FORM . NO. 21. (See. Rule.114.)
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH. HYDERABAD.
· • • • • • • • • • • • • • • • • • • •
O.A. No. 1234 1997.
P. N. Kumar Applint(s)
Versus
a c.A.O., NFC, Aud 4 2 ott. Respondentes
Respondent Respondent
INDEX SHEET
INDEX CITEBE
Sl.No. Description of Documents & Date. Pages.
1. Docket Orders.
2. Interim Orders. 19-9-97.
3. Orders in M.A (s)
lacksquare
5. Rejoinder.
6. Orders in (Final orders) 18-1-99 2863
1,2-99
Signature of dealing Head Signature of 5.0. (in Record Section)

Date

∩°fice Note

ORDER

O.A. 1234/97.

19.9.1997.

INTERIM ORDER:

Heard Sri P.P. ittal fex the learned counsel for the applicant and Sri N.R.Devaraj, the learned standing counsel for the respondents.

ADMIN The applicant in this O.A., has passed ITI ritter Trade in July, 1993 and he has also completed his Apprentice-ship at Union Carbide India Limited, Moulali during May, 1994. He has registered his name with the District, Employment Exchange, Ranga Reddy District and that he did not receive any call letter from the Employment Exchange though he registered his name in the year, 1994.

The applicant states that the respondents/the sent a requisition to the District Employment Exchange, Ranga Reddy (letter No.PAR/03//6/996 dated 5.8.1997) requesting to sponsore the names of eligible candidates from the Employment Exchange to fill up the post of Junior operator Trainee (Fitter Trade). The applicant states his name should be considered even though his name is not sponsored by the Employment Exchange. for the said post.

The applicant prays for an interim direction to the respondents to consider his application for the said post and to interview him for the post of Junior Operator Trainee (Fitter Trade) along with Employment Exchange sponsored candidates.

Relying upon the decision of the Mon'ble Supreme Court of India in the case of Excise Superintendent, Malkapatnam, Krishna District and others Vs. K.B.N. Visweswara Rao and others (1996 (6)Scale 676) he prays for a direction to the respondents 1 to 3 to consider his candidature, even though his name is not sponsored by the Respondent No.3 (District Employment Officer, R.R.District.)

Je_

(contd)

Central Administrativa Tribunal Hydarabad Banch: Hydarabad. 0.A.No.____ 1234 of 1997. P. Navein Kuman Applicants (s). VERSUS. In chief Administration othism, NFC, D/D. AE, Hud & Zett (Respondents). Date Office Note ORDER of her land direction 73 HISTOR BURD MISS (MIA)

·: .

OA-1234/97 DATE SFFICE NCTEокрак None present. ·Call on 9-6-98 gar meno and leply #3h il- on 18/1/99 16/6/98 above admissions. None Present. Callon 21/2198 for memo & reply. HBSJP HERN' Miss H(A) Dy. Aggi. 18/1/90 The OA is dismined, vide 21-7-98 None Present. order on segarate sheets. : Call on 25-8-98 For meno of Reply. NO ars HERN nas 10 (2) (8) None Present, 'Gu on 6-10-98 for meno & Reply DR. 27-10-98 None present. Include it in Ready! List of 1997. D.R.

DATE

OFFice . NOTE

notice. In respect

R3 notice not yet

· setured served

claimed to have been somed - Callan

21/4/50 for memo

In such similar circumstances we have issued interim orders in some, other cases, R-3 have been savid, which are as under:

- "i) The respondents should consider the case of the applicant for the post of Junior Operator Trainee (Fitter Trade) without insisting. that his name be sponsored by the Employment Exchange provided he submits his application seven clear days before the stipulated date for selection either by written test/interview.
 - ii) If the applicant does not come up in selection, this original application stands dismissed. The respondents should inform the Tribunal, through their learned counsel the result of the selection so as to confirm the dismissal order.
- iii) If the applicant succeeds in the selection and is within the number of vacancies to be filled upx, then his result should not be announced until further orders in this O.A.

c.c., today. (B.Q.)

· · · · · · · · · · · · · · · · · · ·	
CONTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: SCLOHHYDERA	\ 8A D
ORIGINAL APPLICATION NO. 1934 OF 1997.	
(Applicants(sS)	
VERSUS	
Union of India, Repd., By.	
The chief Administrative officer NFC	 .
Dept of Atomic energy, byd on 202	•
Bashardants (a (a)	
Respondents (sS(S)	
The Application has been Submitted to the Tribunal by Shri	•
VIDOL	,
Advocate/Perty Act. 1985 and the same in person Under Section 19 of the Administrative Tribunal	/
Act. 1985 and to	
the same has been scrutinged with	
the check list in the	
provisions in the administration -	
provisions in the administrative Tribunal(procedure) Rules	•
	•
The application is in order and may be listed for Admission No	
No	
30714 1919	
n.	
DEPUTY REGISTRAR (JUDL)	

18. Is the application accompained IDD/DD, for Rs.5D/-.

10.

11. Have Legisle copies of the annexure duly attested to been filed. 12. Has the son icant exhausted all avertable ramidies. Has the Index of documents been filled and pagination done , Proporty in 14. Has the declaration as a required by item No. 7 of Have raquired number of envelops (file six) bearing full addresses of the respondents bean filed.

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A Contract of the Contract of

Whether the relief sought form arise out of signle (a)

(b) Whenter any intesim relief is prayed for

In dase an Ma for combonation of delay in fited.

