

(100/100)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

D.A. No. 121/91.

Dt.of Decision : 26-8-94.

1. S. Sudarshana Rao
2. E. Appa Rao
3. V. Venkata Rao
4. A. Geetha Kumari
5. N.V.M. Narasimha Rao
6. K. Kameswara Rao
7. Y. Peddiraju
8. C. Ganeswara Rao
9. M. Jyothi
10. P. Narayana Murthy
11. K. Vijaya
12. V. Ranga Rao
13. D. Seshagiri
14. G. Ashok Kumar
15. GB. Subrahmanyam
16. K.V. Jagadeswara Rao
17. @@M. Dhaleswara Rao
18. Ch. Y. Vathi
19. CV. Ramana Murthy
20. P.V. Subba Rao
21. P. Chitti Babu Rao
22. GGG. Bala
23. M. Elizabeth
24. GK. Srinivardhan
25. S. Bhaskara Rao
26. K. Appa Rao
27. G. Krishna Rao
28. DV. Kamalakara Rao
29. K. Sesha Rao
30. J. Gandhi
31. JSVR. Joga Rao
32. K. Tatayyalu
33. TV. Mohana Rao
34. M. Prakasa Rao
35. A. Mohana Rao
36. Sahu
37. K.L. Narasimham
38. K. Subba Rao
39. K. Satyanarayana
40. CSN. Raju
41. T.N. Murthy
42. T. Bhaskara Rao
43. A. Sudhakar Samuel
44. Md. Farookh
45. N.S. Chalam
46. M. Narasinga Rao
47. S. Satyanarayana
48. B. Viswanadha Rao
49. NS. Chalam
50. A. Satyanarayana
51. S. Mangalakshmi
52. K. Kamala
53. P. Suseela
54. MSR. Murthy
55. RL. Sastry
56. K. Thukaram
57. T. Noble
58. D. Govinda Rajan
59. M. Sarojini Devi
60. A. Satyanarayana
61. E. Varalakshmi
62. Md. Isaac
63. P. Lakshmana Rao
64. T. Manorama
65. U. Ramanamma
66. D. Suguna
67. MST. Sundari
68. Katta Surya
69. S. Lakshmi Bai
70. N. Chandidas Sekhar
71. Ch. Ramakrishnayya
72. D. Prabhakara Rao
73. P. Mohana Rao
74. TP. Sanyasi Rao
75. D. Subbamma
76. B. Eswara Rao
77. S. Subabai
78. S. Deviprasad
79. MB. Prasad Babu
80. MD. Abdulla
81. MS. Prakasa Rao
82. K. Babji
83. D. Prasada Rao
84. GRJ. Varma
85. SV. Trinatha Rao
86. K. Chinna Venkanna
87. Gumpina Appa Rao
88. NN. Murthy
89. ND. Prasad
90. M. Appa Rao
91. B. Nanda Kumari
92. YM. Ratnam
93. K. Bhagya Lakshmi
94. HR. Saibaba
95. M. Muralimohana Rao
96. A. Chandra Mouly
97. P. Thrimurthy
98. J. Dharma Rao
99. S. Narendra Babu
100. D. George
101. V. Kamaladevi
102. Krishna Rao
103. P. Bhaskara Rao
104. VJ. Krishnan

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105. V.Padmani Devi
106- D.Rajeswara Rao
107. N.Subrahmanyam
108. P.Appa Rao
109. G.Chinnabai
110. Nukala Subrahmanyam
111. B.Rama Rao
112. JSSV.Lingeswara Rao
113. R.R.Vijaya Kumar
114. Dy.Reddy
115. V.Thata Rao
116. Ganti Subba Rao
117. G.Kanaka Ratnam
118. V.N.Murthy
119. J.Joseph
120. Ch.S.Sarma
121. C.Lalitha
122. Vijayalakshmi Roy
123 C.N.Kutty
124. A.Sai Sankar
125. G.Bmaskara Rao
126. V.V.Narasimham
127. V.Veerabhadra Rao
128. G.Veeraswamy
129. JSN.Murthy
130. Chekuri Suryanarayana Raju
131. B.Satyana^rayana Murthy
132. M.Venkata Krishna Rao
133. P.Venkatakrishna Rao
134. T.China Satyanarayana
135. Indigibilli Rajeswari
136. S.Satyavathi
137. TAS.Kameswari
138. P.Satyana^rayana
139. Brahmada Sankara Rao
140. Yerra Narayana Rao
141. S.Venkata Rao
142. Lanka Vijaya Raj Kumar
143. V.Venkata Ramana Murthy
144. Banakapalli Asha
145. T.Lakshmi Narasubai
146. L.Raja Rao
147. Md. Sibagatulla
148. P.Sarada

149. Y.Raghava Rao
150. G.Kanakavalli
151. D.Varalakshmi
152. A.Venkateswara Rao
153. KI.Vijaya Kumar
154. K.Subbalakshmi
155. F.S.Christie
156. D.Sankara Rao
157. M.Sankara Rao
158. P.Parimala Lakshmi
159. S.A.Hameed
160. D.Surya Rao
161. Ch.Venkateswara Rao
162. A.Nageswara Rao
163. S.Sreenivasa Rao
164. T.Ch.Kondala Rao
165. T.Sanyasi Rao
166. R.Prasada Rao
167. AR.Mohana Rao
168. T.Anuradha
169. B.Suryanarayana
170. J.Swarnalatha
171. M.Ganga
172. PSM.Sharma
173. M.Satyana^rayana
174. P.Venkata Raju
175. K.Agnes
176. K.V.Satyana^rayana Murthy
177. S.Mallikarjuna Rao
178. DGS.Murthy
179. A.Raja Rao
180. B.Kameswar Rao
181. G.A.Ramakrishna
182. SC.Mishra
183. SV.Kalahasteswara Rao
184. B.Venkateswara Rao
185. G.Indira Devi
186. JNM.Hussain Shah
187. S.Sanyasi Rao

.. Applicants.

Vs

1. Union of India, rep. by its Secretary, Ministry of Defence, New Delhi.
2. Chief of Naval Staff, Naval Headquarters, Navsena Bagh, New Delhi.
3. Flag Officer Commanding-in-Chief Western Naval Command, Visakhapatnam-14.

.. Respondents.

Counsel for the Applicants : Mr. P.B. Vijaya Kumar

Counsel for the Respondents : Mr. N.R.Devaraj, Sr.CGSC.

CORAM:

THE HON'BLE SHRI JUSTICE V.NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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O.A. NO. 121/91.JUDGMENT

Dt: 26.8.94

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri P.B.Vijaya Kumar, learned counsel for the applicants and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. This OA was filed praying for a direction to the respondents to effect promotion ^{of} to the eligible applicants according to the rules by maintaining the ratio by taking retrospective promotions into consideration and for consequent ^{entia} benefits such as special pay and other monetary benefits.

3. There are the following posts in the non-industrial ministerial section in the Naval Dockyard at Visakhapatnam:-

- i) LDC
- ii) UDC
- iii) Office Superintendent (OS) Grade-II and
- iv) OS Grade-I.

Till 27.2.1981, the ratio of LDCs and UDCs ^{was} 2:1 and the ratio of total of LDCs, UDCs and OS Gr.II was 12:1 and the ratio of OS Gr.II and OS Gr.I is 4:1. From 28.2.1981, the ratio of LDCs and UDCs was 3:2 and there was no change in the ~~xx~~ other ratios.

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4. In the Central Government organisations, a ratio ~~is maintained~~ is maintained in regard to various posts including ministerial posts keeping in view the work load and also the promotional opportunities. As such, the ratios as referred to above were prescribed for the ministerial employees in the Naval Dock Yard also.

5. It may be noted that casual LDCs were not taken into consideration for the ratios referred to while fixing ratios for LDCs and UDCs. On the basis of the various judgments of this Tribunal, the services of various casual LDCs were regularised with retrospective effect ie., from the date of initial engagement. Then, it was noticed that one of the juniors of those whose services were regularised with retrospective effect was already promoted as UDC and hence 163 supernumerary posts in the category of UDCs were created for giving promotion to those seniors in the category of LDCs. But it transpired that total number of LDCs, after implementation of the above judgments, were found to be more than 60% of LDCs and UDCs ~~are~~ put together. Hence, a representation was made by the unions for increasing the number of posts in UDCs cadre ^{up} to keep the ratio of 6:4, and on such increase of the posts of UDCs, the number of posts in OS Gr.II and OS Gr.I also have to be increased for maintaining the ratio. Then, R-3 referred the matter to the Naval Headquarters ie., R-2.

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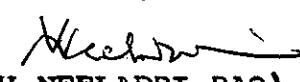
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6. As the matter is now pending with R-2, we feel that it is just and proper to direct R-2 to dispose of the matter expeditiously and preferably within six months from the date of receipt of this order. If the 1st applicant, ie., the Association is going to make a representation to R-2 in regard to these reliefs by the end of September, 1994, the same ^{also} has to be considered by R-2. It is needless to say that if the applicants are aggrieved in regard to the order that may be passed by R-2, they are free to move this Tribunal by way of an application under Section 19 of the Administrative Tribunals Act, 1985.

7. The OA is accordingly ~~not~~ ordered. No costs.


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 26th August, 1994.
Open court dictation.

Anil
Deputy Registrar (J) CC

To

1. The Secretary, Union of India, Ministry of Defence,
vsn New Delhi.
2. The Chief of Naval Staff, Naval Headquarters,
Navsena Bagh, New Delhi.
3. The FlagOfficer Commanding-in-Chief, Western Naval Command,
Visakhapatnam-14.
4. One copy to Mr.P.B.Vijayakumar, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR.R.RANGARAJAN : M(A.E.N)

DATED 26-8-1994

ORDER/JUDGMENT

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

O.A.No.

in

121/91 -

(T.A.No.)

(W.P.NO.)

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

No Spare COPY

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