

(36)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA No. 904/96
OASR. 2111/96

decided on : 23-7-96

Between

1. John Abraham
2. KS. Rama Sastry
3. Kareemyar Khan
4. TA Samuel
5. CK Janardhan
6. J. Balaji
7. P. Babu Rao
8. M. Vasantha Kumar
9. MAA Siddiqui
10. B. Venkata Swamy
11. M. Shankar Rao
12. IJ Babu
13. KS Sisodia, and
14. B. Sathyanarayana

: Applicants

and

1. Dy. Director General
Geological Survey of India
Southern Region, Bandlaguda
Hyderabad 500068

2. Director General
Geological Survey of India
27, JLN Road
Calcutta 700016

3. Secretary to GOI
Ministry of Mines
Shastri Bhavan
New Delhi 110001

: Respondents

Counsel for the applicants

: P. Gurumurthy, Advocate

Counsel for the respondents

: Kota Bhaskar Rao
Addl. CGSC

CORAM

HON'BLE JUSTICE SRI M.G. CHAUDHARI, VICE CHAIRMAN

HON'BLE SRI H. RAJENDRA PRASAD, MEMBER (ADMN.)

Judgement

Oral Order (per Hon. Mr. Justice M.G. Chaudhari, VC)

Heard Sri P. Gurumurthy for the applicants. Heard Sri K. Bhaskar Rao for the respondents.

2. It appears that the Employees' Association has suggested an amendment to the Recruitment Rules in respect of the Stores Superintendent (T) and they were given to understand that the Government would consider the question of reviewing the Recruitment Rules by 30-6-1994. However, since the review has not so far been undertaken, the 14 applicants who are working as Assistant Store Keepers and aspiring for promotion as Store Superintendent (T) have filed the instant OA seeking declaration that the action of the Respondents in not amending the Recruitment Rules by providing 100% quota for Departmental candidates is illegal and bad in law. They also seek a direction to fill up the two vacant posts of Store Superintendent (T) earmarked for direct recruits by the Departmental promotees.

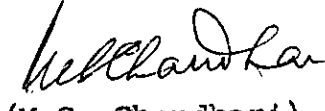
2. ~~It is~~ It is apparent that the second relief cannot stand independently of the first count of relief. The recruitment will necessarily be governed by the existing rules till these are amended. Any amendment of the rules ^{is} as a matter which lies within the province of the ^{policy of the} Ministry and that cannot be justiciable issue, and no direction compelling the respondents to amend recruitment rules can be issued by the Tribunal. At the most it can be stated that the applicants and the Employees' Association have expressed the desirability of amendment of recruitment rules ^{for} by dispensing with the direct recruitment ^{altogether} at all. Whether the recruitment should be by direct recruitment partly and by promotion partly, or by promotion entirely is clearly a policy matter for the

Full

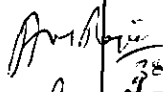
Government to lay down. We therefore find that the OA cannot be entertained for the relief as prayed.

3. OA is accordingly rejected.


(H. Rajendra Prasad)
Member (Admn.)


(M.G. Chaudhari)
Vice Chairman

Dated : July 23, 96
Dictated in Open Court


Deputy Registrar
38786
CC

sk

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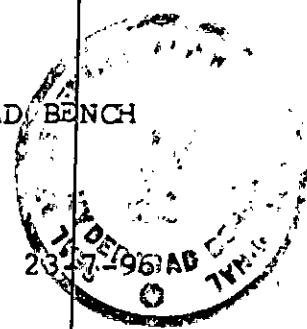
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2

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प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

[Signature]

न्यायालय अधिकारी
COURT OFFICER
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद बेंच
HYDERABAD BENCH

11846

sk

S.A. 904/96.

To

1. The Deputy Director General
Geological Survey of India,
Southern Region, Bandlaguda,
Hyderabad-68.
2. The Director General,
Geological Survey of India,
27, JLN Road, Calcutta-16.
3. The Secretary to GOI, Ministry of Mines,
Shastri Bhavan, New Delhi-1.
4. One copy to Mr.P.Gurumurthy, Advocate. CAT.Hyd.
5. One copy to Mr.K.Bhaskar Rao, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm.

9/16/86

I COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

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

Dated: 23-7-1996

~~ORDER~~/JUDGMENT

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

in

O.A.No. ~~895/96~~ 904/96

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

