By Advocate : Mr. SS Varma, SC for CSB)

OA No.377/2020

G.Munirathnam S/o G.Chengalrayudu, Gr.'C',
Aged 58 years, Occ : Skilled Farm Worker (TS) P2,
Basic Seed Farm, National Silkworm
Seed Organization, Central Silk Board, Government of India,
Horsely Hills, Kotevuru – 517325, Chittoor District,

Andhra Pradesh State,
R/o : H.No.10320, Angallu, Madanapalli, Kurabalakota,
Chittoor District.

....Applicant

(By Advocate : Mr. L V S Nagaraju)

Vs.



1. The Central Silk Board,
Represented by its CEO & Member Secretary,
CSB Complex, BTM Layout, Madivala,
Bengaluru – 560068, Karnataka State.
2. National Silkworm Seed Organisation,
Central Silk Board, IV Floor, CSB Complex,
BTM Layout, Bengaluru – 560 068,
Karnataka State, Represented by its Director.
3. Silk Worm Seed Production Centre,
National Silkworm Seed Organization,
Govt of India, Ministry of Textiles,
Horsely Hills, Kotevuru , Chittoor District,
Andhra Pradesh State,
Represented by Scientist D / Scientist C.
4. P2, Basic Seed Farm, Silk Worm Seed Production Centre,
National Silkworm Seed Organization, Government of India,
Ministry of Textiles, Horsely Hills, Kotevuru , Chittoor
District, Andhra Pradesh State, Represented by Deputy Director/
Scientist D.
5. Ministry of Textiles, Union of India /
Government of India, Represented by its Secretary,
Udyog Bhavan, New Delhi.

...Respondents

(By Advocate : Mr. SS Varma, SC for CSB)

OA No.475/2020

N.Ranganayakulu S/o Rajappa,
Age about 58 years, Occ : Skilled Farm Worker P2,
Basic Seed Farm, National Silkworm
Seed Organization, Central Silk Board, Government of India,
PARIGI – 515261, Ananthapur Dist. A.P.

....Applicant

(By Advocate : Mr. K. Sudhaker Reddy)

Vs.



1. Union of India, Rep by its Secretary,
Ministry of Textiles, Udyog Bhavan,
New Delhi.
 2. Central Silk Board,
Represented by it's CEO & Member Secretary,
CSB Complex, BTM Layout, Madivala,
Bengaluru - 560068.
 3. The Director, National Silkworm Seed Organisation,
Central Silk Board, IV Floor, CSB Complex,
BTM Layout, Madivala, Bengaluru – 560 068.
 4. Scientist 'D' & Head,
Regional Sericultural Research Station,
(CSR&TI, Mysore), Central Silk Board,
Govt of India, Ministry of Textiles,
Ananthapur – 515 001, A.P.
-Respondents

(By Advocate : Mr. SS Varma, SC for CSB)

OA No.682/2019

P. Uthanna @ Pujari Uttanna,
Aged about 57 years, S/o Late P.Venkataramana
@ Venkataramanappa,
Skilled Farm Worker (TS),
TSFW No.000113, Silkworm Seed Production Centre,
National Silkworm Seed Organization, Central Silk Board,
Government of India, Ministry of Textiles,
Nakkaladinne, Bangalore Road, Madanapalle – 517 325,
Chittoor District, Andhra Pradesh State.

R/o Door No.15-2934/2, Rajiv Nagar Colony,
C.K.Road, Gremspet, Chittoor District,
Andhra Pradesh – 517 002.

....Applicant

(By Advocate : Mr. K. Sudhaker Reddy)

Vs.

1. The Central Silk Board,
Represented by its CEO & Member Secretary,
CSB Complex, BTM Layout, Madivala,
Bengaluru – 560068, Karnataka State.



2. National Silkworm Seed Organisation,
Central Silk Board, IV Floor, CSB Complex,
BTM Layout, Madivala, Bengaluru – 560 068,
Karnataka State, Represented by its Director.
 3. Silk Worm Seed Production Centre,
National Silkworm Seed Organization,
Central Silk Board, Govt of India, Ministry of Textiles,
Nakkaladinne, Bangalore Road,
Madanapalle – 517 325, Chittoor District,
Andhra Pradesh State, Represented by Scientist D/ Scientist C.
 4. Ministry of Textiles, Union of India /
Government of India, Represented by its Secretary,
Udyog Bhavan, New Delhi.Respondents
- (By Advocate : Mr. SS Varma, SC for CSB)

OA No.1143/2019

- 1.S.Chand Basha S/o Late Haji Saheb, Group - D
Aged 57 years, Occ : Skilled Farm Worker (TS),
TSFW No.100008, Silkworm Seed Production Centre,
National Silkworm Seed Organization, Central Silk Board,
Government of India, Ministry of Textiles, Guddam,
Hindupur – 515 202, Anantapur District – A.P.

R/o S.Azeez Saheb, 25-2-306, Ahamadnagar, Group - D
Hindupur Tq., Anantapur District – A.P. 515201

- 2.P.V.Padmanaba Chari S/o Late P.Venkoba Chari, Group - D
Aged 57 years, Occ : Skilled Farm Worker (TS),
TSFW No.100005, Silk Worm Seed Production Centre,
National Silkworm Seed Organization, Central Silk Board,
Government of India, Ministry of Textiles, Guddam,
Hindupur – 515 202, Anantapur District – A.P.

