

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
BANGALORE- 560 038.

Dated: 15 DEC 1994

Review

APPLICATION NO: 156/94 in OA.NO.510 of 1994.

APPLICANTS:- Smt.G.S.Rukmini,  
V/S.

RESPONDENTS:- Sri.Lakshminarayana Srirampuram, Bangalore-21 and  
six Others.

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1. Sri.M.Raghavendra Achar, Advocate,  
No.1074 and 1075, Fourth Cross,  
Second Main, Srinivasanagar,  
Bangalore-560 050.


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

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Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above  
mentioned application(s) on 07-12-1994.

copies issued  
on 15.12.94  
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gm\*

  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

R.A. NO.156/94

WEDNESDAY THIS THE SEVENTH DAY OF DECEMBER 1994

Shri V. Ramakrishnan ... Member [A]

Shri A.N.Vujjanaradhya ... Member [J]

Smt. G.S. Rukmini,  
W/o Sri Honnagangappa,  
Major, Working as  
Data Entry Operator,  
O/o the Director of Census  
Operations in Karnataka,  
No.21/1, Mission Road,  
Bangalore - 560 027.

... Applicant

[By Advocate Shri M.R. Achar]

v.

1. SriLakshminarayana,  
Aged 38 years,  
S/o Sri Narasimhaiah,  
U-19, V Cross,  
Dayanandanagar,  
Sriramapuram,  
Bangalore-21.
2. The Joint Director  
of Census Operation in  
Karnataka,  
No.21/1, Mission Road,  
Bangalore - 27.
3. The Registrar General,  
Government of India,  
Ministry of Home Affairs,  
New Delhi.
- The Union of India  
represented by its Secretary,  
Ministry of Home Affairs,  
New Delhi.
5. Sri G. Vijayakumar, Major,
6. Smt. T. Indrani, Major,
7. Smt. Vasanthamma, Major,

All working as Data Entry  
Operators, O/o the Director  
of Census Operation in  
Karnataka, 21/1, Mission  
Road, Bangalore.

... Respondents



O R D E R

Shri A.N. Vujjanaradhya, Member [J]:

1. The Review Applicant viz., G.S. Rukmini, who was Respondent ['R' for short] No.7 in O.A. No.510/94 has made this application seeking to review the order passed therein and to dismiss the application of R-1 herein as against her by reviewing the order.

2. Because we have considered the contentions urged by the respective parties at length and as the applicant has not raised any ground showing that there has been an error apparent on the face of the record nor the applicant possesses any material which was not available to her at the time inspite of her due diligence and was subsequently traced, we do not think it is necessary to hear the matter but dispose of the same by circulation.

3. The review applicant mainly refers to the letter addressed by the Ministry of Personnel and Pension to the Secretary, Ministry of Home Affairs and Justice dated 8.7.1993 wherein a reference is made that the vacancies are to be filled up by the department directly through the Employment Exchange ['EE' for short] or through open advertisement and that appropriate action should be initiated so as to process and complete the selection before 15.10.1993. She also refers to the decision of the Hon'ble Supreme Court in UNION OF INDIA AND OTHERS V. N. HARGOPAL AND OTHERS reported

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in AIR 1987 SC 1227 wherein it was observed that vacancies should also be filled up by candidates sponsored by the EEs and contends that the order concluding that her selection was not proper is incorrect and it should be reviewed. Annexure A-5 in O.A. No.510/94 is the notification dated 29.9.1993 under which applications were called for to fill up the posts. Letter dated 6.7.1993 referred to by the Review Applicant which is at Annexure A-1 to this review application and in pursuance of the same Annexure A-2 dated 13.10.1993 came to be addressed by the Joint Director of Census Operations, Karnataka to the EE, requiring the EE to sponsor SC and ST candidates for which the EE has replied by letter dated 13.12.1993 [Annexure A-4]. Therein it was informed that there were no sufficient number of candidates and wanted to know whether the vacancies could be advertised which would take about two months. What happened thereafter is not made clear by the applicant. However, letter at Annexure A-1 referred to by the applicant was perused by us and was considered inasmuch as the same was made available while the O.A. was considered and disposed of. When applications were called for by open advertisement even though the review applicant was sponsored by the EE, it was necessary for her to have applied in pursuance to the notification calling for applications. She having not applied, her selection is not in accordance with the rules and

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procedure laid down and therefore, we have observed that her selection is not proper. The letter at Annexure A-1 dated 8.7.1993 does not absolve the review applicant from making the application in pursuance of the notification calling for the applications. The decision on which the applicant has sought to rely also does not speak of the candidates sponsored by the EE being not required to make any application in pursuance of the notification calling for applications. Therefore, the applicant cannot seek much support from the decision on which she has relied upon.

4. Consequently we find no merit in the application. Accordingly we reject the same.

Sd-

10/12/94  
MEMBER [J]

Sd-

11/12/94  
MEMBER [A]

TRIE COO

15/12/94

Official

Signature

15/12/94

15/12/94

bsv