

# Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

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O.A. No. 751/91.

Date of Decision : 23.1.1992

~~T.A.No.~~

Kotthuri Sai Lakshmi & another Petitioner.

Shri K. Nageshwar Reddy Advocate for the  
petitioner (s)

Versus

The Commissioner, Regional Provident Fund, Respondent.  
Employees Provident Fund Organisation,

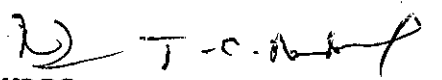
P.F. Office, 3-4-763, Barkatpura, Hyd-27 & 2 others  
~~Shri G. Parameshwar Rao, SC for Provident Fund &~~ Advocate for the  
Shri D. Panduranga Reddy, Spl. Counsel for A.P. State Respondent (s)

CORAM :

THE HON'BLE MR. R. Balasubramanian : Member(A)

THE HON'BLE MR. T. Chandrasekhar Reddy : Member(J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
5. Remarks of Vice Chairman on columns 1, 2, 4  
(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)

  
HRBS HTCSR  
M(A). M(J).

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD.

O.A.No.751/91.

Date of Judgment 23.1.92 .

1. Kotthuri Sai Lakshmi
2. Sadhu Veera Venkata Raju ..Applicants

Vs.

1. The Commissioner,  
Regional Provident Fund,  
Employees Provident Fund  
Organisation,  
P.F.Office,  
3-4-763, Barkatpura,  
Hyderabad-27.
2. The Asst. Commissioner,  
Sub Regional Provident  
Fund Office (P.F.Office),  
Visakhapatnam,  
Visakhapatnam District.
3. The District Employment  
Officer,  
East Godavari District  
Employment Exchange(Clerical),  
Kakinada,  
East Godavari District. ..Respondents

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Counsel for the Applicants : Shri K.Nageshwar Reddy  
Counsel for the Respondents : Shri G.Parameshwar Rao,  
SC for Provident Fund  
&  
Shri D.Panduranga Reddy,  
Spl. Counsel for A.P.State  
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CORAM:

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri T.Chandrasekhar Reddy : Member(J)

P. J.

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE  
SHRI R. BALASUBRAMANIAN, MEMBER (ADMN.)

This application is filed by Ms. Kotturi Sai Lakshmi and another against the Commissioner, Regional Provident Fund, Employees Provident Fund Organisation, Hyderabad and 2 others under section 19 of the Administrative Tribunals Act, 1985. The prayer in this application is for a direction to the respondents to permit them to appear for the written test and for the interview for the post of Lower Division Clerk.

2. The applicants have registered their names with the 3rd respondent vide Registration Nos. (1) CW/1803/1986, dated 5.5.1986 and (2) CR/2007/1989, dated 27.7.1989. They are eligible for LDC posts. The respondents 1 and 2 notified vacancies of LDC posts to the 3rd respondent to sponsor names of the candidates who have passed SSC and with <sup>a speed of</sup> 30 words per minute in the typing test. The 3rd respondent sponsored <sup>the list of</sup> names which while containing a number of candidates with <sup>later</sup> junior registration numbers did not contain the names of the applicants. Aggrieved, the applicants have approached this Tribunal with the above prayer.

3. Opposing the application, the 1st and 2nd respondents have filed counter affidavit. The facts of the case are not disputed. They notified five vacancies

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of LDCs, four in the general category and one for the Scheduled caste. They approached the 3rd respondent to sponsor 25 names against OC vacancies and five names for the SC vacancy. It is stated that the respondent No.3 sponsored the names of physically handicapped and other priority category candidates.

4. The 3rd respondent has also filed the counter affidavit. It is stated that candidates were sponsored by the Employment Exchange according to the reservations prescribed by the 1st and 2nd respondents in their notification, observing priority/seniority. As per the norms of the Employment Exchange, there is a scheme of priority candidates for sponsorship to the Central Government vacancies.

5. We have examined the case and heard the rival sides. We find a copy of letter No.14034/3/84-Estt(D) dated 31.7.84 issued by the Ministry of Home Affairs, Department of Personnel. The Office Memorandum gives the list of categories to whom various priorities have been allowed for the purpose of employment through the Employment Exchanges. We find that it is a compendium of various orders issued showing the order of priority under various categories. When the Employment Exchange sponsored the candidates (25 General and 5 S.C.) in response to the

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To

1. The Commissioner, Regional Provident Fund,  
Employees Provident Fund Organisation,  
P.F.Office, 3-4-763, Barkatpura, Hyderabad-27.
2. The Asst. Commissioner, Sub Regional Provident,  
Fund Office (P.F.Office) Visakhapatnam, visakhapatnam Dist.
3. The District Employment Officer,  
East Godavari District Employment Exchange (Clerical)  
Kakinada, East Godavari Dist.
4. One copy to Mr.K.Nageswar Reddy, Advocate, CAT.Hyd.Bench.
5. One copy to Mr.G.Parameswar Rao, SC for A.G.CAT.Hyd.
6. One copy to Mr.D.Panduranga Reddy, Spl Counsel for State of A.P.,
7. One spare copy.

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7.3.91 letter of the Regional Provident Fund Commissioner, Barkatpura, Hyderabad, they restricted it only to 2 candidates under priority V (Ex-Servicemen & Discharged Govt. Employees State & Central) and 23 candidates under priority VII (Physically Handicapped persons). We asked the learned counsel for the applicants if anybody junior to them in their category had been sponsored. The reply to this from the learned counsel for the applicants was NIL. It is, therefore, seen that the respondents have only followed the orders issued by the Government of India. These orders were issued by the respondents as a matter of policy and we do not want to interfere with the considered policy decision taken by the respondents.

6. The applicants had filed a rejoinder to the counter of the respondents in which it is contended that the 3rd respondent ought to have sponsored candidates in the ratio of 1:20 instead of 1:5 (We find that against the 4 O.C. candidates 25 names had been sponsored). The applicants could not produce any order in support of this claim that the ratio should be 1:20 requiring 80 names to be sponsored against the 4 OC vacancies.

7. Under these circumstances, we find no scope to interfere in this case and accordingly dismiss the application with no order as to costs. In view of the dismissal of the O.A., the interim order dated 1.8.91 passed by this Bench stands vacated.

*R. Balasubramanian*  
( R. Balasubramanian )  
Member (A)

*T. Chandrasekhar Reddy*  
( T. Chandrasekhar Reddy )  
Member (J)

*23<sup>rd</sup>*  
Dated 23<sup>rd</sup> January, 1992.

*12/2/92*  
Deputy Registrar (J)

*u/s*

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TYPED BY  
CHECKED BY

COMPARED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V.C.  
THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)  
AND  
THE HON'BLE MR. T. CHANDRASEKHAR REDDY:  
M(JUDL)  
AND  
THE HON'BLE MR. C. J. ROY : MEMBER(JUDL)

DATED: 23-1-1992

ORDER/JUDGMENT:

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

in

O.A.No. 751/91

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.

D.V.R.

Central Administrative Tribunal  
DESPATCH  
22-2-1992  
HYDERABAD BENCH.