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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1485/94

Dt. of Decision : 16-10-97/

1. K.Somaraju
2. K.Nataraja Sekhar
3. Smt. M.Krishna Kumari
4. A.Chandrasekhara Rao
5. V.Venkata Rao
6. K.Ankalu
7. R.Mohan Rao
8. Y.Gangadhara Rao
9. N.V.Visweswara Rao
10. K.Ramanjaneyulu
11. Y.V.Ramakrishna
12. K.R.Saicharan
13. Smt.G.Santakumari
14. Smt.N.Prabhavathi

..Applicants

Vs

1. The Director-General, R&D, Defence Research & Development Organisation (reptg. UOI) New Delhi-110 001.
2. The Director, DMRL, P.O.Kanchanbagh, Hyderabad-500 258.
3. P.Narsi Reddy
4. K.V.S.R.Anjaneyulu
5. Nizamuddin Hazari
6. Devraj Kaushik
7. A.K.Thapalial
8. P.P.Mahule

.. Respondents

Counsel for the applicants : Mr.C.Suryanarayana

Counsel for the respondents : Mr.V.Bhimanna, Addl.CGSC.

CORAM:-

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

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

Heard Mr.C.Suryanarayana, learned counsel for the applicants and Mr.V.Bhimanna, learned counsel for the respondents.



2. There are 14 applicants in this OA. They are promotee officials holding the rank of Sr. Scientific Assistant (SSA for short). The Recruitment Rules for filling up the post of Sr. Scientific Assistant is at Page 15 to 18 (Annexure A-2) issued on 26-06-68. As per that the post of Sr. Scientific Assistant is to be filled one third by direct recruitment and two-thirds by departmental promotion failing which by direct recruitment. The feeder categories for promotion is JSA Grade-I with 3 years service in that grade. The selection has to be done by the DPC. The applicants here submit that their seniority vis-a-vis the direct recruits are not correctly given. They further submit that the quota-rota rule is to be followed in fixing the seniority between the applicants ~~and~~ ^{as} who are promotees and Direct Recruits who are impleaed R-3 to R-8. It is further averred by the learned counsel for the applicant that the quota rota rule has broken down. In view of the failure of the quota rota rule the seniority has to be fixed on the basis of the length of service. If that is so then the applicants who are promotees will rank seniors to the Direct Recruits. The seniority list has not been drawn accordingly and hence they have approached this Tribunal for correcting the seniority list. The applicant No.10 has submitted a detailed representation addressed to R-1 for correcting the seniority list of SSAs to keep parity among Direct Recruits Vs promotees in SSAs cadre. His representation dated 23-1-95 is at page-38 Annexure-5 (k) to the OA. That representation is still to be disposed of. It is also stated that the grievance submitted by applicant No.10 is also same grievance of other applicants in this OA. They have also submitted similar representations.

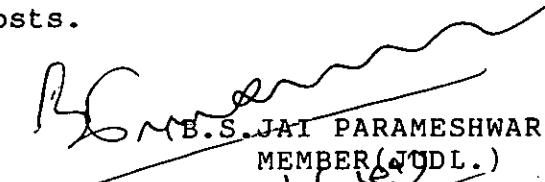
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3. This OA is filed for revising the seniority list of R-2 dated 25-3-94 (Annexure A-1) and 1-3-93 following the practice of fixing seniority in case of failure of the quota rota system and for consequential benefits on the basis of that revised seniority list.

4. No reply has been filed in this OA. It cannot be said at this juncture whether the quota-rota rule has failed or not. Further it is not understood why the reply has not been filed so far though this OA was filed in the year 1994. In any case the seniority position cannot be decided on the basis of the available material as this will affect number of employees. But the applicants herein also cannot be allowed to languish without ~~Mac~~ informing them in the proper position in the seniority list. Hence it is essential that R-1 should dispose of the representation of applicant No.10 and others following the Rules in this connection. The applicants also may submit immediately any further Rules which they want to bring to the notice of the respondents. Before finalising the seniority list a provisional seniority list should be issued indicating the rules that are followed and inviting objections to that provisional seniority list in accordance with law. On the basis of the objections to be received to the provisional seniority list, final seniority list should be issued. No doubt the applicants are at liberty to approach the judicial forum if they are aggrieved by the final seniority list to be issued.

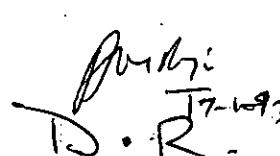
5. With the above observation the OA is disposed of. No costs.


(B.S.JAI PARAMESHWAR)
MEMBER(TD.L.)


(R. RANGARAJAN)
MEMBER(ADMN.)

Dated : The 16th Oct. 1997.
(Dictated in the Open Court)

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D.R.
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TYPED BY
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B S SATYA MANGALAM (S)

Dated: 16-10-97

ORDER/JUDGMENT

M.A./R.A./C.A. NO.

in

O.A. NO. 1485/94

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

