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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A. No. 1372/1997

Date of Decision:
28th October, 1997

BETWEEN:

Ch. Harinadh Babji .. Applicant

AND

1. The Director, Small Industries Service Institute, Ministry of Industry, Government of India, Narsapur 'X' Roads, Balanagar, Hyderabad-500 037.
2. Asst. Director (Admn.), Small Industries Service Institute, Ministry of Industry, Government of India, Narsapur 'X' Roads, Balanagar, Hyderabad - 500 037. .. Respondents

Counsel for the Applicant: Mr. Y. Suryanarayana

Counsel for the Respondents: Mr. K. Bhaskar Rao

CORAM:

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

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.) *6/28/97*)

Heard Mr. Y. Suryanarayana, learned counsel for the applicant, and Mr. K. Bhaskar Rao, learned additional standing counsel for the Respondents.

The applicant, Mr. Harnath Babji, Stenographer Gr.II, was transferred from Small Industries Service Institute (SISI), Hyderabad, to Branch SISI, Visakhapatnam, vide Order No.D(SI)H/Estt.42(76)/93/11929 dated 6th October, 1997 (Annexure-VI to the O.A.) One Mr. Koteswara Rao, Stenographer

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Branch SISI, Visakhapatnam, was transferred and posted in place of the Applicant. The applicant asserts that the transfer has a link with an incident which is said to have taken place on 30.9.1997 involving himself and certain officers of the respondent organization. It is stated that a police report was lodged in connection with it and that investigations are underway into the alleged incident. The respondents agree that an incident did indeed take place ~~add that~~ but it has no connection or link with the impugned transfer of the applicant. It is stated by them that the applicant abandoned his duties after 30.9.1997 and turned up only on 6.10.1997.

3. Mr. Suryanarayana raises the following points:-

1. A post of Stenographer has been transferred from SISI, Hyderabad, to Branch SISI, Visakhapatnam, on 20.10.97, vide Memo No.D(SI)H/Estt.42(76)/93/12325 Dt.14/22.10.97 (Annexure-7 to rejoinder). Respondent No.1 is not competent to order such diversion of posts.
2. While the applicant was relieved from his post at Hyderabad, some oral instructions seem to have been given to Branch SISI, Visakhapatnam, not to relieve Mr. Koteswar Rao. Subsequently, a post was transferred to Visakhapatnam to facilitate the continued retention of Koteswar Rao at that station. The off-shoot of the hurriedly ordered rearrangement was that only the applicant was displaced from his post without any reciprocal affect on the incumbent at Visakhapatnam.
3. It was orally submitted by the learned counsel that the transfer order was issued in the middle of the academic year thus dislocating the education of the applicant's son who is in school at Hyderabad.

4. If a post had to be transferred from the main office to Branch Office, and if someone had to be transferred along with the post, the junior most of the existing stenographers should have been transferred instead of picking out the applicant who is senior to many others.

4. Mr. Bhaskar Rao, learned standing counsel, submitted that the post of Stenographer had to be diverted from the main office to Visakhapatnam in response to persistent requests of Visakhapatnam Branch Office and that this was a routine administrative action without any link whatsoever with the impugned transfer of the applicant or with the alleged incident. On being asked as to why the post was transferred only on 14th (or 22nd) ^{October} when the transfer of Mr. Koteswar Rao to Hyderabad was ordered nearly a fortnight earlier, there was no satisfactory answer from the Respondents. Similarly, when asked as to why a stenographer was transferred at all from Visakhapatnam in the face of persistent request of the Branch Office for an additional stenographer there - as now submitted by them - there was no satisfactory explanation.

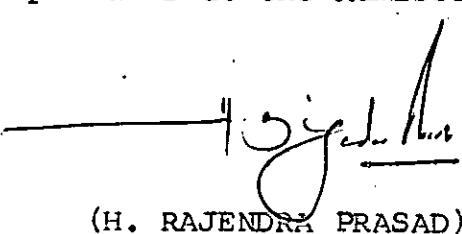
5. The facts have been examined.

6. It is noticed that the applicant has not represented his grievance to any superior officer after receiving the impugned order of transfer. Although the details of the alleged incident on 30.9.1997 were promptly faxed to the Development Comissioner, Small Scale Industries, New Delhi, (as seen from the Annexure-V to the OA), it is felt that Development Commissioner, Small Scale Industries has had no opportunity to go into the grievance of the applicant regarding his impugned transfer. It will, for that reason, be premature at this stage for this Tribunal to interfere in any manner in this case.

