

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD



O.A. No. 650/92

Dt. of Decision : 28.10.93.

G. Alfred, S/o. G. Swamidoss

. . . Applicant

Vs

1. Union of India, represented by its
Joint Secretary, Department of Space,
ISRO, Anthariksha Bhavan, New BEL Road,
Bangalore - 560 094.
2. The Head, Personnel and General
Administration Division, SCF,
SHAR Centre, Sriharikota - 524 124,
NELLORE District.
3. K.M. Sasidharan,
Asst. Admn. Officer
C/o. Head, P&GA,
ISRO Head Quarters,
"Anthariksha Bhavan",
New B.E.L. Road,
Bangalore - 560 094.
4. Ramesh Rao Kanavere,
Asst. Admn. Officer,
MST Radar Project,
C/o. ISTRAC,
A1-6 Peenya Industrial Estate,
Bangalore 560 058.
5. V.J. Thomas,
Asst. Admn. Officer,
Space Applications Centre,
SAC Post, Jodhpur Tekra,
Ahmedabad - 380 053.
6. K.G. Padmanabhan,
Asst. Admn. Officer,
C/o. Head, P&GA,
ISRO HCs., "Antharikh Bhavan",
New B.E.L. Road,
Bangalore - 560 094.
7. N. Radhakrishna Moorthy,
Asst. Admn. Officer,
ISTRAC Ground Station,
Lucknow.
8. G.K. Harihara Iyer,
Admn. Asst. 'B',
Vikram Sarabhai Space Centre,
ISRO Post Office,
Trivandrum - 695 022.

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3. The learned counsel for the applicant produced the Memo No. RWS/1.6/90, dated 21.12.1990 to ^{w/ve} disclose that the panel was approved on 21.12.1990 and so it expired on 21.6.1992 ^{and as} while this OA was presented on 19.6.1992, ~~and thus~~ it was filed even before the expiry of the life of the panel. In view of these conflicting versions, we required the learned Standing counsel to produce the relevant record in support of their contention that the said panel expired by 10.6.1992. The letter No. HQ. Admn. A. 20(5)-B17, dated 14.12.1990 is produced wherein it is stated that the said panel was valid upto 9.6.92. So, it has to be held that the Memo dated 21.12.1990 relied for the applicant is only a communication on the basis of the letter dated 14.12.1990, and it is also evident from the letter dated 21.12.1990 wherein it is stated that the panel is valid for a period of 18 months ie., upto 9.6.92. Hence, the contention for the respondents that the panel is valid upto 9.6.92 is accepted.

4. As this is a case where this OA was filed after the life of the above panel expired, this OA has to be dismissed on the ground of laches. Hence, there is no need to go into the other contentions raised for the applicant for disposal of this OA.

5. In the result, the OA is dismissed. No costs.

CERTIFIED TO BE TRUE COPY

Date

Court Officer

Central Administrative Tribunal

Hyderabad Bench

Hyderabad

31/12/93.

TK

O.A.NO.650/92

JUDGMENT

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

The applicant herein is working as Administrative Assistant 'B' in SHAR Centre, Department of Space, Sriharikota, Nellore District. The case of the applicant was also considered for promotion to the post of Assistant Administrative Officer. For consideration for promotion, a written test is conducted for which 50% marks are allotted and 20 marks and 30 marks were allotted for ACRs and Viva-voce respectively. As the applicant got less than 60% at the time of consideration for promotion in 1990, the applicant was not promoted. This OA is filed praying for a direction that ~~no~~ minimum ~~g~~ marks should ^{not} be prescribed for the interview and for ^{declaration that} holding that the ~~marks~~ ^{want of 30% marks} allotted for interview ^{is} are excessive. Ernakulam Bench of the Central Administrative Tribunal held by the order dated 28.2.92 in OA 21/91 that the allotment of 30 marks for viva-voce is excessive and it should be reduced to 10, and the ranking has to be given on the basis of the total obtained for 80 marks i.e., 50 for written test, 20 for ACRs and 10 for viva-voce. The said Bench also quashed the provision prescribing the minimum ~~of 30%~~ for viva-voce.

2. Heard Shri V.Rajagopala Reddy, learned counsel for the applicant and Shri N.R.Devaraj, learned Senior Standing Counsel for the Respondents. The learned counsel for the respondents submitted that this OA has to be dismissed on the ground of laches for it was filed on 16.7.1992 while the panel which is challenged lapsed on 10.6.92. It is further urged that it cannot be stated that the allotment of 30 marks for viva-voce is excessive.

contd....

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Copy to:-

1. Joint Secretary, Department of Space, ISRO, Anthariksha Bhavan, New BEL road, Bangalore-094.
2. The Head, Personnel and General Administration Division, SCF, SHAR Centre, Sriharikota-124, Nellore District.
3. One copy to Sri. V.Raja Gopala Reddy, advocate, No.1, Law Chambers, High Court, Hyd.
4. One copy to Sri. *N.R. Dena Raj*, Sr. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

Central Administrative Tribunal Hyderabad Bench

Endt. No. CAT/Hyd/Judl/SC/66/94.

Date: 24-8/15-9-94.

Communicate.

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By. Registrar (J) e.e.

J. Secy
S.O. (J)

To.

1. The Joint Secretary,
Dept. of Space,
ISRO, Antariksha Bhavan,
New BEL Road, ✓
Bangalore - 094.
2. The Head,
Personnel & General Administration Division.
SCF, SHAR Centre,
Sriharikota - 124, Nellore Dist.
3. Mr. V. Raja Copala Reddy, Advocate,
No. 1, Law Chambers, High Court, Hyd.
4. Mr. N. R. Deraraj, Sr. CSE, CAT, Hyd.
5. OM Spam Gpy. —