Whenter t is cause ben heared by a single bench. 18.

Apy other points.

Result of the seruting with initial of the scruting Way be file 20.

ne Thirt is an and sight.

Scrutiny Assistant

Section Efficer.

Deputy Registrar.

Registrar.

CECTRAL ADMINISTRATIVE TRIBUNGLHYDE DA DA DERRONGHYDERN BAD'.	
Detry No. 3046/92	
Report in the Scrutiny of Application.	
Presented by My. P. Pr. William D terof presentation. 19/9/9	ا
Applipent (S.) - P. Naveen Kumay	
Access to the contract of the	
Respondent (s) The Chick Admin. a Sticer, Nfc. Walng ox.	
Nature of griveness Acceptance of ceptication for xunitme	
11.010	¥
No. of Applicants No. of Prespondents	
The state of the s	
C'ASSIFICATION.	
Subject	
1. Is the application in the proper form, (three coplete sets in paper books form	
2. Whether name description and address of all the rest of a partied been furnished in the cause title.	
3. (a) Has the application be in fully signed and varified.	
(b) Has the copies bein duly signal.	
(c) Mave sufficient number of copies of the application 45	-
4. Whataerfall the necessary parties are impleaded.	
5. Whather English tranlation of documents in a Language,	
other than English or Hindi be a filed.	,
6. Is the application on time, (see section 21)	-
7. Has the Vakalatnama/Memo of apperance/Authorisation bean. Le	
8. It the application maintainbility. (U/S 2, 14, 18, or/U/R. 8 Etc.,)	
9. Is the application accompaned, duly attest a logitable (6) cony bean filed.	
	13

CHREWAY ADMINISTRATIVE TRIBUNAL AYDERGED BENCH: HYDERASAD

INDEXSO __P

0. 1.1.0.	1997 •
CAULE FIRE P. N. Kumay	

V , , , S U S

& C.A.O., NFC, DOAF, Hud& 2st

SL.NC.	onscription of documents	Page Ao.
1.	Original Application	1/15 5
2.	Natorial Papers	6 to 14.
3.	VaKalat	1
4.	Objection Sheet -	
5.	Spere Opties 3. Word)	
6.	Covers 3. A	

Keg: - To direct the respondence to accept the application of the applicant and interview him for the post the Post of Junior operator trainee (filter trade). CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: HYDERABAD Acceptance of application OA NO: 1234 OF 1997 perchase) for secrultament BETWEEN: Cheneral (Nfc) ananca/GENE (Misc) P Naveen Kumar, S/O Sathaiah H.NO:1-1-7, Kapra Village ECIL Post, R.R. Distract AND The Chief Administrative Officer Nuclear Fuel Complex Department of Atomic Energy ECIL Post, Hyderabad-762 and another two others CHRONOLOGICAL LIST OF EVENTS CUM TUDEX Sl. Description of the Annexure Page DATE No. No: document *ک* ہ Original application 1 Applicant passed SSC 2. 20.5.1991 in March 1991 Applicant passed ITI July 1993 Fitter Applicant registered 25-3-1994 with Employment Exchange vide Regd.No: R1/1994/06472 Applicant completed Apprenticeship May 1995 at Union Carbide India Ltd, Moulali Hyderabad ro Applicant submitted his 14-9-97 application for the post of Jr. Operator Trainee(Fitter 11 Trade) care certificate LETRINE NFC/PAR)03/06/94 05-08-1997 Hyderabad COUNSEL FOR THE APPLICANT Dt: \9 \ \\ -09-1997

OA NO: 1934 OF 1997

BETWEEN:

X

P. Naveen Kumar S/O P Sataiah, H.No. 1-1-7 Kapra Village, ECIL Post, Ranga Reddy District

.... APPLICANT

AND

- 1. The Chief Administrative Officer, Nuclear Fuel Complex Department of Atomic Energy ECIL Post, Hyderabad-500 762
- 2. The Assistant Personnel Officer Nuclear Fuel Complex Department of Atomic Energy ECIL Post, Hyderabad-500 762

.... RESPONDENTS

- 3. Employend Exchange officer R.R. Dick. Soinger colony, Hyderound. DETAILS OF THE APPLICATION:
- 1a) Particulars of the applicant: The particulars of the applicant is same as stated in the casue title
 - b) Address for service of all notices and process:

Sri P.P. VITTAL
C/O CAT Bar Association
Hyderabad

- 2. Particulars of the Respondents: The particulars of the Respondents are same as stated in the cause title
- 3. Particulars of the order against which application is made:

i) Order No:

- NIC

ii)Order Date

- 11u -

iii) Passed by

- 1276-

iv) Subject in brief

: To accept the application of the applicant and call for him for interview

NA-4.

4. JURISDICTION OF THE TRIBUNAL

The applicant declares that the subject matter of the OA is regard to which he ments redressal is within the Jurisdiction of the Section 14 of the Administrative Tribunals Act, 1985.

5. LIMITATION

The applicant further declares that his application is not received by respondents and he is not called for interview for the post Junior Operator Trainee(Fitter Trade) The application is filed within the period of limitation as per Section 21-A of Administrative Tribunals Act, 1995.

6. FACTS OF THE CASE:

Examination in First Division in March 1991. He has also passed ITI Fitter Trade in July 1993 and he has also completed his Apprentiship at Union Carbide India Limited, Moulali in May 1995. The applicant belongs to O.B.C. The applicant has already registered with the District Employment Exchange, Ranga Reddy vide Registered No: R1/1994/06472, dated 25-3-1994. The applicant didnot receive any call letters from the Employment Exchange though he registered in the year 1994.

The applicant submits that he came to know that the Respondents recently sent a requisition to the District Employment Exchange, Ranga Reddy vide Lr.No: PAR/03/06/996, dated 5-8-1997 calling for application from the Employment Exchange for the post of Junior Operator Trainee(Fitter Trade). Since the applicant fulfull all the eligibility conditions the applicant immediately applied to the 2nd Respondent by enclosing Bio-Data with all the relevant

NA-4...3.

certificates vide Registered Letter dated 14-9-1997.

The applicant also came to know that the Employment

Exchange has not sponsored candidates sofar for the above post.

- c) The applicant respectfully submits that he understands that the Respondents will only consider the candidates sponsored by the Employment Exchange. Considering the only the candidates sponsored by the Employment Exchange is contrary to the Judgement of the Hon'ble Supre Court.
- d) The applicant submits that the Supreme Court consisting of three judges (Full Bench) has decided in its Judgement reported in 1996(6) SCALL at page 676 reversing its earlier judgement in the case of Hargopal Vs Union of India as follows:-

Y :

"It should be mandatory for the requisitioning authority establishment to intimate the employment exchange and the employment exchange should sponsor the candidates names strictly according to seniority and reservation as per requisition. In addition to the authority should call for names by publication in the news papers having under circulation and also display on their office notice boards or announce on radio, television and employment news bulletins and then consider the cases of all candidates who have applied".

e) The applicant submits that the respondents have not followed the entire procedure as contemplated above except calling for candidates from the memployment exchange. The management has given vide publicity in News Papers having wider circulation and also did not display in the notice board which is arbitrary, illegal contrary to Judgement.

NA-4

The applicant submitted application for the post of
Junior Operator Trainee(Fitter Trade) as notified but
the respondents have refused to receive the same stating
that his name must be sponsored only through employment
exchange. The applicant has also registered in the
employment exchange but he has not received any call letter
till now, which is arbitrary and illegal.

7. RELIEF SOUGHT

8. INTERIM RELIEF SOUGHT:

Pending consideration of the above OA this Hon'ble
Tribunal may be pleased to direct the respondents to
accept the application of the applicant and issue
call letter to the applicant and allow him to appear for
Test/Interview for the post of Junior Operator Trainee
(Fitter Trade) as and when it is held and pass such other
order or orders as deemed fit and proper in the interests
of Justice.

9. DETAILS OF REMEDIES EXHAUSTED:

The applicant submits that there is no statutory right of appeal. Hence the question of exhausting the remedies does not arise.

NA 14.

10. MATTERS NOT PENDING WITH ANY OTHER COURT ETC.

The applicant further declares that the matters regarding which this application has been made is not pending before any Court of any other authority of any other Bench of the Tribunal.

11. PARTICULARS OF POSTAL ORDERS INRESPECT OF THE APPLICATION FEE:

- 1. Indian Postal Order(s) Nos:- 8[267788]
- 2. Name of the Issuing Post Office: W. C. APO WHICE
- 3. Date of issue of IPO : 19

19-9-97

12. DETAILS OF INDEX:

An index in duplicate containing the details of the documents to be relied upon is enclosed.

13. LIST OF ENCLOSURES:

The entire list of enclosures were filed as material papers duly indexing the same.

- 1. APPLICATION
- 2. Material Papers
- 3. Vakalat
- 4. Crossed Indian Postal Orders
- 5. Self addressed envelopes with acknowledgements

VERIFICATION

I, P NAVEEN KUMAR, S/O Sathaiah, aged 23 years, R/O
H.NO: 1-1-7, Kapra Village, ECIL Post, Ranga Reddy District
do hereby verify that the contents in paras 1 to 13 are true
to my personal knowledge and belief and that I have not
supressed any material facts.

Hyderabad

Dt: \9-09-1997

11 11 14

SIGNATURE OF THE APPLICANT

(P NAVEEN KUMAR)

SIGNATURE OF THE COUNSEL FOR APPLICANT

086426



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MODEL TO A PECOS NICE OF THE CONTROL	13.
PC/03/0014266	/7
PEILLY NAVEEN KUMAR bearing	
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MARCH . 1991 and PASSED the EXAMINATION	l in
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DAY MONTH YEAR	
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58 SOCIAL STUDIES 63 TO 1, figures)	22
+ THREE HUNDRED AND THENTY TWO +	
TELUGU + FORTY FIVE +	5
The Mile of Shoulds	
Head of Institution	^
Dister sal la lu 20/05/1991 • VIII	il. U.
HYDERABAD Principal SECRETARY	a
MODERN VIIC I SCHOOL Recognised by Covi of A'P. BOARD OF SECONDARY ED'IC	ION
Zamistanpur, Hyd - 500 048,	
Top us to an if correction in the certificate will result in cancellation of certificate. To make a to the externé ordinates the marks secured in the Previous Examinations.	

AM II

Sl. No. 27305



Liver



L. PUTY DIRECTOR (A.)

REGIONAL OFFICE

GOVERNMENT OF ANDHRA PRADESH DEPARTMENT OF EMPLOYMENT AND TRAINING

ShrilShrimati/Kumari P. NAISEN KUMAR

Roll No. 322/ having completed the course of training

Son/Wife/Daughter of Shri SATHAIAH

Provisional National Trade Certificate

" UNDERWANDE	1.1.2	- MOULA-ALI
(Name of Institute and place	ce) and passed the	prescribed trade test in the
trade of	EPTTER	held in the
An.		nis certificate provisionally.
		e issued by the National
Council for Vocational i rain		
Period of Training from	Aug '91	to July '93
Character: Sattlette	1.	
TRA	DE TEST MARK	
SUBJECT	MAX. MARKS	MARKS OBTAINED
1. Trade Practical	400	2:89
2. Trade Theory	120	77
3. Workshop Cal. & Science		40
Eng. Drawing	70	
5. Social Studies		. 40
•	50	22
TOTAL-	700	468.
Date of birth as recorded in	School Certificate	2: -04-1974
Prepared by P.S.R.INIUASA.		•
1.	Checked by.	
Mancier	•	0
Signature of Principal of glus	I tute	B-A-
with Seal SOPAL NAGAR,	•	(Fascimus Signature)
Near, Z. T. S. Monde Ali, HYDERALE DESCRIPTIONS		Secretary S.C.V.T./R.D D
		, illinor

(Signature of Certificate holder:

Date:

ANIII 8

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	O.B.C. No Ex-Serv. Rank 0	Drv. Lic. Exp.					Candt.	Willingness			

Advadad



PROVISIONAL NATIONAL APPRENTIC **CERTIFICATE**

(FOR REGULAR CANDIDATE DNLY)

•		
Registration No. 985	Roll No	D1954
Shri/Rtith/ታለተተ P NAVEEN KU	IM A D	
Son/単語情情情である Shri	THAIAH	
having successfully completed the	course of App	renticeship Training under
the Apprenticeship Act, 1961	at (Name of	the Establishment and
Location UNION CARBIDE INDI	A LTD, MOULA	ALI, HYDERABAD.
From 15-04-94	.To 14-04-	.95 1
the trade test as a regular candidate	in the trade of FI	TTER
held	in the month of .	M A Y - 1995 19
is awarded this Provisional Certif	icate. The final	National Apprenticest :
Certificate will be issued by the	National counci	Lof Vocational Training
Total Marks Secured 427	out of /	700
•		A STATE OF THE STA
PREPARED BY		

CHECKED BY Lead

(Signature of Incharge Training with Seal)
Asst. Appropriship Advisor Industrial Training In titute

SECUNDER BAD.
Signature of Certificate Holder
Date 2/10/95

Advicage

REGISTERED POST WITH ACK DUE

APPLICATION FOR THE POST OF JR. OPERATOR TRAINEE (FITTER TRADE)

P. NAVEEN KUMAR Froms S/o. Shri P. SATHIAH H. No: 1-1-7, Kapra Village, ECIL POST. R.R. DISTRICT 500 062.

To: The Asst. Personnel Officer, Nuclear Fuel Complex, Deptt. of Atomic Energy, ECIL POST HYDERABAD _ 500 062.

्र भीगा नहीं लगर छाडणरेखि करोड़े परे शह हिस्टी का पूर And Desir hand There ।क रेश्वादी ... Lowived a Registered धानेवाले का बाय. Addressed to,... Signature of Receiving On The

Sib: REQUEST TO ALLOW ME TO INTERVIEW TEST FOR THE POST OF JR. OPERATOR TRAINEE (FITTER TRADE)

Respected Sir,

with the respect, I the undersigned submit the following few lines for your kind consideration and favourable action please.

Sir, I have registered with R.R.District Employment Exchange with register No: R1/1994/06472 Dated 25-03-94. It is understood that the notification for the Employment to the post of " JUNIOR OP. TRAINEE (FITTER TRADE) has been sent to Employment Exchange R.R. District Vide your letter No. PAR/03/06/996, dated 05-08-97 for Eligible candidates for the above said post. I offer my services as one of the candidature and I am furnishing my Bio - Data hereunder. Please allow me for interview/Test for the above said post with out insisting that my name should be sponsored by the Emploment Exchange.

BIQ-DATA

Name of the Kandidate .

P. NAVEEN KUMAR

2. Father Name

P. SATHIAH

Date of Birth

27-04-1974

address

H. No: 1-1-7, Kapra Village, ECIL POST. R.R. DISTRICT - 500 062.

5. Caste

- B.C. Group 'A' Sl. No. 1
- Educational qualifications
- S. S. C. Passed in Ist Divn.

7. Technical qualifications

I.T. I. (FITTER)

apprent iship

Completed at Union Carbide of Indie Ltd., from 15-4-94 to 14-04-95.

EXPERIENCE

- Working since from 15th July, 196 as Fitter at Ashwani Engg. Works H, No: 1-101, Annapurna Colony, Mallapur, Nacharam, Hyd. -501 507.
- NATIONALITY & RELIGION 10.

INDIAN & HINDU

It is also intimated that for your kind information that I am approaching court of law for sponsoring my name for interview/Test. My name may please be considered and call letter for the same be issued at early date.

Thanking you in anticipation.

Yours taithfully,

ן ייין

Sec-bad Stations Dated:

Dated: 14/9197.
Encl: Xerox copy of all Certificates The My false.

P. NAVEEN KUMAR)

CASTE CERTIFICATE

This is certify that Shri P. Naveen Kumar S/O P. Sathyaiah Resident of

H. No. 126-212-65/107/28 GANGA PUTHRA HOUSING SOCIETY ZAMISTANPUR? MUSHEERABAD,

HYDERAFAD, is belongs to the "GANGAPUTRA" Community which is recognised and

Classified as Group (A) Backward class at Serial No. 1 by the Government of

Andhra Pradesh vide G.O. Ms. No. 1798 Department dated 25rd September 1970.

Place: 10/6/91

Date:

As per G. O. M. S. Not. any state Govi. Gozetted Offices can issue this cartilicals

Yamairabadi Mandali Marketon Deal.

A. Ro. or posity to be filled duras Dear was trop mas <u>Quration</u> a. Permanent Yumidia Jimota in i iam inggin G0+-6[-66F7F לא וועד או וועד או וועד או וועד או וועד או או וועד או b. Temporary
(1) Less than 3 months 11) Between 3 months and 1 year iii) Likely to be continued beyond . one year (Two years) 17 (Seventeen) 5. 'Whether there is any obligation Structicy and property of the standard of the sold NoID Structure of arrangement for Strand bre-Scheduled Tribe, Experienceden sons in filling up the vacancies and, if so, the number of vacancies to be filled by such categories of persons Categories No. of vacancies to wa falled
Total By priority candidate

c) Ouc / 2 c) + 08C / 3 CI I e) f) Others * Candidates belonging to OBC should submit the Community Cortificandidates beconging the unit anomation anomation community continues in the format prescribed by Boyt, of India/Def vide letter such candidates only may be sponsored. (Copy enclosed). Hence Pay 3 allowances 's' Stipend : I Year : @ Rs.1275/- p.m.
II Year : @ Rs.1350/- p.m. Place of work (Name of the town/ : NFC, Hyderabad. Village and district in which it / Particulars regarding interview/ : Date of Test/interview will a) ... Date of interview/test ... be intimated to the color place of interview/test ... candidates directly. c) Place of interview/test
d) Name, designation, address and telephone number (if any) of the Officer to whom applie . ¿ cents should report. contd....3/~ · · · · ,

COMETDENTIGE THUE DIVIE

BY_BEGD: POST_ACK DUE

CLYERNMENT OF INDIA DEPARTMENT OF ATOMIC ENERBY NUCLEAR FUEL COMPLEX

> ECTI YEU Hyderabad ... 1 062

HOF: NECLEARING 1061996

Augyst ES, 177/

15/11

REQUISITION FORM TO BE USED WHEN CALLING FOR APPLICATIONS FROM

(Separate form to be used for each type of Posts)

Name, address and telephone no. if any) of the employer

Nuclear Fuel Complex, Dept. of Atomic Energy, ECIL (PO) Hyderabad - 500 Dec. Tel No.7120151

Name, designation & Tel No. (if any) of the indenting officer

K.S. Sankara Rao Asst.Personnel Officer Tel No.7129151 Ext. 4200

(to be filled 1 :4: . 1 .200

JET OPERATOR TRAINER (Eitter_Irade) .

b. "Description of duties The same of the sa c. Qualifications, required

Trade Jobs - Related to Mechanical Trade

Essential

:::

にもにてもよりできている。これにはなるのでする。 SSC/HSC .

EDC_DITUELL

ATI (Fitter) Trade Certificate with minimum SON marks in SSC. Minimum marks are with reference to. relevant Science/Vocational.Subjects):

d. Age limits,

18 years minimum and 30 years maximum. Age will be be neckloned as on 31.08.97. (Relaxation in max-age will be allowed in respect of SC/ST/ORC/EX-Servicemen/ PH etc., Candidates as Der rilles)

Whether Women are eligible - Yes-

CONT d.

¢ormation

candidates, may be sent to this office immediately as our requirement is urgent.

2) On patistactory comple tion of two years training, the candidates will be considered for regular appointment as Tradesman/A (Rs.950-20-1150-EB-25-1400) or Tradesman/b (Rs. | 1150-25-1500) based on the performance of candidates during the period of training:

Certified that while placing this demand, the instructions connected with the orders on communal representation in the services heen strictly followed with due regard to the ruster maintained / in accordance with these diders.

> (K.S. SANKARA RAU) Personnel Officer

District Employment Officer District Employment Exchange Ranga Reddy District H.No.8-3-1053, Plot No.144 Srinagar Colony Hxddcspad = 200 813.

CC: 1) Zilla Sainik Welfare Officer ZSWB, R.R.Dist., Saifabad, Hyd.- 4.

2) The Superintendent, VRCH, ATI Campus, Vidyanagar, Hyderabad.:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A.NO.1234/97

Between:

Dt. of Order: 19.9.97

P. Naveen Kumar

And

... Applicant

- The Chief Administrative Officer, Nuclear Fuel Complex, Dept. of Atomic Energy, ECIL Post, Hyderabad.
- The Asst.Personnel Officer, Nuclear Fuel Complex, Dept. of Atomic Energy, ECIL Post, Hyderabad.
- 3. Employment Exchange Officer, R.R.District, Srinagar Colony, Hyderabad.

... Respondents.

Counsel for the Applicant : Mr.P.P.Vittal

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

CORAM:

THE HON'BLE SHRI H.RAJENDRA PRASAD : MEMBER (A)

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

THE TRIBUNAL MADE THE FOLLOWING ORDER:

Heard Sri P.P.Vittal the learned counsel for the applicant and Sri N.R.Devraj, the learned standing counsel for the respondents.

ADMIT. The applicant in this O.A., was passed ITI Fitter Trade in July, 1993 and he has also completed his Apprentice—ship at Union Carbide India Limited, Moulali during May, 1994. He has registered his name with the District Employment Exchange, Ranga Reddy District and that he did not receive any call letter from the Employment Exchange though he registered his name in the year, 1994.

The applicant states that the respondents 1 and 2 sent a requisition to the District Employment Exchange, Ranga Reddy (letter No.PAR/03//6/996 dated 5.8.1997) requesting to sponsored the names of eligible candidates from the Employment Exchange to fill up the post of Junior Operator Trainee (Fitter Trade). The applicant states his name should be considered even though bis name is not sponsored by the Employment Exchange for the said post.

The applicabt prays for an interim direction to the respondents to sonsider his application for the said post and to interview him for the post of Junior Operator Traines (Fitter Trade) along with Employment Exchange spomsored candidates.

contdddxxx

g upon the dicision of the Hon'ble Supreme Court of case of Excise Superintendent, Malkapatnam, Kaishna and others Vs. K.B.N.Visweswara Rao and others (1996 (6) Scale 676) he prays for a direction to the respondents 1 to 3 consider his candidature, even though his name is not sponsored by the Respondent No.3 (District Employment Officer, R.R.District.)

In such similar circumstances we have issued interim orders in similar other cases which are as under:

- "i) The respondents should consider the case of the applicant for the post of Junior Operator Traines (Fitter Trade) without insisting that his name be sponsored by the Employment Exchange provided be submits his application seven clear days before the stipulated date for selection either by written test/interview.
- ii) If the applicant does not come up in selection, this original application stands dismissed. The respondents should
 inform the Tribunal, through their learned counsel the
 result of the selection so as to confirm the dismissal order.
- iii) If the applicant succeds in the selection and is within the number of Vagancies to be filled up then his result should not be announced until further orders in this O.A.

DEPUTY REGISTRAR(J)

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Copy to:

- The Chief Administrative Officer, Nuclear Fuel Complex, Dept. of Atomic Energy, ECIL Post, Hyderabad.
- The Asst.Personnel Officer, Nuclear Fuel Complex, Dept. of Atomic Energy, ECIL Post, Hyderabad.
- 3. Employment Exchange Officer, R.R.District, Srinager Colony, Hyderabad.
- 4. One copy to Mr.P.P.Vittal, Advocate, CAT, Hyderabad.
- 5. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT, Hyderabad.
- 6. One copy for duplicate .

YLKR

c.c. today

TYPED BY COMPARED BY

CHECKED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD

THE HOST BLE SHRI A. RANGARAJAN :- M(A)

GM A

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

Dated: 19/8/82

ORDER/JUDGMENT

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

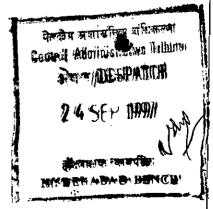
0.A.NO. 1234/93

Admitted and Interim Directions Issued.

Disposed of with Directions
Dismissed
Dismissed as withdrawn
Dismissed for Default
Ordered/Rejected
No order as to costs.

YLKR

II: Court



टेलीफोन : PABX 85 0151

: नाभिकीय ईंधन टेलेक्स : 0425 - 7004

भारत सरकार

परमाणु ऊर्जा विभाग नामिकीय ईंधन सममिश्र ई.सी.आई.एल. डाक घर हैदराबाद-500 762



Telephone: PABX 85 0151 Telegrams : NUCFUEL Telex : 0425-7004 Government of India

Department of Atomic Energy NUCLEAR FUEL COMPLEX

E. C. I, L. (P.O.) Hyderabad-500 762

Ref: NFC/PA.VII/OA 1234-97/99/

January 16, 1999

Shri B.Narasimha Sarma .Sr. Central Govt. Standing Counsel 512, Nilgiri, Aditya Enclave, Ameerpet. HYDERABAD - 500 038.

Sir,

Sub : OA No.1234/97 filed by Shri P.Naveen Kumar.

This has reference to the discussion we had on the above said OA. As per the order dated 19.9.97 of the Hon ble Tribunal Call Lr No.NFC/PAR/03/06/1628 dated 24.12.97 was despatched to Shri Naveen Kumar to the following address which was given by Shri Naveen Kumar.

P.Naveen Kumar S/O Shri P.Sathaiah H.No.1-1-7, Kapra Village ECIL (PO), Hyderabad-500 062

However, the cover was returned by the postal authorities stating addressee "Not Available". The cover as returned by postal authorities and the letter dated 24.9.97 from Shri Naveen Kumar wherein the address of Shri Naveen Kumar is written are enclosed herewith for bringing the facts to the notice of the Hon ble Tribunal.

Thanking you,

Yours faithfully.

(S.Goverdhan Rao) Administrative Officer

Encls : a/a.

APPLICATION FOR THE POST OF JR. OPERATOR TRAINEE (FITTER TRADE

From: P. NAVEEN KUMAR, S/O. SHRI P. SATHIAH H. No: 1-1-7, Kapra Village, ECIL POST, R.R. DISTRICT _ 500 061.

The Chief Administrative Officer, Nuclear Fuel Complex, Dept. of Atomic Energy, ECIL Post, Hyderabad.

- 2) The Asst. Personnel Officer, Nuclear Fuel Complex, Dept. of Atomic Energy, ECIL Post, Hyderabad.
- Sub: _ REQUEST TO ALLOW ME TO INTERVIEW/TEST FOR THE Ħ POST OF JR. OPERATOR TRAINEE (FITTER TRADE)

Respected Sir,

I submit that I already submitted an application vide dated to 14-09-97, with Bio-Data enclosing all certificates. I also filed O.A. No: 1234 of 97 in central Administrative Tribunal (CAT) Hyderabad, and interium order dated 19-09-97 directed your office to consider my name for the post of JR. OPERATER TRAINED (FITTER) without insisting my name should be sponsored by employment exchange.

Hence, I request to issue call letter for the Test/Interview for the post of JR. OPERATOR TRAINEE (FITTER). A copy of the order is enclosed for your ready reference.

Thanking you in anticipation.

Yours faithfully,

NAVEEN KUMAR)

Station: Secunderabad.

Dated : 24-09-97

A copy of the order Encl: CAT Hyderaba

> 2) A copy of Application dated 14-09-97.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERAGAD BENCH HYDERAGAD

D.A . ND. 1234/97

Setusens

P. Neveen Kumsi

Ot. of Order: 19.9.97.

And

The Chief Administrative Officer, Muclear Fuel Complex, Dapt. of Atomic Energy, ECIL Post, Hyderabad.

- 2. The Asst.Personnal Officer, Nuclear Fuel Complex, Dept. of Atomic Energy, ECIL Rost, Hyderabad.
- 3. Employment Exchange Officer, R.R.District, Srinager Colony, Hyderabad.

... Respondents.

... Applicant

Counsel for the applicant : Mr.p.p.Vittel

Counsel for the Respondents : Mr.N.R.Devrej.Sr.CGSC

CORA M:

THE HON'BLE SHRI H. MA DENDRA PRASAD . MEMBER (A)

THE HON DLD THREE B.S. DAI PARAMESHUAR : MEMBER (D)

THE TRIBUNAL MADE THE FOLLOWING BROCKS

Heard Sri P.P.Vittal the learned counsel for the applicant and Sri M.R.Devraj, the learned standing counsel for the respondents.

ADMIT. The applicant in this O.A., has passed ITI fitter Tride in July, 1993 and he has also completed his Apprentice—ship at Union Carbide India Limited, Moulali during May, 1994. He has registered his have with the District Employment Exchange, Range Reddy District and that he did not receive any call letter from the Employment Exchange though he registered his name in the year, 1994.

The applicant states that the respondents 1 and 2 sent a requisition to the District Employment Exchange, Range Reddy (letter Mc.PAR/03//6/996 deted 5.8.1997) requesting to sponsored the names of eligible candidates from the Employment Exchange to fill up the post of Junior Operator Trainse (fitter Trade). The applicant states his name should be considered oven though his name is not sponsored by the Employment Exchange for the said post.

The applicable prays for an intime direction to the respondents to consider his application for the said post and to interview him for the post of Junior Operator Traines (Fitter Trads) along with Employment Exchange spencored candidates.

contdalaxxx

Aelying upon the dicision of the Mon'bla Supreme Court of India in the case of Excise Superintendent, Malkapatnam, Kalahna District and others Vs. K.B.N.Visussuara Rao and others (1996 (6) Scale 676) he prays for a direction to the respondents 1 to 3 consider his candidature, even though his name is not appnared by the Respondent No.3 (District Employment Officer, R.A.District.)

In such similar circumstances us have issued interim orders in similar other cases which are as under:

- *1) The respondents should consider the case of the applicant for the post of Junior Operator Traines (fitter Trade) without insisting that his name be sponsored by the Emplayment Exchange provided be submits his application seven clear days before the stipulated date for selection either by written test/interview.
- ii) If the applicant does not come up in selection, this originot application stands dismissed. The respondents should
 inform the Tribunal, through their learned counsel the
 result of the selection so as to confirm the dismissel order.
- iii) If the applicant succeds in the selection and is within the number of Valencies to be filled up then his result should not be announced until further orders in this O.A.

प्रभाषित ीते СВ एम प्रमानादार एक एक एक СӨР

COUPT OFFICER

केन्द्राव प्रकास । पावनरण

Central Autoscionative Impunal

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HYDERABAD BENCH

Sd/-x x x x DEPUTY REGISTRIR(J)

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REGISTERED POST WITH ACK DUE

APPLICATION FOR THE POST OF JR. OPERATOR IRAINEE (FITTER TRADE)

Prom: P. NAVEEN KUMAN,
S/o. Shri P. SATHIAH,
H. NO: 1-1-7. Kapra Villayo,
ECIL POST,
R. R. DISTRICT _ 500 062.

To: The Asst. Personner Ofricer, Nuclear Suet Complex, Legit. of Atomic Energy, ECIL POST, HYDERASAW = 500 062.

DID: - REQUEST TO ALLOW ME TO IMIERVIEW TEST FOR THE POUT OF UR. OFERATOR TRAINEE (FI TER TRADE)

Respected Sir.

with the respect, 'I the undersigned submit the following few lines for your kind consideration and fayoursale action please."

Sir, I have registered with R.R.District amployment exchange with register No. R1/1994/06472 Dated 25-03-94. Rt is understood that the notification for the amployment to the post of "JUNIOR OF. TRAINSE (FITTER TRADE) has been sent to amployment exchange R.R. District vide your letter No. PAR/03/06/996, dated 05-08-97 for Eligible candidates for the above said post. I offer my services as one of the candidature and I am furnishing my Bio - Data nare-under. Please allow me for interview/Test for the above said post with out insisting that my name should be sponsored by the Emplo-ment Exchange.

