

For Consideration

02 M.A.-237/03

(Second 2 matter)

L

182-3

W

Or. Dr. 16.7.03for consideration
at MA. 237/03.

(Disp. of matter)

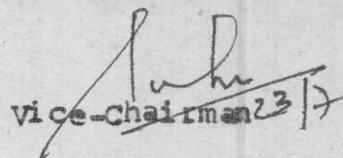
Bench

Or. dt. 23.07.03copy of order
prepared for Counsel
by Law Ad.Dh
24/7
80.order dated 23-07-2003.

Heard Mr. Ashok Mohanty, learned Senior Advocate for the Respondents and Mr. N. K. Das, learned Counsel for the Applicant. I had disposed of this O.A. at the admission stage on 21.11.2002 by giving direction to the Respondents that the Applicant be considered for transfer from the post of Sweeper to that of Peon under 25% quota as provided under the Recruitment Rules, as and when vacancy arises, if the applicant's claim comes under the zone of consideration. In compliance of that direction, the Respondents have filed MA No. 237/2003. In the MA they have disclosed that the post of Peon and the Sweeper fall under Gr. D category; whereas in the pre-revised recruitment rules 25% of the post of Peon was to be filled up by transfer of employee in the cadre of Sweeper, Parashes etc. But the said rule has been amended by virtue of OM No. F-6-3/2000-KVS dated 5.7.01. In the amended rule - a copy of which has been placed before me by the Respondents, this provision of filling up of 25% of the post of Peon has been abrogated and thus, there is no distinction or there is no subordinate cadre of Sweeper, Parashes etc. Having perused the amended rules as referred to above, I agree that there is no scope for this Tribunal to interfere in the matter and in the facts and circumstances, the relief sought for by the applicant has to be rejected being devoid

of the case

of any merit and therefore, the same stands
dismissed rejected.


Vice-Chairman 23/7