

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
 BENCH AT : HYDERABAD

O.A. No.479/90

Date of Order:16.7.'90

BETWEEN

Geological Survey of India SCs &
 STs Employees Council, Southern
 Region, Hyderabad represented by
 by its Regional Secretary, Sri A.R.
 Narayan, Sr. Technical Asst.(Geol)
 G.S.I., Southern Region, Hyderabad
 and

2. Sri M. Gopal Rao, MP Division,
 Geological Survey of India,
 Hyderabad.

Applicants

Versus

1. The Director General, G.S.I.,
 27, Jawaharlal Nehru Road, 4 Chouranghee
 Lane, Calcutta.

2. The Dy. Director General, G.S.I.,
 Bandlaguda, Sarcornagar, Hyderabad.

3. The Commissioner and Director
 of Tribal Welfare, Govt. of A.P.,
 Telugu Samkshema Bhavan,
 Masab Tank, Hyderabad.

4. N.V. Krishnaiah, A.O., G.S.I.,
 Chandra Vihar Buildings,
 Nampally, Hyderabad.

Respondents

APPEARANCE

For the Applicants : Mr. Chandraiah, Advocate

For the Respondents : Sri E. Madan Mohan Rao, Addl.
 Standing Counsel for Central Govt.

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THE HON'BLE MR. B.N. JAYASIMHA, VICE CHAIRMAN

THE HON'BLE MR. D. SURYA RAO, MEMBER(JUDICIAL)

(Judgement of the Bench delivered by Shri B.N.Jayasimha)
 Hon'ble Vice Chairman

The applicants herein are (1) Geological Survey
 of India, SC ST Employees Council, represented by its
 Regional Secretary Mr. A.R.Narayan and (2) Mr. M. Gopala
 Rao, an employee of Geological Survey of India, Map
 Printing Division, Hyderabad. They have sought a direction

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from the Tribunal to direct the first and second respondents to take immediate steps to terminate the services of the 4th respondent as Admn. Officer basing on the findings given by the third respondent in Proceedings. RC No.587/2/84/TRI-VC6, dated 21.6.89. The applicants state that they have been complaining from time to time that the 4th respondent is not a member of the Scheduled Tribe. The fourth respondent had earlier approached this Tribunal questioning the action of the respondents and the Liason Officer, Geological Survey of India, in not giving him promotion to the post of Administrative Officer on the ground that he is not a member of the Scheduled Tribe despite his having been appointed in 1961 as LDC in the Geological Survey of India against a post reserved for the Scheduled Tribe. The said case in T.A.No.929/86 was disposed off by this Tribunal ^{Mr. B. D. Mehta shd} directing the respondents not to insist the applicant ^h produce the Caste Certificate afresh and to regularise ^{his} ~~his~~ appointment without any condition. ^{The Tribunal} ~~h~~ however, ^{it} left open to the department to initiate steps to verify his caste, social status through proper agencies. Thereupon the second respondent by letter dt.19.4.90 addressed the Collector and District Magistrate bringing to his notice the fact that the respondent No.1 had made allegations regarding submission of bogus certificate by the 4th respondent. It is stated therein that the said I.G (Crimes) who carried out a detailed investigation ^{had} in his report Lr.No.501/J1/86/8 dt.11.11.'88 stated that the 4th respondent herein belongs to "Kondakapu" (S.T) caste. In the meanwhile the third respondent had ^N 

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sent a detailed report dt.21.6.89 indicating that the 4th respondent cannot be considered as 'Kondakapu'. The second respondent in his letter dt.19.4.90 stated that in view of the contradicting reports the matter was referred to Home Secretary, Govt. of A.P., who directed him to obtain the report from the District Collector of Hyderabad and East Godavari Dist., Therefore the second respondent requested the District Collector to finalise the investigation and forward his findings within a month to enable the second respondent to take action in the matter. Before the Collector has completed his investigation and submit his report to the second respondent the applicants herein had filed this application seeking that the services of the 4th respondent as Admn. Officer, should be terminated basing on the third respondent's letter dt.21.6. '89 only.

2. We have heard Shri G. Chandraiah, learned counsel for the applicant and Shri E. Madan Mohan Rao, Addl. Standing Counsel for Central Govt., at the admission stage. It is clear from the facts stated above that the applicants are seeking termination of the services of the 4th respondent even before the determination of investigation/enquiry by the Collector into the status of the 4th respondent as to whether he belongs to S.T. caste or not. They are asking for a direction that the services should be terminated on the basis of the 3rd respondents report which is not conclusive and the Collector is yet to determine the status of the fourth respondent. In the circumstances the application is premature and till the District Magistrate and Collector disposes off the case of finalising the

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status of the 4th respondent no order could be
 Respondents.
 passed by the Tribunal. Accordingly, the application is dismissed. No order as to costs.

B.N.Jayashimha

(B.N. JAYASIMHA)
 VICE CHAIRMAN

D. Surya Rao

(D. SURYA RAO)
 MEMBER (JUDICIAL)

Dictated in the open court
 Dt. 16th July, 1990

Duly countersigned
 for D.Y. REGISTRAR (JUDL)

Mvs

To

1. The Director General, Geological Survey of India,
 27 Jawaharlala Nehru Road, 4 Chowranghee Lane, Calcutta 700016
2. The Deputy Director General, Geological Survey of India,
 Southern Region, Bandlaguda, Sareornagar, Hyderabad 35.
3. The Commissioner and Director of Tribal Welfare,
 Government of A.P., Telugu Samkshema Bhavan, Masab Tank, Hyderabad
4. N.v.Krishnaiah, Administrative Officer,
 Geological Survey of India, Southern Region (AMSE.Wing)
 Chandravihar Buildings, M.J.Road, Nampally, Hyd.
5. One copy to Mr.G.Chandraiah, Advocate, Bar Association,
 High Court of A.P., Hyderabad.
6. One copy to Mr.E.Madanmohan Rao, Addl.CGSC.CAT.Hyd-Bench.
7. One ~~sep~~ spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.B.N.JAYASIMHA : V.C.

AND

THE HON'BLE MR. D.SURYA RAO:MEMBER(J)

AND

THE HON'BLE MR.J.NARASIMHA MURTY:M(J)

AND

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

DATE: 16/11/90

ORDER/JUDGMENT:

M.A./ R.A./C7A/No.

in

T.A. No.

W.P. No.

O.A. No.

479/90

Admitted and Interim directions issued
Allowed.

Dismissed for Default.

Dismissed as withdrawn.

Dismissed. as *Particulars* *Central Administrative Tribunal*

Disposed of with direction.

M.A.Ordered/Rejected.

No order as to costs.

