

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560038.

Dated: 3 SEP 1993

APPLICATION NO(S) 504 of 1990.

APPLICANTS: T.V.Vaidyanathan

RESPONDENTS: Secretary, Ministry of  
Science & Technology, New Delhi & Ors.

TO.

1. Sri.T.V.Vaidyanathan, S/o.Late T.K.Venkataraman,  
Meteorologist Grade-I, Meteorological Centre,  
Palace Road, Bangalore-560 001.
2. Sri.V.Gopala Gowda, Advocate, No.34, First Floor,  
Hospital Road, Bangalore-560 053.
3. The Secretary, Ministry of Science and Technology,  
Technology Bhavan, New Delhi.
4. The Director General of Meteorology, Indian Meteorological  
Department, Lodi Road, New Delhi-110 003.
5. The Deputy Director General of Meteorology, Regional  
Meteorological Centre, 50, College Road, Madras-600 006.
6. Sri.M.Vasudeva Rao, Central Govt.Stng.Counsel,  
High Court Building, Bangalore-1.

Subject:- Forwarding of copies of the Order passed by  
the Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the  
ORDER/STAY/INTERIM ORDER, passed by this Tribunal in the  
above said application(s) on 25th August, 1993.

*9c* Issued  
*gm*

*N. S.*  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

*3/9/93*

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 25TH DAY OF AUGUST, 1993.

PRESENT:

Hon'ble Mr. Justice P.K. Shyamsundar,

.. Vice-Chairman.

And

Hon'ble Mr. V. Ramakrishnan,

.. Member(A)

APPLICATION NUMBER 504 OF 1990

T.V. Vaidyanathan,  
S/o late T.K. Venkataraman,  
Aged 52 years,  
Meteorologist Grade-I,  
Meteorological Centre,  
Palace Road, Bangalore-560 001.

.. Applicant.

(By Sri V. Gopala Gowda, Advocate)

v.

1. The Union of India  
by its Secretary to Government  
Ministry of Science & Technology,  
Technology Bhavan, New Delhi.
2. The Director General of Meteorology,  
Indian Meteorological Department,  
Lodi Road, New Delhi-110 003.
3. The Deputy Director General  
of Meteorology, Regional Meteorological  
Centre, 50, College Road,  
Madras 600 006.
4. V.K. Mittal,  
Meteorologist,  
O/o the Director General of  
Meteorology (Seismology) IMD,  
Mausam Bhavan, New Delhi-3.
5. S.S. Iyer,  
Director, O/o Director, Meteorological,  
Office Airport Santa Cruz,  
P.O., Bombay-99.
6. B.C. Pawar,  
Director, Meteorological Office  
HAL Airport, Nasik P.O.,  
Maharashtra.
7. R.C. Dubey,  
Director, O/o The Assistant Director  
General of Meteorology, Agrimet,  
Meteorological Office, Pune-411 005.
8. S. Sridharan,  
Director, Office of the CWC, Viza, Andhra  
University Campus, Vishakapatnam,  
Kirlambudi P.O., Pin: 530 023.

.. Respondents  
(contd..)



9. B.R.Lee,  
Director, Office of the Director  
General of Meteorology, Satmet,  
IMD Mausam Bhavan,  
Lodi Road, New Delhi-3.
10. Dr. (Mrs) Z.N.Begum PSO,  
National Centre for Medium Range  
Weather Forecasting, Lodi Road,  
New Delhi.
11. S.Rangarathan,  
Meteorologist, O/o Regional Meteorological  
Centre Under the DDGM (RMC) Madras-50  
College Road, Nungambakkam P.O.,  
Madras-6.
12. Thakur Prasad,  
Meteorologist, O/o DDGM (RMC) Regional  
Meteorological Centre, IMD Colaba  
Bombay-5.
13. Dr. H.R.Hatwar,  
Director, Office of the Director  
General of Meteorological (NHAC),  
Mausam Bhavan, Oldi Road, New Delhi-3.
14. S.K.Prasad,  
Meteorologist, SAT MET Centre  
India Met. Dep't. Patna P.O.,  
Bihar State.
15. Dr. (Ms.) Shyamala Balasubramanian  
Director, O/o The DDGM (RMC),  
Regional Met. Centre, Colaba  
Bombay-5.
16. R.K.Kankane,  
Director, Cyclone Detection Radar  
Station IMD Bhuj P.O., Gujarat.
17. H.R.Sopra,  
Director, O/o DGM, (Telecom) Mausam  
Bhavan, Lodi, New Delhi-3.
18. Dulal Chakraborty, Director  
O/o DGM (Telecom) Mausam Bhavan  
Lodi Road, New Delhi-3.
19. P.K.Jain Meteorologist,  
O/o the DDGM (SI) Airport,  
Me. Instruments, Sec. Met. Office  
Pune-5.
20. Lakshmi Singh,  
Director, Meteorological Office,  
Patiala P.O., Punjab State.
21. Mr. Brij Bhushan,  
Director O/o DGM (Sat. Met) Mausam  
Bhavan, Lodi Road, New Delhi-110 003.
22. Dr. D.V.Veerabhadraya,  
Director, Office of the DGM,  
(NMAC-Mac) Mausam Bhavan, Delhi-3.
23. Mr. Asoi Lal,  
O/o D.D.G.M (WF) Met. Office,  
Simla Office, Pune-411 005.

