

FORM NO. 21.

(SEC. RULE 114.)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH, HYDERABAD.

~~Handwritten~~

0 A/ TA

13.02

09 1997

V. Raju.....Applicant (S)

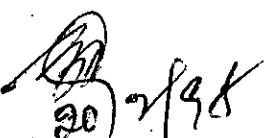
versus

Ten. Ass't. personnel Officer, NFC-DAE, Hyderabad
Respondent (S)

INDEX SHEET

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| Order In MA (S) | | |
| Reply Statement | | |
| Rejoinder | | |
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Certified that the file is complete
in all respects.


20/2/98
Signature of
Dealing Hand.

(In Record Section)

Signature of S.O.

Central Administrative Tribunal Hyderabad Bench: Hyderabad

D.R. No.

1302

of 1997.

V. Raju

Applicants(s).

VERSUS.

The Asst. Personnel Officer, N.F.C., DAE, Hyderabad

anet

(Respondents).

| Date | Office Note | ORDER |
|---------|--|---|
| 1-10-97 | Admit/Notice C.R. 7/10/97 C.C. today. | Heard both the counsel Admit. Inform order on separate sheets. No costs. R HBSIP HRRN M(I) M(A) |
| 28.1.98 | ISSUED M 9/10/97 | O.A. Dismissed. order on separate sheets. No costs. R HBSIP HRRN M(I) M(A) |

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: SEC HYDERABAD.

ORIGIN
ORIGINAL APPLICATION NO. 1302 OF 1997.

V. Raju

(Applicants(s))

VERSUS

Union of India, Repd., by.

Asst. Post. office N.F.C.,
Hyderabad & a.o.t.s

Respondents(s)(s)

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

Scrutiny Asst
307.9.97

July
DEPUTY REGISTRAR (JUDL).

10. Is the application accompanied I.P.O/OD, for Rs.50/- *✓*

10.

11. Have Legible copies of the annexure duly attested *✓*

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 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. *D*

(b) Whether any interim relief is prayed for. *✓*

17. In case an Ma for cononation of delay in filed, it supported b an affidavit of the applicant.

18. Whether t is cause ben heared by a single bench. *No*

19. Any other points. *_____*

20. Result of the scrutiny with initial of the scrutiny clerk.

Scrutiny Assistant. *2379.13*

*may be
numbered*

Section Officer.

Deputy Registrar.

Registrar.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

Dairy No. 3159

Report in the Scrutiny of Application.

Presented by KN Reddy Date of presentation. 30/9/97
Applicant(s) V Raja
Respondent(s) AO, NFC, DAE, Hyderabad

Nature of grievance Recruitment

No. of Applicants 1 No. of Respondents 2

CLASSIFICATION.

Subject Recruitment No. 13 Department NFC (No) 41

1. Is the application in the proper form, (three complete sets in paper books form in the two compilations). ✓
2. Whether name description and address of all the parties been furnished in the cause title. ✓
3. (a) Has the application been fully signed and verified. ✓
(b) Has the copies been duly signed. ✓
(c) Have sufficient number of copies of the application been filed. ✓
4. Whether all the necessary parties are impleaded. ✓
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) ✓
7. Has the Vakalatnama/Memo of appearance/Authorisation been filed. ✓
8. Is the application maintainability. (U/S 2, 14, 18, or U/R. 8 Etc.,) ✓
9. Is the application accompanied, duly attested legible copy been filed. ✓

CENTRAL ADMINISTRATIVE TRIBUNAL (YARD) BENCH, HYDERABAD

I N D E X S E T L A

ORR NO. 1302 of 1997.

CAUSE FILE V. Raju

V A S U S

To APO, N.F.C. And + anot

| SL. NO. | Description of documents | Page No. |
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| 4. | Objection sheet | — |
| 5. | Spore Copies 2(Two), | |
| 6. | Covers 2. <i>A</i> | |

Reg:- To direct the Regdts. to allow the applicant to appear to written test and interview for the post of JOT (Elect.) without insisting that ~~his name~~ should be sponsored by R.

2

APPLICATION FILED U/s 19 OF THE ADMINISTRATIVE TRIBUNAL

ACT 1985

Bench

O.A.No. 1302 of 1997

Between:

V.Raju

.... Applicant

General

NFC

(41)

and

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

राष्ट्रीय/GENERAL

(M/s)

.... Respondents

INDEX

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Date of filing: 30-9-1997

Registration No:

V. Raju

Signature of the applicant

KN Reddy

Counsel for the applicant



Fee Cap
For P. Naveen N.
Counsel for State of AP

10/9/97
Review
Date 30/9
by Mr. Reddy

3
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD

O.A.No. 1302 of 1997

Between:

V.Raju Applicant

a n d

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

.... Respondents

Chronological statement of events

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

Hyderabad,

Date: 30-9-1997

D.N.R. Reddy

Counsel for the applicant

4
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD

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

O.A. No. 1302 of 1997

Between:

V.Raju
S/o Ramulu
Age 23 years,
62, Beside, SBH, Meerpeta,
Moulali,
Rangareddy District

.... Rekitish Applicat

and

1. 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 (OA.) :

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,
Humayun Nagar,
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 written test and interview for the posts of Junior Operator Trainee (Electrical trade) without insisting that his name should be sponsored by the Employment Exchange. The 1st

.... 2

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 submits that he passed S.S.C. with more than 50% marks and also passed I.T.I. Electrical trade. He registered his name in the 2nd respondent office with registration No. R1/1996/14363 dated 19-7-1996.

(B) Applicant submits that the 1st respondent notified the vacancies of Junior Operator Trainee (Electrical Trade) to the 2nd respondent office on 5-8-97 with a view to fill up these posts without giving paper notification (advertisement) to call for applications from all the eligible applicants 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 un-registered 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 him inspite of his request, and the 1st respondent is going to conduct written test and interviews within 15 days. As per the Supreme Court judgement no need to register his name in the employment exchange. Any one can be applied if notified in the news papers. Hence this O.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 eligible candidates including from the applicant and deprived of all the eligible candidates rights of attendin to test and interview to get selection. This Hon'ble Tribunal and High Court of A.P. was pleased to dispose of several O.A.'s and W.Ps in similar matters with a direction to allow them to written test and interview. The respondent may conduct interview at any time within 15 days and kept interview date secrete.

7. Details of the Remedies Exhausted:

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

8. Matters not previously filed or pending with any court:

Applicant, declares that he 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 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 Junior Operator Trainee (Electrical Trade) without insisting that his 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 Junior Operator Trainee (Electrical trade) without insisting that his 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

P.O. DD/PO:

No. of DD/PO:

8-12-224920

Date of Issue

1/30/94
S.P.C.D.D. Remover

13. M List of documents enclosed:

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

VERIFICATION

I, V.Raju s/o Ramulu (as stated in the cause title) do hereby verify that the contents of the above paras are true to my personal knowledge and legal advise of my counsel and I have not suppressed any material facts herein.

V.N.Raju

V. Raju

Counsel for the applicant. Signature of the applicant

Date: 30-9-1997

To

The Registrar,
Central Administrative Tribunal,
Hyderabad

6 - 41

(Electrical)

MAINTENANCE SLIP

RANGA-REDDY

arundhati from apts

X-C10

01 R1/1996/14363
 V RAJU
 MOLE ON THE STOMACH
 RAMULU
 PLOT NO 62 BESIDE S B H
 MEERPET MOLLA ALI
 RANGA REDDY DIST 500040

1996/07/19

1997/09/10

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 20 161
 30 161

JUL 1999

AGR 5. CL YCP MO STR

47.0 C 1990 TEL

72.0 P 1995 ENG

P 1997 ENG

X0110 85110
 1996/07/19 1996/07/19

HOO

5

No

NA. Value-Expenditure (In Rs.) Estate-wise

1 2 3 4 5 6 7 8 9

RURAL

ANY WHERE IN INDIA

85110 9254

012

180
 UN-EMPLOYED

No

No

C

TEL 5 MIN 5 ENG 5

Yes

No

Cand. Willingness

Self-Employed
 Apprenticeship

Yes

No

(కెప్) చూడము

1. Meedy

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1302/97

DATE OF ORDER : 01-10-1997.

Between :-

V.Raju

... Applicant

And

1. Nuclear Fuel Complex,
Department of Atomic Energy,
ECIL Post, Hyderabad-500 062,
Rangareddy District,
rep. by its Assistant Personnel
Officer.
2. The District Employment Officer,
Ranga Reddy District Employment
Exchange,
Srinagar Colony, Punjagutta,
Hyderabad.

... Respondents

Counsel for the Applicant : Shri K.Nageshwar Reddy

Counsel for the Respondents : Shri V.Rajeshwar Rao for R-1
Shri P.Naveen Rao for R-2.

CORAM:

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

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

-- -- --

Heard Sri K.Nageshwar Rao, counsel for the applicant and Sri V.Rajeshwar Rao for Respondent No.1 and Sri Phani Raj for Sri P.Naveen Rao, counsel for R-2.

2. Admit. The applicant in this OA is an aspirant to the post of Junior Operator (Electrical) under Respondent no.1. Respondent No.1 has issued notification to Respondent No.2 for sponsorship of the candidates from the Employment Exchange. It is stated that the name of the applicant was not sponsored by Respondent No.2.

3. Relying on the Judgement of the Supreme Court reported in 1996(6)SCALE at page 676 (Excise Superintendent, Malkapatnam, Krishna District, AP, Vs. KBN Visweshwara Rao & others), the learned counsel for the applicant submits that the applicant should be considered for posting against that post.

4. We have disposed of similar cases earlier. In/of that, the following direction is given :-

If the applicant submits his application clear 7 days earlier to ~~and~~ the date of selection either written or viva-voice or both, then the case of the applicant should also be considered along with the candidates sponsored by the employment Exchange provided he fulfills all the conditions laid down for appointment to that post. If the applicant fails in the selection, the OA stands dismissed. In that case the respondents should inform the Tribunal through their standing counsel so as to confirm the dismissal order of the OA. If the

R

D

12
applicant is successful and comes within the number to be appointed, then he should not be appointed until further orders in this OA.

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

R. RANGARAJAN
(R.RANGARAJAN)
Member (A)

1. x. 97

Dated: 1st October, 1997.
Dictated in Open Court.

av1/

Avv1/
Mot. -
DRC -

Copy to:-

1. The Assistant Personnel Officer, Nuclear Fuel Complex, Department of Atomic Energy, ECIL Post, Hyderabad-62. R.R.District.
2. The District Employment Officer, Ranga Reddy District Employment Exchange Srinagar Colony, Punjagutta, Hyderabad.
3. One Copy to Mr. K. Nageshwar Reddy, Advocate CAT Hyd.
4. One Copy to Mr. V. Rajeshwar Rao, Addl CGSC, CAT, Hyd.
5. One Copy to Mr. P. Naveen Rao, S.C. for AP. GOVT. CAT. HYD.
6. One Copy of Duplicate.

UoR.

Clerk
Appealing

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: 1-10-97

ORDER/JUDGMENT

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

in

O.A. NO. 1302/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

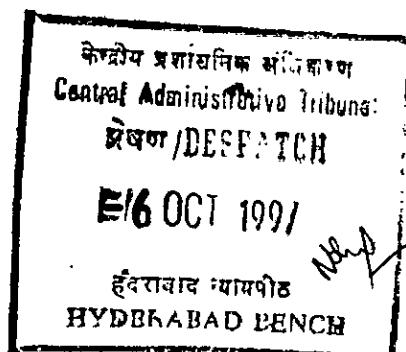
Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1302/1997.

DATE OF ORDER : 28-01-1998.

Between :-

V.Raju

And

... Applicant

1. Nuclear Fuel Complex,
Department of Atomic Energy,
ECIL Post, Hyderabad-500 062,
Ranga Reddy District,
rep. by its Asst. Personnel
Officer.
2. The District Employment Officer,
Ranga Reddy District Employment
Exchange, Srinagar Colony,
Punjagutta, Hyderabad.

... Respondents

--- --- ---

Counsel for the Applicant : Shri K.Nageswara Reddy

Counsel for the Respondents : Shri V.Rajeshwar Rao, SC for R-1
Shri P.Naveen Rao for R-2.

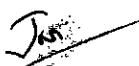
--- --- ---

CORAM:

THE HON'BLE SHRI R.R.ANGARAJAN : MEMBER (A)

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

(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).



--- --- ---

.... 2.

- 2 -

(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

-- -- --

Heard Sri V.Rajeshwar Rao, standing counsel for Respondents.

None for the applicant.

2. This OA was taken up for consideration on the basis of the letter dt.20.1.98 addressed by the standing counsel for the respondents for listing the case. It is seen from the letter that the applicant was interviewed as per the interim order dated 1.10.1997. ~~St. 4xx87~~ for the post of Junior Operator Trainee (Fitter Trade) and that the applicant secured less marks and therefore he was "Screened out".

3. The applicant has not come up within the zone of consideration in ~~that~~ interview. Hence the OA is dismissed as per the interim order dt.1-10-97. No costs.



(B.S.JAI PARAMESHWAR)

Member (J)

28.1.98



(R.RANGARAJAN)

Member (A)

Dated: 28th January, 1998.

Dictated in Open Court.

av1/



D.R.

DA.1302/97

Copy to:-

1. The Asst. Personnel Officer, Nuclear Fuel Complex, Department of Atomic Energy, ECIL Post, Hyderabad.
2. The District Employment Officer, Ranga Reddy, District Employment Exchange, Srinagar Colony, Punjagutta, Hyderabad.
3. One copy to Mr. K.Nageswara Reddy, Advocate, CAT., Hyd.
4. One copy to Mr. V.Rajeshwar Rao, SC for R-1, Addl.CGSC., CAT., Hyd.
5. One copy to Mr. P.Naveen Rao for R-2, Advocate, CAT., Hyd.
6. One copy to BSJP M(J), CAT., Hyd.
7. One copy to Mr. D.R.(A), CAT., Hyd.
8. One duplicate.

srr

11/2/98

8

TYPED BY
COMPIRED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. B. RANGARAJAN : M(A)

AND

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

DATED: 28/1/98

ORDER/JUDGMENT

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

in

C.A. NO. 1302/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

IN COURT

YLR

