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Annexure-A-X
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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 272/97

DATE OF ORDER : 28-2-1997.

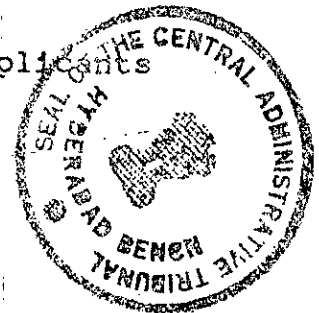
Between :-

1. M.Satyanarayana
2. Ch.Sitaram
3. K.Nageswara Rao
4. G.Prasad
5. S.P.Udaya Kumar

And

1. Union of India,
Rep. by Secretary to Govt.
Dept., of Space,
Anthariksha Bhavan, New BEL Road,
Bangalore-560 094.
2. The Indian Space Research Organisation,
Rep. by Meber (Personnel), Dpt. of Space,
Govt. of India, Anthariksha Bhavan,
New BEL Road, Bangalore-560 094.
3. The Director,
SHAR Centre, Sept. of Space,
Govt. of India, Sriharikota,
Nellore Dist.

... Applicants



... Respondents

Counsel for the Applicants : Shri P.Naveen Rao

Counsel for the Respondents : Shri V.Vinod Kumar, CGSC

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)).

Jan

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Heard Shri P.Naveen Rao, counsel for the applicants
and Shri V.Vinod kumar, standing counsel for the respondents.

2. Subject to registering the OA the following order is
passed :-

The applicants in this OA are aggrieved by the notification of the recruitment rule for the post of Assistant-B in the respondents organisation. Their main grievance are as follows :

(1) By allowing certain quota for outsiders, promotional opportunities for serving Asst. Group-B will effect as there is stagnation and the remedy for this lies elsewhere;

(2) The Recruitment Rule take only prospective effect and should not take retrospective effect. This point has already been resolved in Ranghaia's case (1983 (SC) page 952) Hence this point should also be considered by the respondents if they issue notification for recruitment rules with retrospective effect;

(3) Five vacancies arose after the ^{trade} induction of ^{the} new recruitment rule. The learned counsel for the applicant submits that the roster earmarked for the direct recruits is not properly assessed and hence the applicants will be put at a dis-advantage.

3. Applicant_s should submit a proper representation in this connection so as to rectify any mistake if occur^{red}. Without submitting a representation the applicant_s cannot approach this Tribunal for any direction.

4. In view of the above we are of the opinion that the applicants ^{should} exhaust the normal channel grievance redressal machinery before filing an application in this Tribunal. We have no doubt in our mind that in case the applicants submit a representation, the same will be disposed of by the respondents in accordance

with the rules and after perusing their grievance. As it is stated that an advertisement is issued already, the applicants may, if so advised, file a representation very shortly preferably within a period of one month. If such a representation is received the respondents will dispose of the same expeditiously preferably ^{before} the finalisation of written examination. If the applicants are going to be aggrieved by the reply going to be given by the respondents, they are at liberty to take such re-course as available under the law.

5. The O.A. is disposed of as above at the admission stage itself with no order as to costs.

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SECRETARY TO GOVT. OF INDIA
DEPT. OF EDUCATION
NEW DELHI
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Annexure A-XI

Sriharikota,
Dt:29-04-1997.

To
The Secretary, Dept of Space/
Chairman, ISRO
Antariksh Bhavan
New B E L Road
BANGALORE - 560 094

Respected Sir,

Sub: Filling-up of the post of Assistant 'B' - Reg.

Ref: (1) OM No.2/13(10)/85-I (Vol.IV), dt.17.5.1995.
(2) Notification No.Admn.4.26(7)/96, dt.13.12.96.
(3) Order of Hon'ble Central Administrative Tribunal, Hyderabad Bench, dt.28.2.1997 in O A No.272 of 1997.