24. A.K. Bohra,  
Meteorologist, National Centre  
for Medium Range Weather Forecasting  
Mausam Bhavan Complex, Lodi Road,  
New Delhi-3.
25. K.P. Hazra,  
Meteorologist, Meteorological  
Office IMD Palam Airport, IGI  
Airport, New Delhi-37.
26. N. Pandarinath,  
Director, Agromet. Sec. Meteorological  
Centre, Hyderabad Airport,  
Hyderabad-16.
27. Shaikh Naseeruddin,  
Director, O/o DDGM SI Met. Office  
Simla Office,  
Pune-411 005.
28. S.K. Das,  
Director, O/o Regional Met. Centre  
Under DDGM (RMC) Calcutta Alipore,  
Calcutta-700 027.
29. Rajendra Prasad,  
Director, O/o DGM SMDC III Floor,  
Mausam Bhavan, Lodi Road,  
P.O., New Delhi-3.
30. H.P. Das,  
Director, O/o ADGM Agromet, Met. Office,  
Pune-411 005.
31. Dr. J.V.M. Naidu,  
Director, Cyclone Detection Radar  
Station, Dolphine Nose,  
Vishakapatnam-530 023.
32. K.K. Chakraborty,  
Director, CWC India Met. Department  
Met. Office, Bhubaneswar.
33. Dr. B.K. Basu, PSO,  
National Centre for Medium Range,  
Weather Forecasting,  
Mausam Bhavan, Lodi Road,  
New Delhi-3.
34. R.D. Vasishta,  
Director, O/o DDGM SI Met. Office,  
Pune-5.
35. A.B. Mazumdar,  
Director, Office of the DDGM (WF)  
Met. Office, Pune-5.
36. Surya Bali,  
Meteorologist, O/o DGM (Telecom) Mausam  
Bhavan, Lodi Road, New Delhi-3.
37. N.C. Saha Meteorologist,  
Regional Meteorological Centre,  
Alipore, Calcutta-27.

38. Dr. K.C. Sinha Roy,  
Director, O/o ADGM(R) Met. Office,  
Pune-411 005.
39. K. Jayaraman,  
Meteorologist,  
O/o DDGM (SI) Pune Met. Office, Pune-5.
40. L.R. Meena,  
Director, Office of the DGM (Sat. Met.)  
Mausam Bhavan, Lodi Road, New Delhi-3.
41. Mr. B.L. Sharma,  
Meteorologist, O/o DGM (Sat. Met.) Mausam Bhavan,  
Lodi Road, Delhi-3.
42. A.K. De,  
Meteorologist, O/o DGM (Telecom),  
Mausam Bhavan, Lodi Road, Delhi-3.
43. S.C. Gupta,  
Director, Meteorological Centre,  
IMD Bhopal, PO.
44. R.K. Bansal PSO  
National Centre for Medium Range,  
Weather Forecasting,  
Mausam Bhavan, Lodi Road,  
New Delhi-3.
45. D. Simha,  
Meteorologist, Meteorological  
Centre, Indian Meteorologist Dept.,  
Gauhati P.O., Assam,
46. Dr. S.S. Bhandari,  
Meteorologist, O/o DGM (Satmet)  
Mausam Bhavan, Lodi Road,  
New Delhi-3.
47. Dr. V. Subramanyam,  
Meteorologist, Cyclone Detection  
Radar Station, Machillipatnam P.O., A.P.
48. K. Rathnam,  
Director, O/o ADGM (R) Meteorological  
Office, Pune-5.
49. R.V. Sharma,  
Meteorologist, Office of the DDGM(SI)  
Met. Office, Pune-5.
50. M.C. Asthana, Meteorologist,  
O/o DDGM (UI) Mausam Bhavan,  
Lodi Road, New Delhi-3.
51. Mahender Singh,  
Meteorologist, Meteorological Office  
Palam IGI, Airport, New Delhi-37.
52. A.K. Sengupta,  
Meteorologist, Regional  
Meteorological Centre IMD, Alipore P.O  
Calcutta 700 027.
53. J. Banerjee Meteorologist,  
Regional Meteorological Centre IMD,  
Ali PO., Calcutta-27.

