

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH  
AT HYDERABAD.

OA.No.500/95

Dt of order:10-5-95.

Between:-

1. M.Rama Babu

...

Applicant

And

1. Union of India rep.by the Secretary,  
Department of Personnel and Training,  
Central Secretariat, North Block,  
New Delhi-110 001.
2. The Union Public Service Commission,  
rep.b y its Secretary,  
Dholpur House, New Delhi.
3. The Government of Andhra Pradesh,  
rep.by its Chief Secretary,  
Secretariat Buildings, Hyderabad.
4. The Commissioner of Land Revenue,  
Government of Andhra Pradesh,  
Station Road, Nampally, Hyderabad.
5. The Secretary to Government,  
Revenue Department, A.P.Secretariat Buildings,  
Hyderabad, (A.P.).

..... Respondents.

Counsel for the Applicant : Mr.Y.Suryanarayana, Advocate.

Counsel for the Respondents: Mr.N.R.Devaraj, Sr.CGSC.

Mr.I.V.Radhakrishna Murthy,  
Spl.Counsel for State of A.P.

CORAM:

HON'BLE SHRI R.RANGARAJAN MEMBER ADMINISTRATIVE.

OA.500/95

Judgement

( As per Hon. Mr. R. Rangarajan, Member (Admn.) )

Heard Sri Y. Suryanarayana, learned counsel for the applicant and Sri N.R. Devaraj, learned counsel for the respondents.1 & 2 and Sri IVRK Murthy, for R-3,4 & 5.

2. The applicant was recruited as Deputy Tahsildar through competitive examination held by Andhra Pradesh Public Service Commission, in the year 1962. Presently he is working as Deputy Secretary to the Government of Andhra Pradesh. It is stated for the applicant that he is due for retirement on attaining the age of superannuation on 31-10-1995.

3. Applicant's seniority in the cadre of Deputy Collectors was revised in terms of GO No.141 Rev.(Ser.I)Dept. dated 22-3-1995 (Annexure-E). As can be seen from para-5 of above GO his name was included in the regular panel of Deputy Collectors for the year 1976-77 <sup>and</sup> his services were regularised with effect from 26-9-1977 i.e. the date on which the services of Sri K. Appalaswamy was regularised in the Deputy Collectors cadre.

4. Further to the above said GO regularising his service with effect from 26-9-77 he was also confirmed by GO MS No. 240, Rev.(Ser.I) Dept. dated 9-5-1995 in the cadre of Deputy Collectors with effect from 31-12-1985 notionally in place of Sri M. Ishack, his immediate junior whose services were also confirmed with effect from 31-12-1985. As the twin conditions of regularisation of services as Deputy

..2.

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Collectors and the confirmation in the grade of Dy. Collectors was issued by the aforesaid GO the applicant filed this OA for constituting a Review Selection Committee for consideration of inclusion of his name in the select list from 1986 onwards, if he is found fit and for a further consequential direction to appoint him to IAS from the date on which his juniors were so appointed with all consequential benefits of pay fixation, seniority etc. in accordance with law.

5. The officers belonging to State Civil Services have to fulfil the following condition before their names is considered for appointment to the cadre of IAS in terms of Regulation 5 of IAS (Appointment by promotion), 1955 for promotion and appointment. They should have completed 8 years of service as Dy. Collector after their regularisation as Dy. Collectors and should have also been confirmed in the post of Dy. Collectors.

In the present case, the applicant was regularised as Dy. Collector w.e.f. 26.9.77 and he was also confirmed in the category of Dy. Collector w.e.f. 31.12.85 in terms of the G.O. quoted above. As he has completed 8 years of service as Dy. Collector after his services were regularised, he became eligible to be considered for appointment for IAS from the A.P. quota earmarked for A.P. Civil Services candidates. Hence, As it is stated that his juniors were already considered for appointment to the post of IAS in 1986, when the applicant also

should be considered for appointment to the IAS cadre by constituting the Review Selection Committee. As he has become eligible for appointment to the IAS from the year 1986, his name <sup>was</sup> ~~was~~ <sup>has</sup> considered for promotion to IAS by Review Selection Committee from the year 1986 onwards, if his immediate junior ~~was~~ considered ~~earlier~~ from 1986 onwards for appointment to IAS cadre.

6. It is further stated for the applicant that he is going to retire in October, 1995 and hence if his name is not considered expeditiously within four weeks from the date of receipt of this order, he will put to disadvantage in view of his retirement in October, 1995.

7. In the circumstances, the following direction is given:-

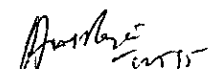
R-1 should constitute a Review Selection Committee for considering the case of the applicant for promotion and appointment to the cadre of IAS from the year his immediate junior was considered for that cadre expeditiously and preferably within 4 weeks from the date of receipt of this order.

8. O.A. is ordered accordingly at the admission stage itself. No costs.



( R. Rangarajan )  
Member (A)

Dated 10-5-1995  
Open Court Dictation.

  
Dy.Registrar(Judl)

sk/smv

## Copy to:-

1. Secretary, Department of Personnel & Training,  
Central Secretariat, North Block, Union of  
India, New Delhi-110 001.
2. The Secretary, Union Public Service Commission,  
Dholpur House, New Delhi.
3. The Secretary, Government of Andhra Pradesh,  
Secretariat Buildings, Hyderabad.
4. The Commissioner of Land Revenue,  
Government of Andhra Pradesh,  
Station Road, Nampally, Hyderabad.
5. ~~REXX~~ The Secretary to Government,  
Revenue Department, A.P. Secretariat Buildings,  
Government of Andhra Pradesh,  
Hyderabad (A.P.).
6. One copy to Mr. Y. Suryanarayana, Advocate, CAT, Hyd.
7. One copy to Mr. N. R. Devaraj, Sr. OGSC, CAT, Hyd.
8. One copy to Mr. I. V. Radhakrishna Murthy, Spl. Counsel  
for State of A.P. CAT, Hyd.
9. One copy to Library, CAT, Hyd.
10. One spare

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO  
VICE- CHAIRMAN

AND

THE HON'BLE MR. R. RANGARAJAN: M (ADMN)

DATED - - 1995.

ORDER/JUDGMENT:

M.A./R.A./C.A. No.

O.A. No. 500/95

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.

No Spare Copy

Central Administrative Tribunal  
DESPATCH  
15 MAY 1995  
HYDERABAD BENCH