

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD DIVISION  
AT HYDERABAD.

O.A.No.861/95.  
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Date of decision: 27th March, 1998.

Between:

1. M. Nagabhushanam.
2. S.V.Ranga Reddy.
3. L.Ravivarma.
4. U.Jayalakshmi.
5. A.R.Swamy.
6. V.Premanjoki
7. K.S.Mohan Das.
8. A.Chandrakantha.
9. Smt. M.Jyothi.
10. B.S.S.Kameswara Rao.
11. Smt. M.Brahmaramba.
12. S.Viswanatha Sarma.
13. P.Veeraiah.
14. Y.Suryanarayana.
15. P.Sujatha Devi.

Applicants.

A n d

1. The Accountant General A & E, Andhra Pradesh,  
Hyderabad.
2. The Comptroller and Auditor General of India,  
New Delhi.

Respondents.

Counsel for the applicants: Sri K.Venkateswara Rao.

Counsel for the respondents: Sri G.Parameswara Rao.

CORAM:

Hon'ble Sri R. Rangarajan, Member (A)

Hon'ble Sri B.S.Jai Parameshwar, Member (J)

JUDGMENT.

(per Hon'ble Sri R.Rangarajan, Member (A))

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Heard Sri K.Venkateswara Rao for applicants

and Ms. Shakti for Sri G.Parameswara Rao for respondents.

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There are 15 applicants in this O.A. They are working as Assistant Accounts Officers in the Accounts Wing of the Accountant General Office (Accounts and Entitlement) Respondent No.1.

Their main grievances are as under:

i) There is an examination called Revenue Audit Examination earlier, to the bifurcation of the Accounts and Audit with effect from 1-3-1984. The Respondent No.1 was conducting the Revenue the Revenue Audit Examination when both the wings of Accounts and Audit were combined one. The Scheme consists of three papers and one should obtain 40% marks in each paper for a pass and those who secured 60% marks or more are exempted in that paper when they write the other two papers subsequently. After the bifurcation of Audit and Accounts Wings separate examinations are conducted for Audit Officers and Accounts Officers. The Scheme of Revenue Audit Examination remains the same before bifurcation as far as Audit Officers are concerned but in the case of Assistant Accounts Officer the minimum marks for pass in a paper is increased to 50% and ~~there~~ no facility of exemption exists. The difference between the two examinations are given in para 4, page 3 of the reply.

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is . . . . .

The applicants contend that no parity ~~is~~/maintained between the Audit and Accounts Officer as the Accounts Officers are discharging similar duties to that of Audit Officers ~~and~~ when the examination was a combined one. After bifurcation, the Audit Officers are the beneficiaries whereas the Accounts Officers do not get ~~the~~ benefit, when it was a combined Department. To get the parity ~~removed~~ the accounts Officers submitted a representation dated 22-2-1994~~x~~ (Annexure IV Page 13 to the O.A.) for redressal of their grievance. It is stated that the representation is yet to be disposed of.

The second grievance of the applicants is that in the Data Processing Paper in the examination conducted in January, 1995 there were number of questions/out of syllabus. The paper contained questions consisting of about 60 marks set out ~~for~~ which ~~are~~ from out of the syllabus. The applicant No.1 submitted a representation dated 8-2-1995 to the Respondent No.2 (Annexure III Page 12 to the O.A.) pointing out the questions which were out of syllabus and requesting for re-examination of the aspects and also for liberal valuation of the answer scripts and for adding grace marks of at least 25 in "Data Processing Paper" as the questions were out of syllabus. It is stated that the 2nd respondent has not replied so far.

This O.A., is filed to keep the parity ~~is~~ in conducting the incentive examination for Section Officers/ Assistant Accounts Officers vis-a-vis the Audit Officers in the Revenue Audit Examination and also re-examine the Data Processing Paper for the incentive examination held in January, 1995 for Accounts Officers and consequently for liberal valuation of the answer scripts for the Data Processing Papers and

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for adding grace marks of 25 in the Data Processing Papers

We have search<sup>-ed</sup> in the reply filed by the respondents to find out any tangible answer<sup>is given</sup> in regard to the first grievance. We do not find any such answer in the reply. It is stated that even the representation of the S.A.S. Association dated 22-2-1998 is yet to be disposed of. Hence the applicants should be informed of the decision of the 2nd respondent in regard to the parity in conducting the Revenue Audit Examination between the Section Officers/Accounts Officers in the Audit Wing and the Accounts Wing.

and the other applicants  
The Applicant No.1/in this O.A., if so advised may submit a detailed representation covering all the points projected in the representation of the Association dated 22.2.1998 and the points mentioned in this O.A., to the 2nd respondent within a period of one month from the date of receipt of this Order. If such a representation is received from the applicants, the 2nd respondent shall dispose of the same by a speaking order within a period of two months from the date of receipt of the representation.

