

116
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD

R.A.No.30 of 1999
in
O.A.No.145 of 1997

DATE OF ORDER: 3-9-1999.

BETWEEN:

A.Krishna Kumar.

....Applicant

and

1. The Union of India, represented by its Secretary, Ministry of Personnel & Training, New Delhi.
2. The Financial Adviser (Defence Services), Ministry of Defence (Finance), New Delhi.
3. The Controller General of Defence Accounts, Ramakrishnapuram, New Delhi.
4. The Controller of Defence Accounts, Secunderabad-1, Staff Road, Secunderabad.

....Respondents

COUNSEL FOR THE APPLICANT :: Mr.B.Ramakrishna Rao

COUNSEL FOR THE RESPONDENTS:: Mr.V.Rajeshwar Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.B.Ramakrishna Rao, learned Counsel for the Applicant and Mr.V.Rajeshwar Rao, learned Standing Counsel for the Respondents.

R

....2

D

2. The applicant in the OA has filed this Review Application.

3. The main point ~~in question~~ that was brought out in the Review Application is that the DOP is the nodal ministry and that ministry has not included any guidelines to pass the SAS examination for promotion to the said grade. The DOP instructions and guidelines only state that the minimum number of years should be put in in the lower grade. It has been clearly stated in the Judgment that the guidelines can be little bit varied to suit the needs of the department, so far it does not violate the guidelines. In our opinion the guidelines of DOP have not been violated. The Judgment clearly states why the pre-requisite of passing the SAS examination is necessary. The applicant submits that he has filed a rejoinder wherein he has questioned the validity of the rules. That has been dealt with in Paras. 20 and 23 of the Judgment very elaborately.

4. The applicant in the RA submits that passing of SAS examination as a pre-requisite invalidates the non-select process. That point has been considered elaborately and it was held that it does not violate the rules of non selection. The learned Counsel for the Applicant in the RA tries to elaborate various points on the basis of certain rules. In our opinion all the rules have been considered fully and there is no error apparent on the face of Judgment.

2

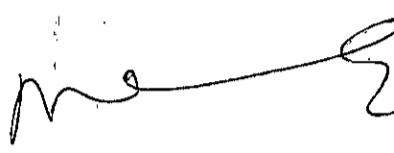
.....

2

5. Hence, the Judgment does not need any modification on the basis of the material available in this RA. Hence, the RA is dismissed. No costs.


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

3.9.99


(R. RANGARAJAN)
MEMBER (ADMN.)

DATED: this the 3rd day of September, 1999

Dictated to steno in the Open Court

DSN


D.S.
9/29