.. Respondents.  
Contd..

54.A.K.Banerjee,  
Meteorologist, Regional Meteorological  
Centre, IMD, Alipore P.O.,  
Calcutta - 700 027.

.. Respondents.

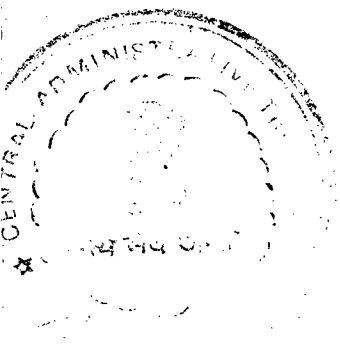
(By Sri M.Vasudeva Rao, Standing Counsel for R1 to R3)

This application having come up for hearing to-day, Hon'ble Vice-Chairman, made the following:-

### O R D E R

We are sorry that this old matter which is lingering in this Tribunal from 1990 should culminate abortively. The applicant who is a Meteorologist wants promotion to a higher post contending inter alia that his juniors have enjoyed that benefit to his detriment based on a seniority list wrongly drawn up by the Department. Earlier he had joined issue on this very aspect before the Madras Bench of the Central Administrative Tribunal in O.A.No.307 of 1988 where he did succeed. The learned Members of the Madras Bench while disposing off the said application on 21-6-1989 directed consideration of the applicant's case for promotion to the higher cadre along with such of his juniors already promoted by a review DPC etc. etc. and went on to suggest that in case he was found fit, he should be promoted as Meteorologist Grade-I with effect from 11-6-1984. We reproduce herein the directions given by the learned Members of the Madras Bench which read as follows:-

"Therefore all the applicants' cases have to be considered along with those of their juniors already promoted by a review DPC to be convened now. Accordingly we direct the first two respondents to convene a DPC to review the cases of the applicants herein for being promoted as Meteorologists Grade-I with effect from 11-6-1984 when promotions of several of their juniors were made to the posts of Meteorologist Grade-I as per office order dated 30-5-1984. The process of consideration by the DPC and the issue of orders



thereon should be completed within a period of two months from the date of receipt of copy of the order. In the event of their being found suitable for promotion by the review DPC and orders being issued accordingly, the applicants are entitled to proforma seniority in the grade of Meteorologist Grade-I with effect from the date on which their juniors were promoted".

Notwithstanding the emphatic fiat issued by the Madras Bench of the Central Administrative Tribunal as aforesaid, unfortunately the applicant not being able to get any relief from the respondents is now before us asking for the very relief sought for and practically obtained at the hands of the Madras Bench. On an appropriate consideration of the decision of the Madras Bench Government issued a communication dated 4-6-1990 (Annexure-A9) stating that his name could not be recommended by the review Board of Assessment for the vacancies of the year 1985 although some of his juniors were recommended for promotion.

2. Be that as it may, we are not going into all those things for the simple reason that by passing the order at Annexure-A9 Government cannot be said to have fully complied with the direction of the Madras Bench under the order referred to supra. In view of this all that the applicant should do is to file a contempt petition before the Madras Bench suing the respondent in contempt for not obeying the directions of the Tribunal. Such would be the appropriate remedy is also the view of the Full Bench of the Tribunal in C.S.ELIAS AHMED AND OTHERS v. UNION OF INDIA AND OTHERS (Application Nos.451 and 548 of 1991 disposed off on 29-12-1992. Bound as we are by the dicta of the Full Bench, we find it inappropriate to interfere in this matter. We therefore dispose of this application leaving open

all the questions raised herein to enable the applicant, if he still desirous of agitating this matter to take it up before the Madras Bench of the Tribunal in a contempt petition alleging disobedience with the order of the Tribunal.

With the above observation, this application stands disposed off.



*Sd*  
MEMBER(A)

*Sd-*  
VICE-CHAIRMAN.

TRUE COPY

*N. Olay S*

*37/9/93*

SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE