

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.506/2001

Monday this the 18th day of June, 2001

CORAM

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

1. K.S.Gopan S/o Somanathan nair,
Clerk/Typist, Office of the Accountant
General (A&E) Kerala,
Thiruvananthapuram residing at
Ambadi, Vettur Road,
Kaniyapuram PO, Thiruvananthapuram.
2. Jacob K.Samuel S/o K.C.Samuel,
Clerk/Typist, Office of the
Accountant General (A&E), Kerala,
Thiruvananthapuram residing at
Ebenezer, Kadakkal, Kollam.
3. N.Manoj, S/o O.S.Neelakanda Pillai,
Clerk/Typist, Office of the Accountant General
(A&E), Kerala, Thiruvananthapuram,
residing at Beena Bhavan,
Vizhikkithodu PO,
Koovappady, Kottayam.

...Applicants

(By Advocate Mr. MR Rajendran Nair)

V.

1. Union of India, represented by
the Secretary to Government of India,
Ministry of Personnel and Training,
New Delhi.
2. The Comptroller and Auditor General of
India, No.10 Bahadurshah Zafar Marg,
New Delhi.
3. The Accountant General (A&E) Audit,
Kerala, Trivandrum.
4. Sr.Accounts Officer, O/o the
Accountant General (A&E)
Kerala, Trivandrum.

...Respondents

(By Advocate Mr.Govindh K Bharathan)

The application having been heard on 18.6.2001, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicants 1 to 3 physically handicapped
persons working as Clerk/Typist under the third

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respondent submitted representations (A6 series) praying that the policy of reservation for physically handicapped for appointment to the post of Accountants by promotion may be implemented. The representations were submitted through proper channel. The 4th respondent has issued the impugned orders A1 series refusing to transmit the same to the second respondent to whom the representations are addressed. Aggrieved by that the applicants have jointly filed this application seeking to have the impugned orders set aside declaring that the 3% vacancies in the Accountant cadre are liable to be reserved for physically handicapped persons and to direct the respondents to reserve the vacancies retrospectively from 1989 and make appointment by promotion to reserved vacancies by considering the candidature of the applicants also.

2. When the application came up for admission, counsel for the applicants states that the applicants would be satisfied if the representations (A6 series) are directed to be forwarded to the second respondent and the second respondent is directed to give an appropriate reply to them in accordance with the rules and instructions. We consider this as a reasonable suggestion. We have heard the learned counsel for respondents also.

3. In the light of what is stated above, we dispose of this application with a direction to the 4th respondent to forward the representations of the applicants (A6 series) to the second respondent forthwith and directing the second respondent that the said

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representations shall be considered in accordance with rules and instructions and on the basis of the ~~existing~~ policy in the matter and to give the applicants an appropriate reply within a period of three months from the date of receipt of the representations from the fourth respondent. No order as to costs.

Dated the 18th day of June, 2001



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

(s)



A.V. HARIDASAN
VICE CHAIRMAN

List of annexures referred to:

Annexure A6 series: True copies of the representations dated 11.12.2000 submitted by the 1st applicant, 2nd applicant and third applicant before the 2nd respondent.

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