

REGISTERED/A.D.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated the 21st Oct. , 86.

21 OCT 1986

Application No. 328/86(T)
(W.P.No 21762/80)

To

1. Sri T.K.Guha
2. Sri S.Vasudeva Rao
3. Sri B.Nagaraja Rao,

... Applicants

Versus

1. The Union of India represented by the Secretary Ministry of Defence, New Delhi-11.
2. The Scientific Adviser and Director General, Defence Research and Development Organisation New Delhi
3. Union Public Service Commission, by its Secretary New Delhi

... Respondents

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH
IN APPLICATION NO. 328/86(T)

Please find enclosed herewith the copy of the Order/~~Interim Order~~
passed by this Tribunal in the above said Application on 22.9.1986.

Sri S. ...
R.O/C

(N.RAMAMURTHY)
SECTION OFFICER
(Judicial)

Encl: As above.

1. Sri V.H.Ron, 21, 1st Main, Gangarahalli,
9, Kumara Park East Bangalore.
Bangalore-560020

Advocate for
Applicants.

2. Sri M.S.Padmarajaiah,
Senior Central Govt. Standing
Counsel, High Court of Karnataka
Building, Bangalore-1.

Advocate for
Respondents.

23/10/86

Date

Office Notes

Orders of Tribunal

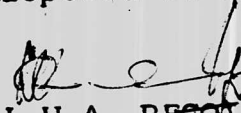
30.9.86.


Neither the applicants nor their counsel present when the case was called twice. Shri M.S. Padmarajaiah, counsel for the respondents, submits that the applicant No.1 has retired from service, and applicant No. 3 has already been promoted as Scientist 'B'. Regarding the applicant No.2 (A2), the counsel submits that he has been working as Junior Scientific Officer (JSO) since 4.1.1986 and his turn for being considered as Senior Scientific Officer or Scientist 'B' would arise only after 4 years, since the revised rules envisaged experience of 5 years in the post of JSO.

/ The grievance of A2 is not justified in view of the ruling of been

We find that the grievance of A2, as appearing from the application, is that he has been denied the right of promotion to the post of Scientist 'B' by prescribing 5 years in the revised rules, which was not there when he initially joined service. The Supreme Court ~~has laid down~~ in SHANKARANARAYAN v. STATE OF KERALA (AIR 1971 SC 1997). It has also laid down in ROSHANLAL v. UNION OF INDIA (AIR 1967 SC 1889) that the Government has power to alter the conditions of service unilaterally by amending the rules. Further, rule 8 of the revised rules of 1978 has, to the extent possible, safeguarded the interests of persons similarly placed as A2. We, therefore, find no substance in the grievance of A2.

In the result, the application is disposed of accordingly.

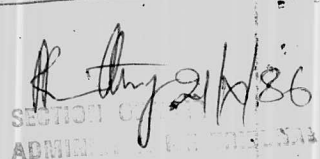

(L.H.A. REGO)
MEMBER (AM)
30.9.1986.
21


(CH. RAMAKRISHNA RAO)
MEMBER (JM)
30.9.1986.
21

dms.

TRUE COPY




SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE