

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
.....

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

Dated: 4-11-87

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

APPLICANT

Vs

RESPONDENTS

Shri B.S. Gopal Rao  
To

The Director, Census operation  
in Karnataka & Another

1. Shri B.S. Gopal Rao  
Tabulation officer  
Office of the Director of  
census operation in Karnataka  
21/1, Mission Road  
Bangalore - 560027

2. Shri Ranganatha Jois  
Advocate  
36, 'Vagdevi'  
Shankarapuram  
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.

RECEIVED @ OMS - 4/11/87 - 4-16-PM.

Diary No. 1381/CR-10

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

SECTION OFFICER.  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: BANGALORE

DATED THIS THE THIRTEENTH 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.

... Applicant

(Shri Ranganatha Jois, Advocate)

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

*P. S. Rao*

....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sanctioned one had been withdrawn by the Financial Adviser (FA) and 10 other posts were held by persons senior to the applicant and so the applicant had been reverted.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. J. 42

contd...3/-



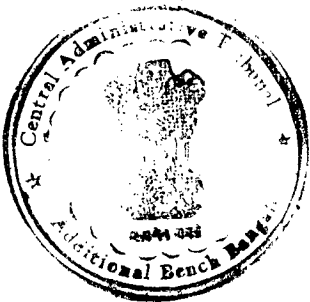
without the clearance of the FA, unless the latter is over-ruled by some higher authority, the sanction for a post cannot be continued. It is not necessary that there should be a FA in the office of Registrar General. The FA is common to several departments under a Ministry. We have no reason to doubt 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.

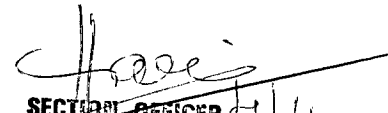
Sd/-  
(P. SRINIVASAN)  
MEMBER (A)

Sd/-  
(CH. RAMAKRISHNA RAO)  
MEMBER (J)

mr.

-True copy-



  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

B-136

(84)

ISS/RA NO. 117/87 (A-NO. 409/87)	B. S. Gopal Rao	30-10-87 Dismissed Issued on 4-11-87
ISS/ A. NO. 382/87(F)	G. Ullasan Devaraju	30-10-87 Disposed of. Issued on 9-11-87
ISS/ A. NO. 644/87(F)	T. S. Natesan	30-10-87 Dismissed Issued on 16-11-87
ISS/ A. NO. 550/87(F)	Winston Rodrigues	30-10-87 Dismissed as withdrawn Issued on 9-11-87