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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.1538/95

dt.27-4-98

Between

Ch. Janardhan Rao

: Applicant

and

1. Union of India, rep. by
its Secretary
Min. of Agri.,
Krishianusandhan Bhavan
New Delhi

2. Secretary
Indian Council of Agri. Research
(ICAR), Krishianusandhan Bhavan
PUSA, New Delhi

3. Director
National Academy of Agri. Research
Management (NAARM), ICAR
Rajendra Nagar
Hyderabad 500030

4. Director General
Indian Council of Agri. Research
Krishi Anusandhan Bhavan, Pusa
New Delhi 110001

: Respondents

Counsel for the applicant

: R. Briz Mohan Singh
Advocate

Counsel for the respondents

: K. Bhaskar Rao
CGSC

CORAM

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

HON. MR. B.S. JAI PARAMESHWAR? MEMBER (JUDL.)

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Order

Oral order (per Hon. Mr. B.S. Jai Parameshwar, Member(J))

Heard Sri R. Bris Mohan Singh, learned counsel for the applicant and none for the respondents. Even the respondents have not filed any counter though this OA was filed on 9-5-1995.

1. The applicant herein belongs to scheduled caste community and was selected to the post of Ty Video Cameraman in the scale of Rs.2200-75-2800 EB 100-400, reserved for D+ Sc community. It is stated that even though he was selected for the said post by order No.2-38/89 Admn.I/1773 dated 20-10-89 (Annex.2) he was appointed as T-4 Video Cameraman in the scale of Rs.1640-2900-1773. His probation was for a period of two years. However, by the letter No. 2-184/91-Admn.I dated 12-12-1981 (Annex.6) his probation was extended for a period of six months upto 6-5-1992. The applicant submits that he served the Department well and he had a clean service record throughout the probation period and no adverse remarks was recorded against and no adverse remarks was communicated. No memo communicating his poor performance was given to him during the probation for any ground or any other count. Hence, he submitted that on the basis of uncommunicated adverse remarks his probation cannot be extended.

2. The applicant submitted a representation to the National Commission for SC and STs against the extension of his probation period requesting the National Commission for SC & STs to advise the Director of the Institute (R-3) to declare his probation on the appointed date and confirm him from that date. The National Commission for SC & STs in

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their letter No.1/AP/SCTC/M(S)/94 dated 27-10-94 (Annex.12) had recommended to set aside the adverse entries ~~as~~ in ACRs of Ch. Janardhan Rao from the date of joining till date and extension of probation period may be quashed (page 40 of the OA). That recommendation was examined by R-3 and the National Counsel for SC & STs was informed by letter dated 26-11-1994 (A (Annex.16) that "the Academy would accept the recommendation of the Commission to quash the extension of probation period". From the above it is evident that the Academy itself has accepted to declare his probation on the appointed day. Hence, even though no reply has been filed in this OA it has to be held that the Academy has to fulfil its commitment given to the National Commission for SC & STs in latter dated 26-11-1994.

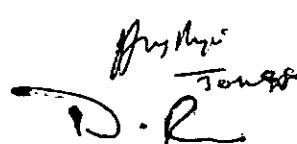
3. In view of the above the impugned order dated 12-12-1991 (A.6) is set aside and Respondent-3 is directed to declare his probation on the appointed date.
4. The OA is ordered accordingly. No costs.
5. Time for compliance is three months from the date of receipt of copy of this order.


(B.S. Jai Parameshwar)
Member (Jud1)

27.4.98


(R. Rangarajan)
Member (Admn.)

Dated : April 27, 98
Dictated in Open Court


R. Rangarajan
Member (Admn.)

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DA.1538/95

1. The Secretary, Ministry of Agri., Krishianusandhan Bhavan, New Delhi.
2. The Secretary, Indian Council of Agri. Research (ICAR), Krishianusandhan Bhavan Pusa, New Delhi.
3. The Director, National Academy of Agri. Research Management (NAARM), ICAR Rajendra Nagar, Hyderabad.
4. The Director General, Indian Council of Agri. Research Krishianusandhan Bhavan, Pusa, New Delhi.
5. One copy to Mr. R. Briz Mohan Singh, Advocate, CAT., Hyd.
6. One copy to Mr. K. Bhaskar Rao, Addl. CGSC., CAT., Hyd.
7. One copy to BSJP M(J), CAT., Hyd.
8. One copy to D.R.(A), CAT., Hyd.
9. One duplicate copy.

srr

15/5/98
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II COURT

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COMPARED BY

CHECKED BY
APPROVED BY

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: 27/4/98

ORDER/JUDGMENT

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

in

O.A.NO.

1538/95

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

केन्द्रीय प्राविधिक अधिकारण
Central Administrative Tribunal
हैदराबाद आयोग
HYDERABAD

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Deputy

Secretary

विधायक/मैट्रिक