

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

Dt. of Decision : 12-8-1994.

D.A. 578/91. Mr. K. Mangapathi Rao

.. Applicant.

Vs

1. Union of India, rep. by the Secretary, Dept. of Personnel & Training, Administrative Reforms and Public Services, Central Secretariat, New Delhi.
2. Union Public Service Commission rep. by its Secretary, Dholpur@ house, New Delhi.
3. State of Andhra Pradesh rep. by the Chief Secretary to Government (GAD Section) Department, Secretariat Buildings, Hyderabad.
4. K. Rami Reddy
5. B. Aravinda Reddy
6. R. Sunder Singh
7. P. Krishniah
8. C. Umamaheshwara Rao

.. Respondents.

Counsel for the Applicant : Mr. P. Naveen Rao for
Mr. Y. Suryanarayana

Counsel for the Respondents : Mr. N.V.Ramana, Addl.CGSC.

Mr. D.Panduranga Reddy, Spl. counsel
for A.P.

CORAM:

THE HON'BLE SHRI JUSTICE V.NEELADRI RAO : VICE CHAIRMAN
THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

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OA.578/91

Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, V.C.)

Heard Sri P. Naveen Rao, for Sri Y. Suryanarayana, learned counsel for the applicant, Sri N.V. Ramana, and Sri D. Panduranga Reddy, learned counsel for the respondents.

2. By the time this OA was filed, the applicant was working as Special Grade Deputy Collector. When he was within zone of consideration, for consideration for promotion to IAS from AP State quota for 1990, his case was considered. But he was not empanelled in the Select list for that year. Being aggrieved, the applicant preferred this OA.// From 1982-87, the applicant was on deputation to Fisheries Department and during that period he worked as Administrative Officer, Kolleru lake Development Committee. For the said period, the applicant had written his self-appraisal reports. There was no ~~accepting~~ Reporting Officer above the applicant during the said period. The Accepting Officer was Commissioner of Land Revenue. It is stated for the applicant that the Commissioner of Land Revenue had not counter-signed his Self-Appraisal Report for the said period. While it is urged for the applicant that his ACRs for the relevant period were not considered on the ground that they were not counter-signed by the Commissioner of Land Revenue, the same was denied for the respondents.

To

1. The Secretary, Dept.of Personnel and Training,
Union of India, Administrative Reforms
and Public Service, Central Secretariat,
New Delhi.
2. The Secretary, U.P.S.C. Dholpur House, New Delhi.
3. The Chief Secretary to Govt.(GAD Section) Dept.,
State of A.P. Secretariat Buildings, Hyderabad.
4. One copy to Mr.Y.Suryanarayana, Advocate, CAT.Hyd.
5. One copy to Mr.N.V.Ramana, Addl.CGSC.CAT.Hyd
6. One copy to Mr.D.Panduranga Reddy, Spl.Counsel for A.P.Govt.
CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

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3. Today the Record of Proceedings of the Selection Committee, which met on 6-1-1990 for consideration for promotion to IAS from AP State Quota is produced.

It is noted in the said record that the ACR for the period from 6-8-1981 to 30-7-1982 in regard to the applicant was not counter-signed by the Reporting Officer. The Reporting Officer ^{of relevant period} retired. So, it does not disclose that the remaining period for which the applicant was on duty for the relevant period was countersigned by the Reporting Officer. It is not a case where the Selection Committee endorsed that they could not consider the case of the applicant for want of counter-signature by Reporting/Accepting Officer. As such on the basis of the record, it had to be held that the Selection Committee perused the relevant ACRs of the applicant and they had given the gradings on the basis of his overall performance.

4. It is not a case where any malafides are alleged. Thus, there are no grounds for interfering with the gradings given to the applicant for the year 1990.

5. The DA thus fails and accordingly it is dismissed.
No costs. /

J. S. S.
(A. B. Gorthi)
Member (Admn)

V. Neeladri Rao
(V. Neeladri Rao)
Vice Chairman

Dated : August 12, 94
Dictated in Open Court

Amelia
Deputy Regd. 2nd Aug.
Regd. (S)

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE
HYDERABAD BENCH AT H

THE HON'BLE MR. JUSTICE V. N.
VICE-CHIEF JUSTICE

AND

A. B. Gorai
THE HON'BLE MR. RANGARAJ

DATED. 10-8-1994

ORDER/JUDGMENT

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

in
O.A.No. 578/91

(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.

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