7. It is, therefore, directed that the applicant may, if he is so advised, represent his grievance- supported by such reasons as he may wish to adduce- to the Development Commissioner, Small Scale Industries, New Delhi, within ten days from today. If such a representation is made and received, the Development Commissioner, small Scale Industries, shall have the same examined and arrive at a suitable decision in the matter, and convey the same to the applicant within 15 days from the date of receipt of such a representation in his office. The applicant states that he is at present on leave. Until such time that a decision is received on the representation of the applicant from the Development Commissioner. as indicated already, the applicant shall not be required to join at Visakhapatnam. Instead, if he applies for any kind of leave due and admissible, the same shall be sanctioned.

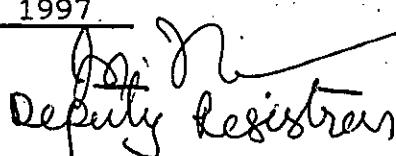
8. In passing this order it is made clear that the alleged incident of 30.9.1997, or any allegation or development relating thereto, is ^{not} taken note of. It is a separate matter with which this Tribunal has no concern. The present grievance is confined to impugned transfer, and, therefore, the directions issued also relate to that grievance alone.

9. Thus the OA is disposed of at the Admission stage.


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)

Date: 28th October, 1997

KSM


Deputy Registrar

O.A.1372/97.

To

1. The Director, Small Industries Service Institute,
Ministry of Industry, Govt.of India,
Narsapur 'X' Roads, Balanagar, Hyderabad-37.
2. The Assistant Director(Admn.)
Small Industries Service Institute,
Ministry of Industry, Govt.of India,
Narsapur 'X' Roads, Balanagar, Hyderabad-37.
3. One copy to Mr.Y.Suryanarayana, Advocate, CAT.Hyd.
4. One copy to Mr.K.Bhaskar Rao, Addl.CGSC.CAT.Hyd.
5. One copy to HHRP.M.(A) CAT.Hyd.
6. One copy to D.R.(A) CAT.Hyd.
7. One spare copy.

pvm

11/11/97

I Court

TYPED BY:

CHECKED BY:

COMPARED BY:

APPROVED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE.
VICE-CHAIRMAN

And

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

DATED:-

28/10/97

~~ORDER~~ JUDGMENT.

M.A. / RA. / C.A. NO.

in

O.A. NO. 1372/97

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.

केन्द्रीय प्रशासनिक अधिकारी
Central Administrative Tribunal
प्रिय/DESPATCH

16 NOV 1997

हैदराबाद न्यायपीठ
HYDERABAD BENCH

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

M.A.NO. 16/98 in O.A.1372/97

Date of Order: 22-1-98

Between:

Ch. Harinadh Babji.

... Applicant.

and

1. The Director,
Small Industries Service Institute,
Ministry of Industry, Govt. of India,
Narsapur 'X' Roads, Balanagar, Hyderabad-37.

2. Assistant Director (Admn.)
Small Industries Service Institute,
Ministry of Industry, Govt. of India,
Narsapur 'X' Roads, Balanagar, Hyderabad-37.

.. Respondents.

For the Applicant: Mr. S. Ramakrishna Rao, Advocate.

For the Respondents: Mr. K. Bhaskar Rao, Addl. CGSC.

CORAM:

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

The Tribunal made the following Order:-

The reliefs claimed in the M.A. (in an already disposed of case) has since been granted to the Misc. Applicant since the issue of order No.1(16)/92-Vig. dated 22/23/12/97 by the Development Commissioner, Small Scale Industries, New Delhi addressed to Director, SISI, Hyderabad.

With this no grievance survives in the OA or in the MA at present. MA is disposed as infructuous.

Am. 62-188-
Deputy Registrar

To

1. The Director, Small Industries Service Institute,
Ministry of Industry, Govt. of India, Narasapur 'X'
Roads, Balanagar, Hyderabad-37.

2. The Assistant Director (Admn.)
Small Industries Service Institute,
Ministry of Industry, Govt. of India,
Narasapur 'X' Roads, Balanagar, Hyderabad-37.

3. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT. Hyd.

4. One copy to Mr. K. Bhaskar Rao, Addl. CGSC. CAT. Hyd.

5. One spare copy.

pwm.

16/2/98

I Court

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE

VICE-CHAIRMAN

AND

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

DATED: 22/1/1998

ORDER/JUDGMENT:

M.A./R.A./C.A. No. 16/98

in

O.A. No.

1372/97

T.A. No.

Q.W.R

Admitted and Interim directions
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

p.m.

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

DESPATCH

27 JAN 1998

HYDERABAD BENCH

:PAGE NO. 1 :

FORM III (SEE RULE 8(3))
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT: HYDERABAD

M.A. NO: 16 OF 1998

IN

O.A. No. 1372 of 1997

BETWEEN:

Ch. Harinadh Babji, S/o. Ch. Subbarayudu,
aged about 42 years, working as Stenographer,
Small Industries Service Institute, Ministry of Industry,
Govt. of India, Narasapur 'X' Roads
Balanagar, HYDERABAD - 500 037.

