

45

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A.No. 20/1990

Date of order: 23 -7-1992

Between

1. Y.Ramachary
2. P.Prabhakara Rao
3. K.Veeraiah
4. S.Babu Rao
5. M.Narasaiyah
6. B.Ramulu
7. B.Vijay Kumar
8. M.Ramulu
9. Shashikant Giri
10. A.B.Syed Ahmed
11. R.Pentaiah
12. M.Suryaprakash
13. V.Raghuraj
14. G.Sree Ramulu
15. N.Narsimha
16. P.Narayan
17. M.Chandrasekhara Raju
18. K.Sathi Reddy
19. D.Hari Krishna
20. T.Balraj
21. D.Dashrath
22. S.Satyanarayana
23. K.Sureshlal
24. G.Ganesh Reddy
25. S.Shankar Rao
26. A.Narender
27. S.N.Kamble
28. Ramvilas Ram
29. Ahmed Hussain
30. B.Satyanarayana
31. P.Ramulu
32. Mir Nasir Ali
33. R.Gopal Swamy
34. Abdul Basheer

... APPLICANT

A N D

1. The Govt. of India,
Baba Atomic Research Centre
rep. by its Sr.Admn. Officer,
Trombay, Bombay-85.
2. Govt. of India,
Dept. of Atomic Energy,
Anushakti Bhavan, Bombay-39.
3. Dy.Chief Executive (A),
Nuclear Fuel Complex, Hyderabad.
4. The Manager,
Personnel & Admn. Department,
Nuclear Fuel Complex, Hyderabad.

... RESPONDENTS

P.S/

Appearance:

For the applicants : Smt. M. Vinobha Devi, Advocate
 For the respondents : Sri N. Bhaskara Rao, Addl. CGSC

CORAM

The Hon'ble Sri R. Balasubramanian, Member (Administration)
 The Hon'ble Sri C.J. Roy, Member (Judicial)

JUDGMENT

ORDER OF THE BENCH DELIVERED BY THE HON'BLE SRI R. BALA-SUBRAMANIAN, MEMBER (A)

This application is filed by Sri Y. Ramachary and 33 others against the Baba Atomic Research Centre (B.A.R.C.) and 3 others. The prayer herein is to declare the orders dated 17-5-1985 of the Respondent No.1 prescribing the minimum educational qualifications as S.S.C. and providing for promotional avenues after a lapse of 10 years as illegal and to direct the Respondents herein to modify and revise the norms.

2. The applicants joined the Respondents' organisation as Firemen, Leading Firemen and Sub-Officers in 1971. The Fire Service Station ~~xxx~~ ~~xxx~~ staff were converted from Auxillary to Scientific (Technical) cadre vide proceedings dated 31-10-1983 of the Respondents. Later the service and promotional avenues were notified by impugned proceedings dated 17-5-1985. The applicants represented against this through their union and not finding any success, have approached this Tribunal with this O.A. The applicants are particularly aggrieved that the educational qualification required for promotion was raised in the revised norms.

contd...3.

3. The Respondents have filed a counter opposing the application. In the counter they have described how a committee went into various aspects and after a detailed job of evaluation, have recommended the scales which after acceptance by the competent authority, have been enforced. Raising of educational qualification was part of the recommendation.

4. A similar case, O.A. 19/90 has been disposed of by us separately today. In deciding that case, we had relied on two decisions of the Hon'ble Supreme Court viz: AIR 1992 SC 1203 and JT 1992(3) SC 309. The instant case is similar to that one and, therefore, following our decision in that case, we dismiss this case also with no order as to costs.

R.Balasubramanian

(R.Balasubramanian)
Member (A)

W/R
(C.J.Roy)
Member (J)

Dated: 23rd day of July, 1992.

824/792
Deputy Registrar (J)

mhb/

To:

1. The Sr. Administrative Officer, Govt. of India, Baba Atomic Research Centre, Trombay, Bombay -85.
2. The Govt. of India, Dept. of Atomic Energy, Anushakti Bhavan, Bombay-39.
3. The Dy. Chief Executive, Nuclear Fuel Complex, Hyderabad.
4. The Manager, Personnel and Admin. Dept., Nuclear Fuel Complex, Hyderabad-762.
5. One copy to Smt. Vinobha Devi, Advocate 3-4-845/2, Barkatpura, Hyd.
6. One copy to Mr. N. Bhaskar Rao, Addl. CGSC.
7. One spare copy.

30/7/92
24/7/92

24/7/92
TYPED BY

3 COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
THE HON'BLE MR.

AND

THE HON'BLE MR.R.BALASUBRAMANIAN:M(A)

AND

THE HON'BLE MR.T CHANDRASEKHAR REDDY : MEMBER (J)

AND

THE HON'BLE MR.C.J. ROY : MEMBER (J)

Dated: 23/7/1992

ORDER / JUDGMENT

R.A./C.A./M.A. No.

in

O.A. No. 20/90 ✓

T.A. No.

(W.P. No.)

Admitted and interim directions issued

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

M.A. Ordered/Rejected.

No order as to costs.

pvm.

