

O.A.NO.529/2003.

C O R A M:

S. Joseph Pereira
Thyvilaka Veedu,
House No.115, Pallithura Colony,
Pallithura P.O.,
Thiruvananthapuram-695 586 ... Applicant

V/s.

1. Union of India represented by
The Secretary, Department of Space
Administration,
Government of India, Andariksha Bhavan,
Bangalore.
 2. The Director,
Vikram Sarabhai Space Centre,
Thiruvananthapuram – 22.
 3. The Senior Administrative Officer,
Recruitment Section,
Vikram Sarabhai Space Centre,
Thiruvananthapuram-22.
- ... Respondents

(The application having been heard on 13.4.2006 the Tribunal on the same day delivered the following:)

ORDER

HON'BLE Mrs.SATHI NAIR, VICE CHAIRMAN

The applicant's mother Mrs.Cilly Fernandez alias Lilly Fernandez was evicted from the land in Survey No.2804/66-1 of Attipra Village with the building situated thereon acquired for the establishment/expansion of I.S.R.O. at Thumba.

2. The case of the applicant is that the authorities of Vikram Sarabhai Space Centre (VSSC for short) had taken a decision during land acquisition for expansion of VSSC that special consideration for employment in the ISRO to the evicted persons and all the persons in the local area would be given. No reservation or guarantee of employment was made but only preference would be given to qualified candidates in the case of only evicted persons and according to this decision, the applicant had sent a letter to the Controller of VSSC for consideration for employment in 1986. He was directed by respondents vide letter dated 2/9/1987 Annexure A-2 to make available all the certificates before the respondents. By way of Annexure A-3, A-4 and A-5, he has produced the necessary documents. Thereafter even though there was a recruitment in the year 1997, and the applicant had applied for the same, he had appeared for the test and interview but was not selected. Now another notification has been issued in the year 2003. According to him a post is reserved for apprentice of VSSC and the posts are also reserved to OBC candidates. Since applicant belongs to an OBC category and is also an apprentice from the VSSC, he is entitled to be considered on both the grounds.

3. Respondents have filed their reply stating that one person each from all evicted families had been given employment according to their qualification, suitability and candidature. The Land acquired from Lilly Fernandez belonging to Survey No.2804/66-1 and the evictees of the house were the mother of the applicant, sister and two brothers. One brother was therefore given employment on the aforementioned basis. The applicant has therefore no legal right and the applicant has crossed the maximum age limit, hence his case cannot be considered by the respondents.

4. We have heard the counsel for the parties and perused the records.

5. We find from the records that the applicant submitted his first application in the year 1986 and has not pursued the matter before the concerned authorities and has now come up after a delay of more than 16 years. When this was pointed out, the counsel for applicant stated that he is not pressing for the 1st and 2nd reliefs and he would be satisfied if his representation dated 7/5/2003 is considered and if granted employment in any Group 'D' post being an OBC and an apprentice from the VSSC.

6. Accordingly we direct the 2nd respondent to consider the representation of the applicant for employment in any arising vacancy including any Group 'D' post. O.A. is disposed of with the above direction.

Dated the 13th April, 2006.


GEORGE PARACKEN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN

abp