APPLICANT

A N D

1. The Director,
Small Industries Service Institute, Ministry of Industry,
Govt. of India, Narasapur 'X' Roads,
Balanagar, HYDERABAD - 500 037.
2. Asst. Director (Admn),
Small Industries Service Institute, Ministry of Industry,
Govt. of India, Narasapur 'X' Roads,
Balanagar, HYDERABAD - 500 037.

RESPONDENTS

MISCELLANEOUS APPLICATION FILED UNDER RULE 8(3) OF C.A.T.
(PROC.) RULES, 1987

For the reasons stated in the accompanying affidavit,
it is respectfully prayed that the Hon'ble Tribunal may be
pleased to direct the Respondents to permit the applicant to join
duty at Hyderabad, as the Development Commissioner, Small Scale
Industries, Nirman Bhavan, New Delhi-110 011, did not finalise
the matter inspite of direction from the Hon'ble Tribunal and be
pleased to pass such other and further order or orders as the
Hon'ble Tribunal may deem fit and proper in the circumstances of
the case.

Hyderabad.
Dt.23.12.1997

COUNSEL FOR THE APPLICANT

:PAGE NO. 2 :

FORM III (SEE RULE 8(3))
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT: HYDERABAD

M.A. NO: 16 OF 1998

IN
O.A. No. 1372 of 1997

BETWEEN:

Ch. Harinadh Babji, S/o. Ch. Subbarayudu,
aged about 42 years, working as Stenographer,
Small Industries Service Institute, Min. of Industry,
Govt. of India, Narasapur 'X' Roads,
Balanagar, HYDERABAD - 500 037

APPLICANT

A N D

1. The Director,
Small Industries Service Institute, Ministry of Industry,
Govt. of India, Narasapur 'X' Roads,
Balanagar, HYDERABAD - 500 037.
2. Asst. Director (Admn),
Small Industries Service Institute, Ministry of Industry,
Govt. of India, Narasapur 'X' Roads,
Balanagar, HYDERABAD - 500 037.

RESPONDENTS

A F F I D A V I T

I, Ch. Harinadh Babji, S/o. Ch. Subbarayudu, aged about 42 years, working as Stenographer, Small Industries Service Institute, Min. of Industry, Govt. of India, Narasapur 'X' Roads, Balanagar, HYDERABAD - 500 037, do hereby solemnly and sincerely affirm and state on oath as follows:

1. That I am the deponent herein and applicant in O.A.No. 1372/97 and therefore well acquainted with the facts of the case.
2. I submit that I had filed O.A. No.1372/97. By the impugned order dated 6.10.1997, the applicant was transferred from SISI, Hyderabad to Branch SISI, Visakhapatnam and in the place of the applicant one Mr. V. Koteswara Rao, Stenographer from Br.SISI-Visakhapatnam was transferred and posted. The Member (Admn.) of this Hon'ble Tribunal in the Final Order dated 28.10.1997 directed the applicant to file an Appeal/Represen-

contd.....

tation of his grievance to the Headquarters, i.e., the Development Commissioner, Small Scale Industries, New Delhi, within 10 days from the date of Judgement, i.e. 28.10.1997 and if such a representation that has been made and received by the DC(SISI), New Delhi, the matter may be decided and conveyed to the applicant within 15 days from the date of receipt of such representation in his office. In fact, as per the Order of the Hon'ble Tribunal, the DSC(SSI), New Delhi should have conveyed his decision by 21.11.1997 as 15 days period was only granted by this Hon'ble Tribunal within which time, the DC(SSI) ought to have come to a final decision in the appeal and communicated to the applicant on or before 21.11.1997. Although more than 4 weeks in excess of the time that has been granted for the DC(SSI) to pass the final order and to communicate the same to the applicant, the DC(SSI) has not so far passed the final order and had not communicated to the applicant. The applicant had applied for leave and is still on leave for the last 2 1/2 months. The applicant, therefore prays that this Hon'ble Tribunal may be pleased to set aside the impugned order of the Director, SISI-Hyderabad dated 6.10.1997 transferring the applicant herein.

The applicant submits that unless this Hon'ble Tribunal directs the Director, SISI-Hyderabad, the applicant will be put to great hardship and will be suffered with an irreparable loss.

(1) It is submitted that the Director, SISI-Hyderabad is the appointing authority and all the service matters concerned with the officials appointed by him are governed by him alone including transfers within the state (as only 2 offices, i.e., at Visakhapatnam and Hyderabad.) under jurisdiction.

(2) It is also submitted that the Director himself being the 1st Respondent in the above O.A.No.1372/97 who is a Final Authority as far as this applicant is concerned, the Hon'ble Tribunal can decide without referring the matter to the DC(SSI), New Delhi. Therefore it is just and proper that the Hon'ble Tribunal may be pleased to direct the Respondents to allow the applicant to join duty in view of the circumstances explained above.

