

(L) (C)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

D.A. No. 121/91.

Dt. of Decision : 26-8-94.

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

42

- |                                 |                                 |
|---------------------------------|---------------------------------|
| 105. V. Padmani Devi            | 149. Y. Raghava Rao             |
| 106. D. Rajeswara Rao           | 150. G. Kanakavalli             |
| 107. N. Subrahmanyam            | 151. D. Varalakshmi             |
| 108. P. Appa Rao                | 152. A. Venkateswara Rao        |
| 109. G. Chinnabai               | 153. K. I. Vijaya Kumar         |
| 110. Nukala Subrahmanyam        | 154. K. Subbalakshmi            |
| 111. B. Rama Rao                | 155. F. S. Christie             |
| 112. JSSV. Lingaswara Rao       | 156. D. Sankara Rao             |
| 113. R. R. Vijaya Kumar         | 157. M. Sankara Rao             |
| 114. Dy. Reddy                  | 158. P. Parimala Lakshmi        |
| 115. V. Thata Rao               | 159. S. A. Hameed               |
| 116. Ganti Subba Rao            | 160. D. Surya Rao               |
| 117. G. Kanaka Ratnam           | 161. Ch. Venkateswara Rao       |
| 118. V. N. Murthy               | 162. A. Nageswara Rao           |
| 119. J. Joseph                  | 163. S. Sreenivasa Rao          |
| 120. Ch. S. Sarma               | 164. T. Ch. Kondala Rao         |
| 121. C. Lalitha                 | 165. T. Sanyasi Rao             |
| 122. Vijayalakshmi Roy          | 166. R. Prasada Rao             |
| 123. C. N. Kutty                | 167. AR. Mohana Rao             |
| 124. A. Sai Sankar              | 168. T. Anuradha                |
| 125. G. Bnaskara Rao            | 169. B. Suryanarayana           |
| 126. V. V. Narasimham           | 170. J. Swarnalatha             |
| 127. V. Veerabhadra Rao         | 171. M. Ganga                   |
| 128. G. Veeraswamy              | 172. PSM. Sharma                |
| 129. JSN. Murthy                | 173. M. Satyanarayana           |
| 130. Chekuri Suryanarayana Raju | 174. P. Venkata Raju            |
| 131. B. Satyanarayana Murthy    | 175. K. Agnes                   |
| 132. M. Venkata Krishna Rao     | 176. K. V. Satyanarayana Murthy |
| 133. P. Venkatakrishna Rao      | 177. S. Mallikarjuna Rao        |
| 134. T. China Satyanarayana     | 178. DGS. Murthy                |
| 135. Indigibilli Rajeswari      | 179. A. Raja Rao                |
| 136. S. Satyavathi              | 180. B. Kameswar Rao            |
| 137. TAS. Kameswari             | 181. G. A. Ramakrishna          |
| 138. P. Satyanarayana           | 182. SC. Mishra                 |
| 139. Brahmada Sankara Rao       | 183. SV. Kalahasteswara Rao     |
| 140. Yerra Narayana Rao         | 184. B. Venkateswara Rao        |
| 141. S. Venkata Rao             | 185. G. Indira Devi             |
| 142. Lanka Vijaya Raj Kumar     | 186. JNM. Hussain Shah          |
| 143. V. Venkata Ramana Murthy   | 187. S. Sanyasi Rao             |
| 144. Banakapalli Asha           |                                 |
| 145. T. Lakshmi Narasubai       |                                 |
| 146. L. Raja Rao                |                                 |
| 147. Md. Sibagetulla            |                                 |
| 148. P. Sarada                  |                                 |

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.)

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 <sup>to</sup> the eligible applicants according to the rules by maintaining the ratio by taking retrospective promotions into consideration and for consequent<sup>-ntial</sup> 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 Viaskhapatnam:-

- 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 <sup>was</sup> ~~is~~ 2:1 and the ratio of total of LDCs <sup>and</sup> UDCs <sup>and</sup> 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.

contd....

(Nell)

.. 3 ..

4. In the Central Government organisations, a ratio ~~was 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 <sup>was</sup> 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 ~~is~~ put together. Hence, a representation was made by the unions for increasing the number of posts in UDCs cadre ~~to~~ <sup>up</sup> 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.

contd....

.. 4 ..

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 <sup>also</sup> 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 ~~xxx~~ ordered. No costs.

(R. RANGARAJAN)  
MEMBER (ADMN.)

(V. NEELADRI RAO)  
VICE CHAIRMAN

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

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 Flag Officer 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.

pvm

P. J. P. B. 21544

TYPED BY

CHECKED BY

COMPAED BY

APPROVED BY

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 (ADJN)

DATE: 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.

pvm