ロマバースヤマヤヤ

1. Namo of the Candidate : P. NAVERI KUMAR

e r. salalan

27-04-1974

2. Pather Name

3. Date of Sirth

Address |

H. No: 1-1-7, Kapra VIII age,
 b.J.L. FUST,
 R. R. DISTRICT - 500 062.

Caste

4.

5.

B.C. Group 'A' Sl. No. 1

6. Mucational Qualifications

a, a, a, a, Passed in Ist Divn.

7. Technical qualifications

1 I.T. I. (FITTER)

8. AFFRENTISHIP

: Completed at Union Carbide of India itd., from 15-4-94 to 14-04-95.

9 EXPERIENCE

norking since from 15th July, '96 as Fitter at Ashwani Engg. Works it No. 1-101, Annaturna Colony, Maliatur, Nacharam, Hyd. -501 507.

10. NATIONALITY & RELIGION

inulan a rilmu

At is also intimated that for your kind intormation that I am approaching court of law for sponsoring my name for interview/Test.

My name may please be considered and call letter for the same be issued at early date.

Thanking you in anticipation.

fours talthfully,

Stations Sec-bad.
Dated 1 14/9/97

Encls warex dopy of all dettilidates

as above.

(F. NAVARN KUMAR)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT HYDERABAD

O.A.No.1234 OF 1997.

DATE OF ORDER:18-1-1999.

<u>Between:</u>

P. Naveen Kumar.

... Applicant

a n d

- 1. The Chief Administrative Officer, Nuclear Fuel Complex, Department of Atomic Energy, ECIL Post, Hyderabad-500 762.
- 2. The Assistant Personnel Officer, Nuclear Fuel Complex, Department of Atomic Energy, ECIL Post, Hyderabad-500 762.
- 3. Employment Exchange Officer, R.R.District, Srinagar Colony, Hyderabad.

.. Respondents

COUNSEL FOR THE APPLICANT :: Mr.P.P.Vittal

COUNSEL FOR THE RESPONDENTS:: Mr.B. Narasimha Sharma (R-1 & R-2)

R-3 :: Mr.P.Naveen Rao

CORAM:

JC

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

AND

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

: DRDER:

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

Heard Ms.Nivedita for Mr.P.P.Vittal, learned Counsel for the Applicant, Mr.B.Narasimha Sharma, the learned Standing Counsel for the Respondents 1 & 2, and Mr.Phaniraj for Mr.P.Naveen Rao, learned Counsel for the Respondent No.3.

2

. 2

- 2. The applicant in this OA is an aspirant for the post of Junior Operator Trainee(Fitter Trade) under the respondents Organisation. As his name was not sponsored by the Employment Exchange, he filed this OA for considering him also along with the Employment Exchange sponsored candidates.
- 3. An Interim Order dated:19-9-1997 was passed in this OA, which reads as below:-
 - "i) The respondents should consider the case of the applicant for the post of Junior Operator Trainee(Fitter Trade) without insisting that his name be sponsored by the Employment Exchange provided he submits his application seven clear days before the stipulated date for selection either by written test/interview;
 - ii) If the applicant does not come up in selection, this original application stands dismissed. The respondents should inform the Tribunal, through their learned Counsel the result of the selection so as to confirm the dismissal order;
 - iii) If the applicant succeeds in the selection and is within the number of vacancies to be filled up, then his result should not be announced until further orders in this OA."
- In obedience to Interim Order of the Tribunal, the respondents sent a call letter to the applicant for appearing for the written test, vide their letter No.NFC/PAR/03/06/1628, dated:24-12-1997. The applicant in his application has given the following address:-

" P.Naveen Kumar, s/o Shri P.Sathiah, H.No.1-1-7, Kapra Village, ECIL Post, R.R.District-500 062."

The call letter for written examination was sent to the same address as given by the applicant in his application. However, that call letter sent under Certificate of Posting was returned back, to the Respondents on 9-1-1998, stating that the addresses is not found in the address given above. $\operatorname{\mathsf{I}}_{\mathsf{n}}$ view of the above, the applicant has no claim for posting him as Junior Operator Trainee as his case was considered and he failed to appear for the writtem examination.

In view of what is stated above, the OA is liable to be dismissed and accordingly, it is dismissed. No costs.

The correspondence in this connection is taken on record.

B.S.JAT PARAMESHUAR)

(R.RANGARAJAN)

MEMBER (JUDL)

MEMBER (ADMN)

DATED: this the 18th day of January, 1999

Dictated to steno in the Open Court

*** DSN

16T AND LIND COURT

COPY 'TO:-

1. HDHNJ

2. HHRP M(A)

3. H6SJP M(J)

4. D.R.(A)

5. SPARE /

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR : VICE CHAIRMAN

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

THE HON'BLE MR.R.RANGARAJAN : MEMBER (A)

THE HON'BLE MR.B.S.JAI PARAMESWAR:
MEMBER (J)

DATED: 18(1/99

DRDER/JUDGMENT

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

D.A. NO. (234/

ADMITTED AND INT TIM DIRECTIONS ISSUED

ALL OWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDTRED/REJECTED

NO CROER AS TO COSTS

SRR

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal प्रवण / DESPATCH

28 JAN 1999

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