(3) It is further submitted that it is evident that the transfer effected to me was malafide and for extraneous considerations, as is evident from the fact that the 1st Respondent in the OA, i.e., the Director, SISI was also arrested for atrocities committed by him on me and is released on bail. Consequently it is learnt that due to his consistent objections and representations made to Development Commissioner, is not being disposed as directed by the Hon'ble Tribunal. It is likely that the matter may prolong for some more time and as I have already exhausted my leave, I will be put to further monetary loss by forcing me to go on loss of pay for such period till the representation is disposed of.

(4) It is respectfully submitted that the order of the Hon'ble Central Administrative Tribunal, Hyderabad Bench, directed the DC(SSI) to dispose off the Representation, which was made by the applicant in accordance with the same order of the Tribunal, within 15 days of the receipt of such representation and inspite of the stipulated time being lapsed by 21.11.1997 and in spite of the efforts made by the applicant reminding the DC(SSI) by one more letter dated 26.11.1997 requesting the DC(SSI) to dispose off the matter, nothing had been heard from the DC(SSI), forcing this applicant to continue on leave which he is on the verge of exhausting for no fault of his and the applic-

ant is being put to grave and irreparable loss and severe mental agony and physical hardships.

In view of the circumstances mentioned above, it is respectfully prayed that the Hon'ble Tribunal may be pleased to direct the Respondents to permit the applicant to join duty at Hyderabad, as the Development Commissioner, Small Scale Industries, Nirman Bhavan, New Delhi-110 011, did not finalise the matter inspite of direction from the Hon'ble Tribunal and be pleased to pass such other and further order or orders as the Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

Sworn and signed on this
23rd day of November, 1997
at Hyderabad.

D E F O N E N T

BEFORE ME

ADVOCATE

contd.....

also questioned as to why I had ~~at~~ come down and on whose permission and how I dared to talk to the Director in the manner I did. Sri T.Bhaskara Rao thereupon, had assaulted me and he had also hit me on the left side of my neck. There was a bleeding injury that was caused to me. At the same time, Sri S.Suryaprakasa Rao also attempted to assault me. Then Sri D.Krishna Swamy, Stenographer, came and separated me from the Director and the Assistant Director(Admn.). Then, in front of all the staff members, I had expressed my grievances and I had shown to all the staff members the wound that was caused to me and all the staff members were eye-witnesses to the said incident.

I state that at that time I was proceeding to my seat near the stairs. Then, the Asst. Director(Admn.) Sri T.Bhaskara Rao again came to me and threatened me that he would cut me into pieces and kill me before he attains the age of superannuation which was due by the end of November'97. Aggrieved by the assault committed by the Director and the Asst. Director(Admn.) i.e., Sri S.Suryaprakasa Rao and Sri T.Bhaskara Rao respectively, I had gone to the Balanagar Police Station for lodging a complaint in the matter and I had lodged a written complaint with the Balanagar Police Station on 30-9-1997, which was received by them at 12-30P.M. and a general entry was made and the complaint was handed over by the Circle Inspector to the Sub-Inspector of Police for taking necessary action. The Sub-Inspector of Police, Balanagar Police Station had sent me along with a constable to the C.D.R.Hospital, Jeedimetla, for treatment of the wound sustained by me and the C.D.R.Hospital, Jeedimetla, had issued wound certificate to me after the treatment was given (an injection was given along with the prescription of tablets).

From:
CH. Harinadh Babji,
Stenographer,
Small Industries Service Institute,
Narsapur 'X' Roads,
Balanagar,
HYDERABAD - 500 037.

Receiving the application dated 5th November 1997

To the Development Commissioner,
Small Scale Industries, Department of Industries,
7th Floor, Nirman Bhavan,
NEW DELHI - 110 011.

Respected sir, I am writing this application to you to state that while I was working as a Stenographer and I was in S.I.S.I., Hyderabad, relative of mine by name of Sri Nageswara Rao came to see me at the office at 10.45AM on 30-9-1997. After he met me, he was leaving my office premises and I had accompanied him from the office which is in the 7th floor and I had gone upstairs to the ground floor to see him off. At that particular time, Sri S. Surya Prakasa Rao, Director, S.I.S.I., Hyderabad, came to the office by the office van. After getting got down from the van, he had questioned in the threatening manner as to why I had come down and on whose permission I had left my seat and come down and asked me what I was doing in the ground floor. He also stated as follows: "What are you thinking? You don't have to leave now because" S.C. etc. no vehicle will come for you. Then I politely replied, "Sir, my relative met me and I had to talk and see him off. For this small thing you are interrogating me unnecessarily". In this connection, it is also noteworthy that I belong to SC community. Then, the Director Sri S. Suryaprakasa Rao, Director, S.I.S.I., had scolded me and addressed me as follows: "You are useless, you bastard SC etc. etc." I submit that at that point of time Sri T. Bhaskara Rao, Asst. Director (Admin.) came down from upstairs and he had

mittee that I stood relieved of my duties at Hyderabad, on the
evening, afternoon of 6-10-1997, with instructions to report to the
Deputy Director, S.I.S.I., Visakhapatnam Branch. I submit
that so far as Sri V. Koteswara Rao, Stenographer, Visakhapatnam
Branch of S.I.S.I., who was posted in my place is concerned,
he was not relieved so far. On the other hand, the
Dy. Director, S.I.S.I., Balanagar, Hyderabad, telephonically
conveyed to the Dy. Director, S.I.S.I., Visakhapatnam
Branch, not to relieve Sri V. Koteswara Rao and the orders
transferring Sri V. Koteswara Rao must be kept in abeyance
until by retaining Sri Koteswara Rao at Visakhapatnam.

At the time I state that the Dy. Director, S.I.S.I., Visakhapatnam
Branch had been corresponding for quite a long time with the
Director, S.I.S.I., Hyderabad, for creating another
post of stenographer at the S.I.S.I., Visakhapatnam Branch,
stating that it was difficult to carry on the work with
only one stenographer in the Visakhapatnam Branch. The
latest correspondence between him and the Director
after
was eight days ~~on~~ 6-10-1997. In other words, the
correspondence between the Dy. Director, S.I.S.I., Visakhapatnam
Branch and the Director, S.I.S.I., Hyderabad has been ~~on~~
on 14-10-97, with by-date 22-10-97 whereas I was transferred
and relieved on 6-10-97. From the above, it is clear that
the Tr.No. D(SI)H/Est.42(76)/93/12325, dt. 14-10-97 with
by-date 22-10-97 had been brought into existence only to
justify the impugned transfer order d. 6-10-97, issued by
the Director, S.I.S.I., Hyderabad, transferring me from
Hyderabad to Visakhapatnam. It is rather very strange that
the Dy. Director, S.I.S.I., Visakhapatnam Branch wanted
another stenographer keeping in view of the work load
at Visakhapatnam Branch on one hand and Sri V. Koteswara Rao,
Cont...5

cont. 4
The results of the other four tests are as follows:

⁶ At present, the only available data on the incidence of hepatitis C in the United States is from the National Institutes of Health.

are being carried out by the Balanagar Police Station and I am and necessary action would be initiated by the Police Commissioner's Authority very soon. After I filed the complaint with the Balanagar Police Station, regarding the incident that you [redacted] had taken place on 30.9.97, Sri S. Suryaprakasa Rao, D.P.I. Director, S.I., S.I., Hyderabad and Sri T. Bhaskara Rao, D.P.I. Asst. Director(Adm) had persuaded me to withdraw my complaint between 30th September '97 and 5th October '97 as I had refused to withdraw the P.I.R. in view of the humiliation and manhandling in the presence of the other staff members of the office who were eye-witnesses. On 17.10.1997 Sri S. Suryaprakasa Rao, Director, S.I., S.I., Hyderabad, had passed an order dt. 6-10-1997 transferring me to S.I.S.I. S. I. S. I. Visakhapatnam Branch and transferring Sri V. Koteswara Rao from S.I.S.I. S. I. S. I. Visakhapatnam Branch to Hyderabad to occupy the post held by me.

On 23.10.1997 I state that questioning the legality and validity of the order of transfer dt. 6-10-1997, I had filed O.A. No. 1372 of 1997 on the file of the Hon'ble Central Administrative Tribunal, Hyderabad Bench, for quashing the aforesaid order of transfer. The said O.A. was admitted and it was heard on 28-10-1997 after the counter affidavit and reply affidavits of the parties have been filed.

A Division Bench of the C.A.T., Hyderabad Bench on 23-10-1997 passed an order directing me to represent my grievances to the Development Commissioner within ten days from 28-10-1997 and if I should make such a representation, a direction was given to the Development Commissioner to examine the representation and convey a suitable decision in the matter and convey the said decision to me within fifteen days of the receipt of such representation. I am herewith enclosing a xerox copy of the aforesaid judgment dt. 28-10-97 for your kind perusal.

police officer present and all our demands are not met.
So for the only one stenographer was transferred on the other hand
it is said from Visakhapatnam to Hyderabad to occupy my place. It is
said to be clearly arbitrary, illegal and malafide. The transfer is
an excessive way of punishment to me because I had already
lodged a complaint against Smt S. Suryaprakasa Rao,
the Director, S.I.S.I., Hyderabad and Sri T. Bhaskara Rao,
Asst. Director (Adm.) and in the FIR which I filed on
10-9-97 in the Begumpet Police Station, I had also
not brought this to the notice of the Police authorities.
I had also made a representation dt. 7/8th October '97
before the Superintendent of Police, Rangareddy District,
at Hyderabad. Further I had also sent a Fax Message on
V FIR 30-9-1997 to the Development Commissioner, New Delhi.
I state that all the aforesaid copies of the documents
are herewith sent for your perusal. I
am enclosing

I state that the expressions/utterances used
A.O. copy by Sri. S. Suryaprakasa Rao, Director, S.I.S.I., Hyderabad,
and Sri. T. Bhaskara Rao, Asst. Director(Admn) are clearly
offences under the provisions of the SC & ST (Prevention
of Atrocities)Act and they are liable to be prosecuted
for the offences in a Criminal Court and they are liable
to be imprisoned if they are found guilty and in that event,
they are liable to be dismissed from service. I also
understand that under the provisions of SC & ST (Prevention
of Atrocities)Act, any one who abuses a member belonging
to the SC & ST by the name of the caste to which the
member belongs, is clearly guilty of the offences which is
punishable with imprisonment and by imposition of fine
or with both. Sri. S. Suryaprakasa Rao, Director, S.I.S.I.,
Hyderabad, and also, Sri. T. Bhaskara Rao, Asst. Director(Admn)
are both guilty of offences under the SC & ST(Prevention
of Atrocities)Act, and the investigations into the P.I.R.,

Under the facts and circumstances submitted above, I pray your honour, to quash or set-aside the transfer order in Proc. No. D(SI)H/Eatt.42(76)/93/11929, dt. 6-10-1997 of the Director, S.I.S.I., Hyderabad, on the ground that it is arbitrary and malafide as also violative of Articles 14 and 16 of the Constitution of India.

I also pray that the orders of transfer may be cancelled and I may be continued as Stenographer in the Small Industries Service Institute, Hyderabad in the office of the Director, S.I.S.I., Hyderabad and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

BE PLEASED TO CONSIDER

Yours respectfully,

5/11/97
(CH. HARINATH BABJI)
Stenographer, S.I.S.I., Hyd.

List of Document copies enclosed:

1. Police Complaint dt. 30-9-97 in Telugu (P.I.R)
2. True translation of Police Complaint dt. 30-9-97 into English
3. Medical Certificate dt. 30-9-97 issued by the C. D. R. Hospital.
4. Representation dt. 30-9-97 submitted to the Hon'ble Member, National Commission for SC & STs.
5. Fax Message dt. 30-9-97 transmitted to Dev. Commissioner, New Delhi.
6. Transfer Order No. D(SI)H/Eatt.42(76)/93/11929, dt. 6-10-97
7. Representation dt. 7-10-97 to Shri Irni Raya, IAS., Dev. Commr. N.D.
8. Representation dt. 8-10-97 to the Supdt. of Police, A.R. Dist., Hyd.
9. Order No. D(SI)/H/Eatt.42(76)/93/12325, dt. 14/22nd Oct. 1997
10. Judgment of the C.A.T., Hyderabad Bench dt. 28-10-97 in O.A. No. 1372/97.

By Speed Post with Ack. Due
REMINDER

Fax No. 011-3012375

FROM:
Ch. HARINADH BABJI
Stenographer,
SMALL INDUSTRIES SERVICE INSTITUTE
BALANAGAR: HYDERABAD:

To:

Dt. 26.11.97

THE DEVELOPMENT
COMMISSIONER(SMALL SCALE INDUSTRIES)
NIRMAN BHAVAN: NEW DELHI: 11

RESPECTED SIR

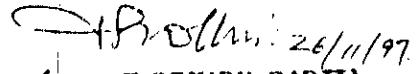
SUB : TRANSFER TO BR SISI VISAKHAPATNAM FROM SISI: HYDERABAD-REQ.

ooo
REF : MY REPRESENTATION DATED 5.11.97 BY SPEED POST

I HAVE SUBMITTED A REPRESENTATION TO YOU BY SPEEDPOST ON 5.11.97 REQUESTING YOU TO RETAIN ME AT SISI HYDERABAD AS DIRECTED BY THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL VIDE ITS ORDER DJ 28-10-97 BY SETTING ASIDE THE OFFICE ORDER OF THE DIRECTOR SISI: HYDERABAD DATED 6.10.97 AS THE SAME WAS ONLY WITH MALAFIDE INTENTIONS TO VICTIMISE ME ON PERSONAL CRUDGES AND TO PREVENT ME TO SEEK LEGAL REMEDY FOR THE INJUSTICE AND CRIME COMMITTED ON ME.

THE HON'BLE TRIBUNAL DESIRED THAT YOU MAY DISPOSE OF MY REPRESENTATION WITHIN 15 DAYS FROM THE DATE OF RECEIPT OF MY REPRESENTATION IN YOUR OFFICE AND SUBMIT THAT I HAVE NOT RECEIVED ANY ORDERS FROM YOU EVEN AFTER EXPIRY OF THE TIME STIPULATED BY THE HON'BLE CAT - HYDERABAD BENCH. I BEG TO SUBMIT THAT I HAVE NOT SO FAR RECEIVED MY SALARY OR ARREARS OF 5th PAY COMMISSION AND ~~RECEIVED~~ NOT ABLE TO FEED MY FAMILY, THUS EXPERIENCING LOT OF PHYSICAL AND MENTAL TORTURE, AS MY FATE WAS HANGING IN BALANCE AND ALSO I AM ON THE VERGE OF EXHAUSTING ALL MY LEAVE AT CREDIT. IN THESE CIRCUMSTANCES, I REQUEST YOUR GOODSELF TO TAKE A SYMPATHETIC VIEW AND KEEPING WITH THE HON'BLE TRIBUNAL ORDER, YOU MAY KINDLY PASS ORDERS AT THE EARLIEST.

Yours faithfully,


Ch. HARINADH BABJI

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)

A.P.P.M. Order 470
Form - 62

1. Compt. RS P.S. Bilangar | Year 97 FIR No. 248 Date 30-9-97
 2. (i) Act IPC Sections 504 and 323
 (ii) Act Sections
 (iii) Act Sections
 (iv) Other Acts & Sections

3. (i) General Diary Reference: Entry No. _____ Time _____
 (ii) Occurrence of Offence: Day Tuesday, Date 30-9-97 Time 1230
 (iii) Information received at the Police Station Date 7-11-97 Time 6-11-97 10 a.m. G.D. Page No. _____

4. Type of Information: Written/Oral

5. Place of Occurrence: (a) Direction and Distance from P.S. 1 KM from S
 (b) Address S.I.S.I. Station Balangar towards West
 (c) Beat No. _____

(d) In case outside limit of this Police Station, then _____
 the name of P.S. _____ District _____

6. Complainant/Informant:
 (a) Name Ch. Hrinath Babji
 (b) Father's/Husband's Name Subba Rayudu,
 (c) Date, Year of Birth/Age 43 yrs
 (d) Nationality I.M.
 (e) Address stenographer, S.I.S.I. Bilangar

7. Details of known/suspected/unknown/accused with full particulars
Bhaskar Rao, Asst. Director
S.I.S.I.

8. Reasons for delay in reporting by the Complainant/Informant: _____

9. Particulars of properties stolen/involved: (Attach separate sheet, if required) _____

10. Total value of properties stolen/involved: _____

11. In case report/Un-Natural Death case No., if any: _____

12. Exhibit Contents: (Attach separate sheets if required) _____

On 30-9-97 at about 11-10 a.m while the complainant was present at the entrance of the office the Director asked him to reasons for standing there, had he taken permission to leave place of work, meanwhile the accused came there and intervened the complainant and Director. The Asst. Director seized the complainant catching hold his neck and man handled him with hand.

Hence the F.R.

13. Action taken: Since the above report reveal, commission of offence(s) u/s 504 and 323 IPC.
 Registered the case and took up the investigation/directed _____ to take up the investigation/transferred to P.S. _____ on point of jurisdiction.

F.R. read over to the Complainant/Informant, admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.

Signature/Initials/Impression of
the Complainant.

M.Krishna Reddy
Signature of the I/C of P.S.
Name: M.Krishna Reddy
Rank: SI of Police
Number, if any: _____

IN THE COURT OF ADDL JUDICIAL FIRST CLASS MAGISTRATE
WEST AND SOUTHKOTLA 1010 M.F.

Honourable Sir,

00-30-10-97 at 1230 hours received a peti 17 crow
Sri. Ch. Narinath Babji, Stenographer, S.I.S.I. Balanagar made
OD entry and after permission from Hon'ble Magistrate filed
a petty case U/s 504 and 323 IPC vide Cosecutive No. 58/97.
On 6-11-97 the Hon'ble Magistrate endorsed on petty case section
504 IPC is not applicable file it under proper court. The contents
of the complaint are as follows.

23 11 30 - 9 = 97

శ్రీయత శ్రీరంభంయిత్తు ఇస్ట్రిబ్యూటరు గంపిక
చూలునాగ్ర వెలిస్తే స్టేషన్సు

କାନ୍ଦିବା !

SC1/—3019197
(C H H A R I N A D H I R A B D J I)
Ph 276131.

8/30/97 at 1230 hours
Sd/- Sri. M.Krishna Reddy is instructed to inquire into
the matter and take n/a. Sd/- Inspector of police.
1230 hrs

Received on 7-11-97 at 1000 hrs.

Received on 7-11-97 at 1000 hrs. —
As per the petty case charge sheet book-6 for the petition was
deemed for filing it in proper court I have registered a case in
Cr. No. 248/97 U/s 504 and 323 IPC and took up the investigation.
Original complaint enclosed. *Abdul*
Sub-Inspector of Police. *Abdul* 17/97

Sub. Inspector of Police
Balanagar P. S

PAGE NO. 6

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL: HYDERABAD BENCH:
AT: HYDERABAD.

M.A. NO: OF 1997

IN
O.A. No. 1372 of 1997

BETWEEN:

Dh. Harinadh Babji ... APPLICANT

A N D

Director, SISI, Hyderabad
and another ... RESPONDENTS

IMPLEMENTATION PETITION

PETITION FILED UNDER RULE 8(3)
OF CAT (PROC.) RULES, 1987.

FILED FOR: APPLICANT

RECEIVED
26 DEC 1997

FILED ON: 23.12.1997

FILED BY:

SANKA RAMA KRISHNA RAO,
ADVOCATE,
1-8-549/C, 2nd Floor
CHIKKADAPALLY, HYDERABAD-20.
COUNSEL FOR THE APPLICANT

contd.....

द्वितीय प्रति DUPLICATE

19/11/98

M.A: 16/98
OA: 1372/97

list it for Day-after-tomorrow
now for ^{such} further orders as
may be found necessary.

This is at the request of
Mr. Rama Krishna Rao, the
Learned Counsel for the
Petitioner/Applicant.

On
HTRP
M(A)

D.S.R.

Date: 22.1.98

Mr. S. Rama Krishna Rao for the
applicant and Mr. K. Bhaskara Rao for
the respondents.

The reliefs claimed in this
MA (is as already disposed of case)
has since been granted to the Misc.
Applicant since the issue of order
No. 1 (16)/92-Vig. dtd. 22/12/97 by the
Small Development Commissioner, Small
Scale Industries, New Delhi
addressed to Director SSI
Hyderabad.

With this no grievance
survives in the OA or in the MA
at present. MA is disposed as
infractions.

On
HTRP
M(A)

M.D.

साधारण/GENERAL

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD.

एकल सदन केस

SINGLE MEMBER CASE

M.A. NO. 16 OF 1998
IN

OA. NO. 1372 OA. 1997

Disposition petition.

Mr. S. Rama Krishna Rao
COUNSEL FOR THE APPLICANTS.

AND

Mr. K. Bhaskara Rao
Sr. ADDL. STANDING COUNSEL FOR
C.G.Rlys.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH - XEREL 1

M.A. No. 16/98 in C.A. 1372/97

Date of Order: 22-1-98

Between:

Ch. Marinach Sabji.

... Applicant.

and

1. The Director,
Small Industries Service Institute,
Ministry of Industry, Govt. of India,
Narsapur 'X' Roads, Balanagar, Hyderabad-37.

2. Assistant Director (C.O.N.)
Small Industries Service Institute,
Ministry of Industry, Govt. of India,
Narsapur 'X' Roads, Balanagar, Hyderabad-37.

... Respondents.

For the Applicant: Mr. S.P. Makrishna Rao, Advocate.

For the Respondents: Mr. K. Bhaskar Rao, Addl. C.C.C.

COURT:

P.H. MR. D.L. MR. H. S. ZANDER, P. H. S. H. L. (L.D.)

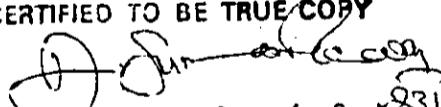
The Tribunal made the following order:-

The reliefs claimed in the M.A. (in an already disposed of case) has since been granted to the Misc. Applicant since the issue of order No. 1(16)/92-Vig. dated 22/23/12/97 by the Development Commissioner, Small Scale Industries, New Delhi addressed to Director, SISI, Hyderabad.

With this no grievance survives in the C.A. or in the M.A. at present. M.A. is disposed as infructuous.

प्राप्ति प्राप्ति

CERTIFIED TO BE TRUE COPY


न्यायालय-प्राप्ति कार्यालय द्वारा रजिस्टर (न्यायालय) 23/1/98
Court Officer/Dy. Registrar
केंद्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद न्यायालय

20/- x x

Leputy Registrar

To

HYDERABAD BENCH

1. The Director, Small Industries Service Institute,
Ministry of Industry, Govt. of India, Narsapur 'X'
Roads, Balanagar, Hyderabad-37.

2. The Assistant Director (C.O.N.)
Small Industries Service Institute,
Ministry of Industry, Govt. of India,
Narsapur 'X' Roads, Balanagar, Hyderabad-37.

3. One copy to Mr. S. Makrishna Rao, Advocate, C.A. Hyd.

4. One copy to Mr. K. Bhaskar Rao, Addl. C.C.C. CAT. Hyd.

5. One spare copy.
pwm.