

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/00563/2020

HYDERABAD, this the 18th day of September, 2020.



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

Mr.SWAPNIL DINKAR PUNDKAR
S/o DR.DINKAR SAKHARAM PUNDKAR,
Aged about 35 years,
Occ : Indian Administrative Service (IAS-2016),
Designation Municipal Commissioner, Kakinada,
Presently residing at Municipal Commissioner Banglow,
Rama Raopeta, Kakinada, East Godavari District,
Andhra Pradesh.

...Applicant

(By Advocate : Mr. Raviteja Padiri)

Vs.

1. The Union of India

Rep by its Secretary,
Department of Personnel & Training (DOPT),
Ministry of Personnel, P.G and Pensions,
North Block, New Delhi-110 001.

2. The State of Andhra Pradesh

Rep by its Chief Secretary,
Secretariat Buildings,
Velagapudi, Amaravathi,
Guntur District, Andhra Pradesh.

....Respondents

(By Advocate : Mrs.K.Rajitha, Sr.CGSC for R-1 &
Mr.M.Bal Raj, Government Pleader for State Government of AP)

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



Through Video Conferencing:

The present O.A. is filed by the applicant challenging the action of the respondents in managing the IAS cadre especially when it comes to the promotion and selection of State Civil Services and non-State Civil Services contravening the rules.

2. The brief facts of the case are that the applicant got into the Indian Administrative Service, Andhra Pradesh cadre by qualifying in the Civil Services examination. The applicant is aggrieved by the decisions of the respondents, consequent to the re-organization of the State of Andhra Pradesh, in managing the IAS cadre and hence the O.A.

3. The contentions of the applicant are that the IAS cadre has to be regulated as per the All India Services Act, 1951. After the bifurcation of the State of Andhra Pradesh, Sri Pratyush Sinha Committee was formed u/s 81 of the Andhra Pradesh Reorganization Act, 2014 for framing the guidelines in respect of All India Service employees. There has been an induction of only 75 members into the IAS cadre which includes direct recruits and conferred IAS members officers, within the last 6 years, against the present cadre strength of 187. The applicant is challenging the action of the respondents in managing the IAS cadre by asserting that the

management of the cadre is contrary to rules and hence illegal. Besides, applicant has cited the judgment of the Hon'ble Apex Court in K. Meghachandra Singh & Others in support of his contentions. Keeping the above in view, applicant has submitted a representation on 22.01.2020 and prayed for a direction to the respondents for disposal of the same.



4. Heard Sri Raviteja Padiri, learned counsel for the applicant and Smt. K. Rajitha, learned Senior Standing Counsel appearing for Respondent No.1 & Sri M. Bal Raj, learned Government Pleader for Respondent No.2. Perused the pleadings on record.

5. The applicant belongs to Indian Administrative Service and is presently working in Kakinada as Municipal Commissioner. Applicant claims that the Government of Andhra Pradesh is not managing the IAS cadre as per the relevant rules and regulations. Further, he claims that the judgment of the Hon'ble Apex Court in K. Meghachandra Singh & Others, though relevant, is not being adhered to. Applicant aggrieved over the irregular action of the Government of Andhra Pradesh has submitted a detailed representation on 22.01.2020. The same is yet to be disposed of. The innocuous prayer of the applicant is to direct the respondents to dispose of the said representation. The request being fair, the respondents are directed to dispose of the representation of the applicant within a period of 8 weeks from the date of receipt of this order as per relevant rules and in accordance with law, by issuing a speaking and reasoned order.

6. With the above direction, the O.A. is disposed of at the admission stage, without going into the merits of the case. No order as to costs.



(B.V.SUDHAKAR) (ASHISH KALIA)
ADMINISTRATIVE MEMBER JUDICIAL MEMBER

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