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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 395/95.

Dt. of Decision : 25-07-97.

G.Syam Kumar

.. Applicant.

Vs

1. The Station Director,
All India Radio, Vijayawada.
2. The District Employment Officer,
District Employment Exchange,
Vijayawada.

.. Respondents.

Counsel for the applicant

: Mr. S.Ramkrishna Rao

Counsel for the respondents

: Mr. V.Bhimanna, Addl.CGSC for R-1
Mr. P.Naveen Rao for R-2.

CORAM:

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

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

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ORDER

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

Heard Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.P.Naveen Rao for R-2. None for R-1.

2. The applicant in this OA ^{had} ~~was~~ worked on contract basis in Engineering Section of All India Radio, Vijayawada from May, 1993 to April 1994 for a period of one year as Electrician. The applicant submits that he had passed 10th Class in April, 1986 and got himself registered with the employment exchange, Vijayawada on 8-5-96 vide Registration No: J5/1986/02530. He also submits that he belongs to SC community. He ^{had} ~~was~~ also qualified in Technical qualification of Radio & T.V. Mechanism and he also possess ITI certificate ^{as} an Electrician. The post of Electrician became vacant under R-1 and the District Employment exchange, Vijayawada was requested to send suitable candidates for filling up that post. It is stated that the second respondents in pursuance of the requisition sponsored ^{in two} ~~in two~~ ^{were sponsored} ~~respect of~~ ²⁰ ~~OC~~ candidates only two candidates for that post on 20-12-94. Then R-2 was further advised to nominate at least 10 candidates from the SC category to ensure proper selection ^{as} ~~as~~ only two names ^{had} ~~had~~ been sponsored for the Electrician reserved for SC. ^{as it was} ~~if it is~~ not possible to sponsor SC candidates, a certificate to that effect may be sent

As for the request respondent to R-1
It is stated that another list of 20 names of candidates who ^{had} ~~are~~ registered their names between 1986 and 1993 were sponsored by R-2 by another list on 2-3-95. Even in this list the name of the applicant was not finding a place. In any of the lists sponsored by R-2 ^{the name of the applicant did not figure} ~~the name of the applicant did not figure~~.

3. This OA is filed praying for a direction to R-2 to sponsor the name of the applicant herein to R-1 for the post of Electrician with consequential direction to consider the case of the applicant as he has fulfilled the conditions for that post.

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4. No reply has been filed ^{by} any of the respondents so far. Though an interim order was issued in this OA to the effect that R-1 was not ^k issued any order of appointment in regard to the post of Electrician the same appeared to have been vacated by order dated 14-11-96. The learned counsel for the applicant submits that the post is not yet filled and the selection is yet to be conducted. He further submits that in view of the Supreme Court Judgement reported in 1996 (6) SCALE 676 (The Excise Superintendent Vs. K.B.N. Visweswara Rao) even if the name of the applicant is not sponsored by the employment exchange he can be considered for the post of Electrician provided he fulfils the necessary conditions for appointment as Electrician under R-1 in accordance with the notification. The applicant further submits that he had already submitted his application and that application is lying with R-1 still. Hence there will be no difficulty for R-1 to consider his case along with the employment exchange sponsored candidates for the post of Electrician against the SC quota.

5. In view of the above submission, the following direction is given:-

The applicant should also be considered for the post of Electrician for which requisition has been placed on employment exchange by R-1, even if the name of the applicant is not sponsored by the employment exchange, ~~in pursuance of the requisition placed by R-1 and R-2.~~ If the applicant has already submitted his application and fulfils all the conditions as prescribed in the requisition sent to R-2.

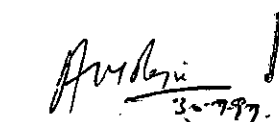
6. The OA is ordered accordingly. No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)


(R. RANGARAJAN)
MEMBER (ADMN.)

^{25/7/97}
Dated : The 25th July, 1997.
(Dictated in the Open Court)

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3-7-97.
D.R. (J)

28/97

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATED: 25/7/92

ORDER/JUDGEMENT

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

in

O.A.NO. 395/95

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

II Court.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण/DESPATCH
5 AUG 1997
हैदराबाद न्यायपीठ
HYDERABAD BENCH