R/o 21-7-9, S.Sadlapalli, Hindupur Tq.,
Anantapur District – A.P. 515201. ...Applicants

(By Advocate : Mr. J.Venkat Ram Narsimha Reddy)

Vs.

1. Central Silk Board,
Represented by it's CEO & Member Secretary,

Central Silk Board, IV Floor,
CSB Complex, B.T.M. Layout, Madivala,
Bengaluru - 560068. Karnataka State.

2. Director, National Silkworm Seed Organisation,
Central Silk Board, IV Floor, CSB Complex,
B.T.M. Layout, Madivala, Bengaluru – 560 068,
Karnataka State.



3. Silk Worm Seed Production Centre,
National Silkworm Seed Project, Guddam,
Hindupur – 515 202, Anantapur District – A.P.
Rep. by its Scientist B

4. Ministry of Textiles, Union of India /
Government of India, Represented by its Secretary,
Udyog Bhavan, New Delhi. ... Respondents

(By Advocate : Mr. SS Varma, SC for CSB)

ORAL ORDER (COMMON)
(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)

Through Video Conferencing:



2. All these OAs are filed against the Central Silk Board for a similar relief to continue the applicants in service till the age of 60 years, with all consequential benefits. As such, all the OAs were heard together and a common order is being passed.

3. Heard both the counsel and perused the pleadings on record.

4. Recently, this Tribunal disposed of similar cases viz., OA No. 249/2020 & Batch on 23.11.2020. Operative portion of the order in OA 249/2020 is as follows:

*“VIII. Retirement age is a service condition and is a policy matter as held by Hon'ble Supreme Court in **P.U. Joshi &Ors. Vs. The Accountant General, Ahmedabad &Ors., 2003 (2) SC ATJ 624.**, the Tribunal cannot direct the Government by substituting its views in regard to policy matters relating to service conditions as under:*

“10. We have carefully considered the submissions made on behalf of both parties. Questions relating to the constitution, pattern, nomenclature of posts, cadres, categories, their creation/abolition, prescription of qualifications and other conditions of service including avenues of promotions and criteria to be fulfilled for such promotions pertain to the field of Policy and within the exclusive discretion and jurisdiction of the State subject to course, to the limitations or restriction envisaged in the Constitution of India and it is not for the Statutory Tribunals, at any rate, to direct the Government to have a particular method of recruitment or eligibility criteria or avenues of promotion or impose itself by substituting its views for that of the State. Similarly, it is well open and within the competency of the State to change the rules relating to a service and alter or amend and vary by addition/subtraction the qualifications, eligibility criteria and other conditions of service including avenues of promotion, from time to time, as the administrative exigencies may need or necessitate. Likewise, the State by appropriate rules is entitled to amalgamate departments or bifurcate departments into more and constitute different categories of posts or cadres by underrating further classification, bifurcation or amalgamation as well as reconstitute and restructure the pattern and cadres/categories of service, as may be required from time to time by abolishing existing cadres/ posts and creating new cadres/posts. There is no right in any employee of the State to claim that rules governing conditions of his service should be forever the same as the one when he

entered service for all purposes and except for ensuring or safeguarding rights or benefits already earned, acquired or accrued at a particular point of time, a Government servant has no right to challenge the authority of the State to amend, alter and bring into force new rules relating to even an existing service.”

*More or less a similar view was ventilated by the Hon'ble Supreme Court in **K. Ananda Rao, etc. vs. Sri S.S. Rawat, IAS & Ors, etc.** on 7 March, 2019 in Contempt Petition (Civil) No.1045-1055 of 2018 in CA No.10276 of 2017 etc. etc., while dealing with the issue of enhancement of retirement age from 58 years to 60 years. The features contained in the policy document have to be adhered to, is the essence of the judgment, the relevant portion of which is extracted hereunder.*



“17. Thus, purely on the principle of parity the employees of the institution or entities in Schedule IX and X of 2014 Act could not demand the benefit of enhancement of the age of superannuation from 58 years to 60 years. That benefit came to be conferred under policy documents and finally by the GO dated 08.08.2017. Thus, the source was in those policy documents and naturally the extent of benefits was also spelt out in those instruments issued by the Government. The Circular dated 28.06.2016 which was more or less adopted in proceedings dated 11.06.2018 must be taken to be the governing criteria in respect of such employees. Unless and until that governing criteria was departed from specifically, mere expression “consequential benefits” would not entitle the concerned employees anything greater than what was contemplated in the policy documents issued by the State Government.”

IX. The above judgments which are relevant to the case on hand have not been referred to by the Hon'ble Benches of Bangalore and Jammu in their judgments in OAs 299/2018 and 43/2020 respectively.

X. Therefore, under the circumstances stated as at above, we dispose of the OA by directing the applicant to pursue for appropriate remedies from the respondents based on the outcome of the WP. No. 18693/2014 filed before the Hon'ble High Court of Karnataka. With the above direction, the OA is disposed of with no order as to costs.”

In view of the above, this Tribunal is of the view that these OAs can be disposed of on the same lines.

5. Accordingly, these OAs are disposed of with a direction to the applicants to pursue for appropriate remedies based on the outcome of the WP No. 18693/2014 on the file of the Hon'ble High Court of Karnataka. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

evr