

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: .HYDERABAD.

O.A /T.A.....1247/92.....1998.

.....R. Khanna Khanna.....Applicant(s)

Versus

.....The A.P.O. N.F.C.....

.....Hyderabad, Car.....Respondent(s)

INDEX SHEET

Serial No.	Description of documents and dates.	Pages.
Docket orders.		1
Interim Orders		
Orders in M.A(s)		
Reply statement		
Rejoinder		
ORDERS IN(Final orders)		
		15-18

Certified that the file is completed
in all respects.

Signature of dealing Head.

(in Record section)

Signature of S.O.

Date	Office Note	ORDER
------	-------------	-------

16/6/98 Before D.R.
None present. Call
on 21/7/98 for
Memo X reply.
Dy. Regu
D.R.

21-7-98 None Present
Call on 25-8-98
for memo & Reply
D.R.

Central Administrative Tribunal Hyderabad Bench: Hyderabad.

D.A.No. 1247 of 1997.

R. Kusuma Kumari Applicants(s).

VERSUS.

The Asst. Personnel Officer,
NFC, D/o. Atomic Energy, Hyderabad
(Respondents).

Date	Office Note	ORDER
24/9/97	<p>Admit Notice As 3/10/97 Issued 6/10/97</p> <p>(cc today)</p>	<p>Interim order passed vide on separate sheet</p> <p>J HBSVP HJ</p> <p>HORN H(A)</p>
17/3/98	<p>Before Dy. Regn</p> <p>None present. Notice served on both the Respondents Call on 21/4/98 for memo and reply.</p> <p>Dy. Regn</p>	<p>24-8-98</p> <p>OA is disposed of. Orders vide separate sheet. No costs.</p> <p>HHRP M(A)</p> <p>HVC</p>
21-4-98	<p>None present Call on 9-6-98 for memo and reply.</p> <p>M.D.R.</p>	

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: BENCH HYDERABAD.

ORIGINAL APPLICATION NO. 1247 OF 1997.

~~G. Srinivas and others~~ R. Kusuma Kumari
(Applicants(s))

VERSUS

Union of India, Repd., By.

The Asst. Personnel Officer, NFC

Dept- of Atomic Energy, Hyderabad Or another
Respondents(s(s))

The Application has been Submitted to the Tribunal by Shri K. Nageswara Reddy Advocate/Party-

in person Under Section 19 of the Administrative Tribunal Act. 1985 and the same has been scrutinised with reference to the points mentioned in the check list in the light of the provisions in the administrative Tribunal (procedure) Rules 1987.

The application is in order and may be listed for Admission No. _____

G. Srinivas
Scrutiny Asst.

Prady
DEPUTY REGISTRAR (JUDL).

18. Is the application accompanied ITO/DD, for Rs.50/-.
 - 10.
 11. Have Legible copies of the annexure duly attested been filed.
 12. Has the applicant exhausted all available remedies.
 13. Has the Index of documents been filed and pagination done properly.
 14. Has the declaration as a required by item No. 7 of form, I been made.
 15. Have required number of envelops (file six) bearing full addresses of the respondents been filed.
 16. (a) Whether the relief sought form arise out of single cause of action.
(b) Whether any interim relief is prayed for,
 17. In case an Ma for connonation of delay in filed, it supported b an affidavit of the applicant.
 18. Whether t is cause ben heard by a single bench.
 19. Any other points.
 20. Result of the scrutiny with-initial of the scrutiny clerk.
- Scrutiny Assistant.
- Section Officer.
- Deputy Registrar.
- Registrar.
- May be filed
- 22/9/72

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

Deiry No. 2047/92

Report in the Scrutiny of Application.

Presented by Mr. K. Nagaraj Reddy Date of presentation. 19/9/92

Applicant(s) R. Kusuma Kumari

Respondent(s) The Asst. Personnel Officer, NEC, Hyderabad

Nature of grievance Appointment

No. of Applicants 1 No. of Respondents 2

CLASSIFICATION.

Subject.....No. Department NEC (NO)

1. Is the application in the proper form, (three complete sets in paper books form in the two completions). 43
2. Whether name description and address of all the parties been furnished in the cause title. 40
3. (a) Has the application been fully signed and verified. 43
(b) Has the copies been duly signed. 43
(c) Have sufficient number of copies of the application been filed. 43
4. Whether all the necessary parties are impleaded. 43
5. Whether English translation of documents in a language, other than English or Hindi been filed. -
6. Is the application on time, (see section 21) 43
7. Has the Vakalatnama/Memo of appearance/Authorisation been filed. 43
8. Is the application maintainability. (U/S 2, 14, 18, or U/R. 8 Etc.,) 43
9. Is the application accompanied, duly attested legible copy been filed. 43

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH, HYDERABAD

INDEX SHEET

O...NO. 1247 of 1997.

CAUSE TITLE R. Krishna Kumar -

V E R S U S

The Asst. Personnel Officer,
NFC, D/o. Atomic Energy,
Hyd 2 - andhra

SL.NO.	Description of documents	Page No.
1.	Original Application	1-4
2.	Material Papers	5
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4.	Objection Sheet	
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6.	Covers	-2-

Deedley
for P. H. Hansen
6m cont on work

1979

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD

C.A.No: 1247 of 1997

Between;

Ruthala Kusuma Kumari

... Applicant

a nd

Nuclear Fuel Complex,
Department of Atomic Energy,
ECIL Post,
Hyderabad-500 062 represented by its
Assistant personal Officer & another ... Respondents

Chronological statement of events

S.No.	Date	Statement of Events	Page No
1.	5-8-97	Notification of the 1st respondent	1
2.		List sent to the 1st respondent from the 2nd respondent exchange	1
3.		1996 (6) Scale , 676	3

Hyderabad,

Date:19-9-1997

KWRa Jdy
Counsel for the applicant

(5)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD

(O.A. filed U/s 19 of the Administrative Tribunal Act 1985)

O.A.No. 1247 of 1997

Between:

Ruthala Kusuma Kumari
D/o R.Narayana Rao
Aged about 20 years,
7-25/2, Chintal,
H.M.T.Road,
Rangareddy District

... Applicant

a n d

Nuclear Fuel Complex,
Department of Atomic Energy,
ECIL Post,
Hyderabad-500 062 Rangareddy District
represented by its Assistant Personnel Officer

2. The District Employment Officer,
Rangareddy District Employment Exchange,
Srinagar Colony, Punjagutta,
Hyderabad

... Respondents

Details of the Application (O.A.):

1. Particulars of the Applicant:

As shown in the cause title above.

Address for service of notices: Mr.K.Nageswara Reddy
Advocate
H.No.10-3-307/5
Humayunagar,
Hyderabad-500 028

2. Details of the Respondents:

As shown in the cause title above.

3. Particulars of the order against which application is made;

Seeking a direction to the respondents to allow the applicant to interview for the posts of Senior Operator Trainee (electronic engineering) without insisting that her name should be sponsored by the Employment Exchange. The 1st respondent sent notification to the 2nd respondent on 5-8-97 and the 2nd respondent sent list to the 1st respondent. The respondents are not supplied notification and also not published in the News Papers.

4. Jurisdiction of the Central Administrative Tribunal:

Applicant declares that the subject matter of the present O.A. is within the jurisdiction of this Tribunal as the 1st respondent is Central Government Department and comes under Section 14 of the Administrative Tribunal Act and the said posts to be filled in Andhra Pradesh. For interview and appointment comes under recruitment. So this Hon'ble Tribunal has got jurisdiction.

5. Limitation:

Applicant declares that the application (O.A) is within the limitation as prescribed in Section 21 of the Administrative Tribunal Act 1985 and there is no impugned order and the 1st respondent has not yet conducted interview but sponsored list with names sent to the 1st respondent office.

6. FACTS OF THE CASE:

(A) Applicant passed Diploma in Electronic Engineering with more than 60% marks. I belong to BC-D (OBC) group. I registered my name in the 2nd respondent employment exchange with registration No. R1/1996/21196 dated 5-11-1996.

(B) The 1st respondent notified the 4 vacancies of Senior Operator Trainee (Electronic Engineering) posts to the 2nd respondent to sponsor the names of candidates with a view to fill up the said posts without giving paper notification and without call for applications from all the eligible candidates and denied an opportunity and disobeyed the law laid down by the Hon'ble Supreme Court judgement. The 2nd respondent sent sponsored list with names of candidates without sponsoring the applicant's name. As per the Supreme Court judgement, registered or to be registered or unregistered in the employment exchange can apply for any posts and allow them to interview without the media of employment exchange and no need to sponsor

from the employment exchange as reported in 1996 (6) Scale, 676. The 1st respondent is not receiving application from the applicant and not considering her inspite of her request and the 1st respondent is going to conduct written test and interview within 15 days. ~~fr~~ As per the Supreme Court judgement he need to register their names in the employment exchanges. Any one can be applied if notified in the News Papers. Hence this C.A.

(C) The respondent without following the Supreme Court judgement, which was reported in 1996 (6) Scale 676, the Excise Superintendent, Malkapatnam, Krishna District A.P. Vs. K.B.N. Visweshara Rao & others is trying to recruit/fill up the above said posts with the candidates sponsored by the employment exchange alone without giving any advertisement to call for applications from all the ligible candidates including from the applicant and deprived of all the eligible candidates rights of attending to test and interview and to get selection. This Hon'ble Tribunal and High Court of A.P. was pleased to dispose of several C.A.'s and W.Ps in similar matters with a direction to allow them to written test and interview. The respondent may conduct interviews at any time within 15 days and kept interview date secrete.

7. Details to the remedies exhausted:

The applicant~~s~~ have no other alternative remedy except to approach this Hon'ble Tribunal for the relief sought for.

8. Matt is not previously filed or pending with any court:

Applicant declares that she has not previously filed any petition for the same relief before any court of law.

9. Reliefs sought:

In view of the facts mentioned in paragraph 6 of the above C.A. the applicant prays that this Hon'ble Tribunal may

be pleased to direct the respondent to allow the applicant to appear to written test and interview for the posts of Senior Operator Trainee (electronic engineering) without insisting that her name should be sponsored by the employment exchange as per the notification dated 5-8-97 and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

10. INTERIM RELIEF:

Pending disposal of the above O.A. the applicant prays that this Hon'ble Tribunal may be pleased to direct the respondents to allow the applicant to appear to written test and interview for the posts of Senior Operator Trainee (electronic engineering) without insisting that her name should be sponsored by the employment exchange as per the notification dated 5-8-97 and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

11. Material index enclosed.

12. Name of the Post Office/~~Bank~~ in which

PO DD/PO:

No of DD/PO;

Date of Issue.

Khairatabad Post Office
8-12-224924
19-9-97, Rs 50/- A

13. List of documents enclosed:

a) Material papers (b) DD/PO (c) Covers

VERIFICATION

I, Ruthala Kusuma Kumari D/o R.Narayana Rao do hereby verify that the contents of the above paras are true to my personal knowledge and legal advise of our counsel and I have not suppressed any material facts herein.

Ruthala
Counsel for the applicant

R. Kusuma Kumari
Signature of the applicant

To
The Registrar,
Central Administrative Tribunal,
Hyderabad

REGISTRATION SLIP



ఆంధ్రప్రదేశ్ ప్రభుత్వ ఉపాధి మరియు శిక్షణ శాఖ
ఉపాధి కార్యాలయము : KINAGA-REDDY

Data from apts

X-C10

RT: 01 REGN. NO

R1/1995/21196

REGN. DT.

1995/11/05

LAST APP. DT.

26/11/05

DT. OF EXPIRY

NOV 1999

NAME RUTHALA KUSUMA KUMARI
ID MARKS MOLE ON LT HAND WRIST
F/H NAME R HARAYANA RAO
ADDRESS #NO 7-25/2 CHINTAL
HMT ROAD R R DT

SEX FEMALE PRT :
MARITAL UN-MARRIED
CASTE EC-D
DOB 1977/06/10
RELIGION HINDU

SBI S82 S83 S84 S85

AGR % CL YOP MOI STR

10

75.0 F 1992 TEL

40 160

D 1995 ENG 12

NCO/DATE OF SENIORITY

500554PH

X0110

03220

1995/11/05 1995/11/05

Dt. & Mdl of Res: TCO

Zone 1

Pl. of Res U/R RURAL

Res. Mopt

Ht. in CM 159

E. Status UN-EMPLOYED

IC Marriage No

O.B.C. Yes

Ex-Serv. Rank 0

Character

Servc (Mths)

Force

Ex-Cen

No

Mobility

ANY WHERE IN INDIA

RBL

No

Land Oustee

Repat Ctry

Drv. Lic. Iss. Dt.

Drv. Lic. Exp. Dt.

Languages known

TEL 5 HIN 5 ENG 5

Ex-ITI:

No Appr:

No

NCO NAO Work Experience (in Mths) Estab-wise

1 2 3 4 5 6 7 8 9

Candd. Willingness

Self-Employed

Yes

Apprentice-ship

Yes

(త్రిప్పి చూడము)

10/11/05

(10)

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH.

O.A. REGD. NO 3047/97

Date: 19.9.97

To Sh. K. N. Reddy, Adv.

Sir,

I am to request you to rectify the defects mentioned below in your application within 14 days from the date of issue of this letter, failing which your application will not be registered and action under Rule 5 (4) will follow.

- 1) Application / Representation made if any should be filed.
- 2) Material papers for all the copies to be filed.



[Signature]
DEPUTY REGISTRAR (JUDL)

Represented 19/9/97

all Material papers and application will be submitted along with order copy. otherwise they (respondents) are not entertaining. It is a covered matter and in some cases granted interim directions. When applicants approached, the respondents are really refuse and insist to get court order.

D. K. Reddy
19.9.97
A. S. S. S.

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1247/97

Date of Order: 24.9.97

BETWEEN:

Rathala Kusama Kumari

.. Applicant.

AND

1. Nuclear Fuel Complex,
Dept. of Atomic Energy,
ECIL Post,
Hyderabad, Rangareddy Dist,
Rep. by its Assistant Personnel Officer.

2. The District Employment Officer,
Rangareddy District Employment Exchange,
Srinagar Colony, Panjagutta,
Hyderabad.

.. Respondents.

- - -

Counsel for the Applicant

.. Mr.K.Nageswara Reddy

Counsel for the Respondents

.. Mr.W.Satyanarayana
for
Mr.N.R.Devraj for R-1
.. Mr. Phani Raj
for
Mr.P.Naveen Rao
for R-2

- - -

CORAM:

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

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

- - -

O R D E R

)(Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

- - -

Mr.K.Nageswara Reddy, learned counsel for the applicant
Mr.W.Satyanarayana for Mr.N.R.Devraj, learned counsel for R-1 and
Mr.Phani Raj for Mr.P.Naveen Rao, learned counsel for R-2.

R

1

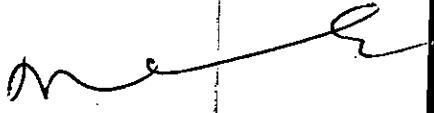
.. 2 ..

2. Admit. The applicant is an aspirant for the post of Senior Operator Trainee (Electronic Engineering). His^{er} name was not sponsored by the Employment Exchange. Hence his^{er} name was not considered by Respondent No.1 for that post. The applicant relying on the Supreme Court judgement reported in 1996 (6) Scale 676 (Excise Superintendent, Malkapatnam, Krishna District vs. K.B.N. Visweswara Rao) submits that his^{er} case has to be considered even though his^{er} name was not sponsored by the Employment Exchange.

3. We have disposed of similar cases. Hence the following interim direction is given:-

If the applicant submits ^{her}his application at least one week in advance of the selection either written, viva-voce or both then the case of the applicant should also be considered along with the Employment Exchange sponsored candidates even though his^{er} name is not sponsored by the Employment Exchange. If she did not qualify in the selection the same should be informed to this Tribunal through the respondents counsel for confirming the dismissal of this OA. In case if ^{is}she found fit and come within the number to be appointed then the result should not be published until further orders in this OA.


(B.S. JAI PARAMESHWAR)
Member (Judl.)


(R. RANGARAJAN)
Member (Admn.)

Dated : 24th September, 1997

(Dictated in Open Court)

sd

Copy to: -

1. The Assistant Personnel Officer , Nuclear Fuel Complex, Dept. Of Atomic Energy, ECIL Post, Hyderabad Rangareddy Dist.
2. The District Employment Officer, Rangareddy District Employment Exchange, Srinagar Colony, Panjagutta, Hyderabad.
3. One Copy to Mr. K.Nageswara xReddy Advocate CAT.Hyd.
4. One ^Copy to Mr. N.R.Devaraj, Sr.CGSC. CAT.HYD.
5. One Copy to Mr. P.Navven Rao , S C. For A.P.Govt. CAT.HYD.
6. One Copy to The D.R(A).
7. One Duplicate Copy .

Upr.

© A Parshuram
(7)

CC Today

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: 24-9-97

ORDER/JUDGMENT

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

in

O.A. NO. 1247/97

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 1 OCT 1997 हैदराबाद न्यायपीठ HYDERABAD BENCH
--

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 1247/1997

DATE OF ORDER : 24.8.1998

BETWEEN :

Ruthala Kusuma Kumari

... Applicant(s)

AND

1. Assistant Personnel Officer,
Nuclear Fuel Complex,
Department of Atomic Energy, .
ECIL Post,
Hyderabad 500 062 Rangareddy Dist..

2. The Employment Officer,
District Employment Exchange,
Government of Andhra Pradesh,
Rangareddy District
Srinagar Colony, Punjagutta,
Hyderabad.

... Respondents

Counsel for the Applicant - Shri K. Nageswara Reddy
Counsel for the Respondents - Shri N.R. Devaraj
Counsel for the State of A.P. - Shri P. Naveen Rao

CORAM :

The Hon'ble Justice Shri D.H. Nasir : Vice-Chairman
The Hon'ble Shri H. Rajendra Prasad : Member (A)

ORDER

(per Hon'ble Shri H. Rajendra Prasad, Member (A))

16

Heard Shri K. Nageswara Reddy for the
Applicant(s), ~~and~~ Shri N.R. Devaraj on behalf of the
Respondents and Shri P. Naveen Rao on behalf of the
State of A.P.

The orders passed by this Tribunal today in
O.A. No. 987/96 shall be complied with in this O.A. as
well.

A copy of the orders passed in O.a. No. 987/96
shall be kept on record of this file and also supplied
to the Respondents to facilitate further action.


(H. RAJENDRA PRASAD)

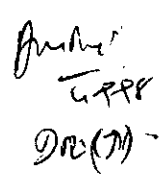
Member (A)


(D.H. NASIR)

VICE-CHAIRMAN

1

Dictated in open court



DATED : 24.8.1998

...js/-

1. The Asst. Personnel Officer, Nuclear Fuel Complex,
Dept. of Atomic Energy, ECIL Post, Hyderabad-62
Ranga Reddy Dist.
2. The Employment Officer, Dist. Employment Exchange,
Rangareddy Dist. State of A.P.
Srinagar Colony, Punjagutta, Hyderabad.
3. One copy to Mr. P. Naveen Rao, Spl. Counsel for A.P. Govt. CAT. Hyd.
4. One copy to Mr. *NR Devra S*, ST ~~Addl.~~ CGSC. CAT. Hyd.
5. One copy to Mr. *R. Nageswar Reddy* Advocate, CAT. Hyd.
6. One copy to HHRP.M(A) CAT. Hyd.
7. One copy to DR(A) CAT. Hyd.
8. One spare copy.

pvm

29/9/98

I COURT

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

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

DATED: 24-8-1998.

ORDER/JUDGMENT

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

in

O.A. No. 1247/97

T.A. No.

(W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

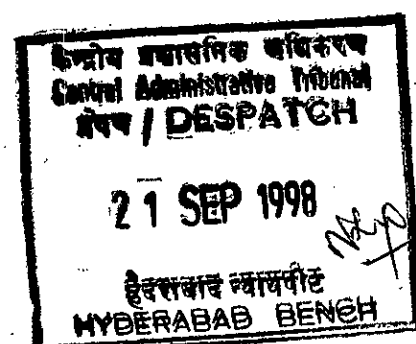
Dismissed for Default.

Ordered/Rejected.

No order as to costs.

m.

91wOA. 987/96.



.. 2 ..

2. Admit. The applicant is an aspirant for the post of Senior Operator Trainee (Electronic Engineering). His name was not sponsored by the Employment Exchange. Hence his name was not considered by Respondent No.1 for that post. The applicant relying on the Supreme Court judgement reported in 1996 (6) Scale 676 (Excise Superintendent, Malkapatnam, Krishna District vs. K.B.N. Visweswara Rao) submits that his case has to be considered even though his name was not sponsored by the Employment Exchange.

3. We have disposed of similar cases. Hence the following interim direction is given:-

If the applicant submits his application at least one week in advance of the selection either written, viva-voce or both then the case of the applicant should also be considered along with the Employment Exchange sponsored candidates even though his name is not sponsored by the Employment Exchange. If she did not qualify in the selection the same should be informed to this Tribunal through the respondents counsel for confirming the dismissal of this OA. In case if she found fit and come within the number to be appointed then the result should not be published until further orders in this OA.

प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

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

कास नम्बर
CASE NO. ER. 26/247/92
दिनांक
Date of Judgment 29-7-77
प्रति न्याय तैयार कर दिया
Copy Made Ready on 29-7-77

अनुपम अधिकारी (न्य. वि.)
Section Officer (J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1247/97

Date of Order: 24.9.97

BETWEEN:

Kathala Kusama Kumari

.. Applicant.

AND

1. Nuclear Fuel Complex,
Dept. of Atomic Energy,
ECIL Post,
Hyderabad, Rangareddy Dist.,
Rep. by its Assistant Personnel Officer.
2. The District Employment Officer,
Rangareddy District Employment Exchange,
Brinagar Colony, Panjagutta,
Hyderabad.



.. Respondents.

Counsel for the Applicant

.. Mr.K.Nageswara Reddy

Counsel for the Respondents

.. Mr.W.Satyanarayana
for
Mr.N.R.Devraj for R-1

.. Mr. Phani Raj
for
Mr.P.Naveen Rao
for R-2

COFAM:

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

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

O R D E R

((Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Mr.K.Nageswara Reddy, learned counsel for the applicant
Mr.W.Satyanarayana for Mr.N.R.Devraj, learned counsel for R-1 and
Mr.Phani Raj for Mr.P.Naveen Rao, learned counsel for R-2.