It is not possible for us to examine whether questions set out in the Data Processing Paper for the Examination in January, 1995 are from the syllabus or out of syllabus though it has been specifically stated that the questions consisting of 60% marks were out of syllabus. The respondents have not made any submission in regard to this contention.

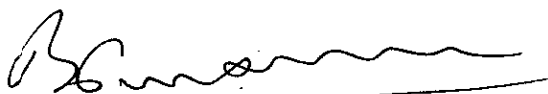
The learned counsel for the respondents also agreed that the reply does not contain any answer to this contention. Even the representation of Applicant No.1 dated 8-2-1995 is still to be disposed of.

*R* In view of the position explained above, the  
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the 1st respondent should now dispose of the representation of the Applicant No.1 dated 8-2-1995 noting the contentions raised in this O.A., also within a period of two months from the date of receipt of a copy of this Order. The reply should be a speaking order. If the Respondents ~~are~~ are of the opinion that there were questions set out in the Data Processing Paper from out of the syllabus, then they should also indicate the ~~remedy~~ <sup>they will</sup> action ~~to~~ be taken to ~~not to~~ safeguard the interests of the applicants herein.

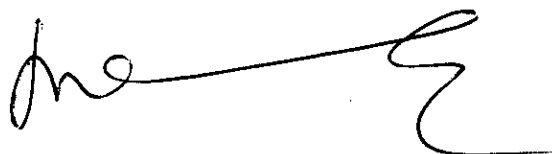
With the above directions, the O.A., is disposed of. No costs.



B.S. JAI PARAMESHWAR,

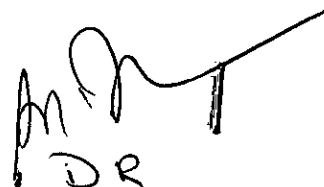
Member (J)

27/3/98



R. RANGARAJAN,

Member (A)



Date: 27-3-1998.

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Dictated in open Court

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Copy to:

1. The Accountant General, A & E, Andhra Pradesh, Hyderabad.
2. The Comptroller and Auditor General of India,  
New Delhi.
3. One copy to Mr. K. Venkateswara Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr. G. Patameshwara Rao, BGSC, CAT, Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One duplicate copy.

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II COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :  
M (J)

DATED: 27/3/98

ORDER/JUDGMENT

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

in

O.A.NO. 861/95

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS  
DISMISSED

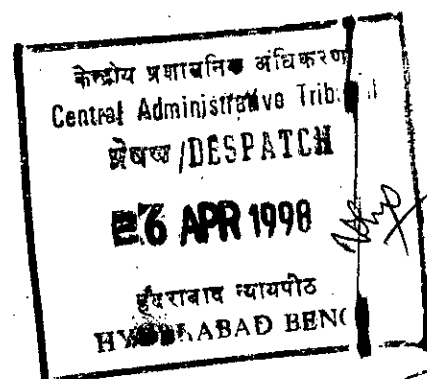
DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

M.A.NO. 625/98 in O.A. 861/95.

Date of Order: 7-8-98.

Between:

1. The Accountant General (A&E)  
A.P.Hyderabad.
2. The Comptroller and Auditor General  
of India, New Delhi.

.. Applicants/Respondents.

and

1. M. Magabhushanam
2. S.V. Kanga Reddy.
3. L. Ravivarma.
4. U. Jayalakshmi.
5. A.R. Swamy.
6. V. Premanjoli.
7. K.S. Mohan Das.
8. A. Chandrakanta.
9. M. Jyoti.
10. B.S.S. Kameswara Rao.
11. M. Bramaramba.
12. S. Veswanadha Sarma.
13. P. Veeraiah.
14. Y. Suryanarayana
15. P. Sujatha Devi.

.. Respondents/Respondents.  
Applicants.

For the Applicants: Mr. G. Parameswar Rao, SC for AG.

For the Respondents: Mr. K. Venkateswar Rao, Advocate.

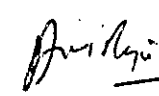
CORAM:

THE HON'BLE MR. H. RAJENDRA PRASAD : MEMBER (ADMN)

The Tribunal made the following Order:-

In view of the reasons explained in the OA, extension as requested for is granted upto 31-8-98 for implementation of the Judgment.

Thus, the MA is disposed.

  
Deputy Registrar.

To

1. The Accountant General (A&E) A.P. Hyderabad.
2. The Comptroller & Auditor General of India,  
New Delhi.
3. One copy to Mr. G. Parameswar Rao, SC for AG. CAT. Hyd.
4. One copy to Mr. K. Venkateswar Rao, Advocate, CAT. Hyd.
5. One spare copy.

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I COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE

AND VICE-CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

DATED: 7-8-1998.

ORDER/JUDGMENT

M.A./R.A./C.A.No. 625/98  
in

O.A.No. 861/95

T.A.No. (w.p.)

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.

