

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Dated: 4-11-87

REVIEW APPLICATION NO. 117
in Application NO. 409/87(F)
W.P.NO.

APPLICANT

vs

RESPONDENTS

The Director, Census operation
in Karnataka & Another

1. Shri B. S. Gopal Rao
Tabulation Officer
Office of the Director of
census operation in Karnataka
211, Mission Road
Bangalore - 560027

2. Shri Ranganatha Joshi
Advocate
36, 'Vagdevi'
Shankarpuram
Bangalore - 560004

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/STAY/
INTERIM ORDER passed by this Tribunal in the above said application
on 30-10-87.

Diary No. 1381/CR/18

Date: 6/11/87
Encl: as above.

H. S. Rao
SECTION OFFICER.
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE THIRTEETH OCTOBER, 1987.

Present: Hon'ble Shri P. Srinivasan

... Member (A)

Hon'ble Shri Ch. Ramakrishna Rao

... Member (J)

REVIEW APPLICATION NO.117/87

Shri B.S. Gopal Rao
S/o. B.S.N. Rao
Tabulation Officer
Office of the Director of
Census Operation in Karnataka
Mission Road, Bangalore-27.
(Shri Ranganatha Jois, Advocate)

... Applicant

Vs.

1. The Director of Census Operation in Karnataka,
2. The Joint Director of Census Operations
No.21/1, Mission Road
Bangalore - 27.

... Respondents

This application has come up for hearing before this Tribunal today, Hon'ble Shri P. Srinivasan, Member (A), made the following:

O R D E R

By this Review Application, the applicant wants us to review our order dated 14.7.1987 in A.No.409/87 as, according to him, an error apparent from the record has crept into that order. The grievance of the applicant in A.No. 409/87 was that he was wrongly reverted from the post of Tabulation Officer (TO) to that of Statistical Assistant. The contention of the Respondents in that application was that out of 11 temporary posts of TO which had been earlier

7. f. 40

....2/-



sanctioned one had been withdrawn by the Financial Adviser (FA) and 10 other posts were held by persons senior to the applicant and so the applicant had been reverted. We accepted this statement of learned counsel for the respondents and upheld the reversion of the applicant. Counsel for the respondents showed us a telegram in original received from the office of the Registrar General by the Joint Director, Census Operation, Respondent-2 in that application, which indicated that one post of TO could not be continued beyond 28.2.1987. We found no reason to doubt the genuineness of the records produced before us and the statement made by the learned counsel for respondents. We, therefore, dismissed the application.

2. Shri Ranganatha Jois submits that there is no such person as the FA in the office of the Registrar General who could withdraw sanction of posts. It was only the Registrar General who could do so. The Respondents should have produced correspondence between the office of Respondent-2 in which the applicant was working and the office of Registrar General to show the absence of vacancy to accommodate him and that not having been done, this Tribunal should not have accepted the contention of respondents and dismissed the application.

3. We see no merit in this application. Every Ministry in the Government of India has a FA and

P. f. 42

contd...3/-



without the clearance of the FA, unless the latter is over-ruled by some higher authority, the sanction for a post cannot be continued. It is not necessary that there should be a FA in the office of Registrar General. The FA is common to several departments under a Ministry. We have no reason to doubt what was urged on behalf of the respondents at the time the original application was heard that proper sanction for the 11th post had expired and the applicant being the junior most TO had to be reverted. We therefore, dismiss this R.A.

Sd/-

(P. SRINIVASAN)
MEMBER (A)

Sd/-

(CH. RAMAKRISHNA RAO)
MEMBER (J)

mr.

-True Copy-



Chase
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

B-136

(84)

155/ A. NO. 117/87
(A. NO. 409/87)

B. S. Gopal Rao

30-10-87 Dismissed

Issued on 4-11-87

156 A. NO. 382/87(F) G. Ullasam Devaraju 30-10-87 Disposed of.
Issued on 9-11-87

157 A. NO. 6114/87(F) T. S. Natesan

30-10-87 Dismissed

Issued on 16-11-87

158 A. NO. 550/87(F) Winston Rodrigues

30-10-87 Dismissed as
withdrawn

Issued on 9-11-87