We beg to submit that we are working on regular basis in the Office of the SHAR Centre, Sriharikota. Our service particulars are given in a Tabular form hereunder:-

S No.	Name S/Shri	Date of initial appoint- ment	Date of Promotion/ Appoint- ment to OC 'B'	Date of Promotion to Assis- tant 'A'	Date of Promotion to Assis- tant 'B'
1.	M. Satyanarayana Singh, B Com.	24.4.73	5.8.75	30.3.88	2.7.96 (Adhoc) (Seniority quota)
2.	Ch Sitaran B Com.	24.2.81	30.3.88	2.7.96 (Adhoc) (Merit quota)	
3.	K Nageswararao B Sc., (Helper-B) 24.5.82 (as OC 'A')	21.1.76	19.10.90	1-1-97 (Adhoc) (Merit quota)	
4.	G Prasad	7.12.83 (OC 'A')	15.1.96 (Adhoc) (Seniority quota)		

You are aware that from the post of Assistant 'A' and upwards are organised into various branches such as Administration, Accounts, Purchase and Stores. There on the progress

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is in the respective branches. At the stage of entering into category of Assistant 'A', an Office Clerk 'B' is required to exercise an option to go to any of the 4 Sections of their choice. They are required to undergo a relevant examination in the respective branch and on passing such examination they will be promoted to Assistant 'A' cadre. Posts in Assistant 'A' cadre are required to be filled-up to the extent of 75% by seniority in the lower cadre subject to passing the relevant examination of proficiency in the section to which they have chosen and the balance of the posts are made to be filled-up by merit and ability again with the requirement of passing the required examination. You may kindly note that upto Assistant 'B' level, the posts are organised into each Centre for the purpose of recruitment and promotion and for other service conditions. In Sriharikota as at present there are 79 OC 'A', 112 OC 'B', 34 Assistant 'A' and 27 Assistant 'B'.

It is respectfully submitted that the administrative establishment is bifurcated into Four broad Sections namely, Personnel and General Administration, Accounts, Purchase and Stores. The posts are earmarked to various Sections as per the functional requirement and such classification begins at the level of Assistant 'A'. The incumbents in the lower grade are examined of their competence and suitability in the respective branches to which they opt and having found them suitable only they are inducted into Assistant 'A' Grade. From there onwards they progress in their respective Grades. However, while making a provision for direct recruitment at the level of Assistant 'B' which is 2nd in the hierarchy cadre after categorisation. No specialised qualifications are prescribed. The recruitment is intended to be made

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general and after their recruitment, the candidate would be allotted to the respective branches. In other words, any person with any background can walk on to the Personnel Management and General Administration branch or Accounts, Stores or Purchase without any experience. It is relevant to note that the Organisation is catering to a specialised area which requires high quality raw material and there can be no compromise in securing the raw material as it would have serious repercussions. Therefore, a specialised knowledge and training to identify the products is very essential for the healthy functioning of the Organisation. Otherwise it would expose the public funds to unnecessary wastage.

It is respectfully submitted that there has been demand and long felt need to revise the scale of pay of the post of Assistant 'B' as it was felt that it was inadequately raised and it has not been given the due recognition of the nature and responsibilities attached to the post and the work done by the persons holding the post. The persons working in the lower post of Assistant 'A' from the post of Assistant 'B' are having almost identical scale of pay i.e., 1400-2300 and 1400-2600 respectively. The staff side have been demanding for revision of the pay to the post of Assistant 'B'. While accepting the demand for revision of the scale of pay to the post of Assistant 'B' from 1400-2600 to 1640-2900, the Government simultaneously took a decision to introduce a reservation to the extent of 1/3 posts to be filled-up by the method of direct recruitment from the open market.

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At the cost of repetition we submit that as at present there are 79 OC'A', 112 OC'B', and 34 Assistant 'A' and 27 Assistant 'B'. As can be seen from the Tabulator statement of particulars given above, it took 13 years for Mr. Satyanarayana Singh to secure promotion as Assistant 'A' and he is still stagnating in that post after a lapse of 10 years. However comparatively the progress of Mr. Satyanarayana Singh is better as presently there are several Officers who are working for 17 years in the cadre of OC'B' not securing advancement to higher post. The Officers are made to stagnate in their respective posts for a very long time. This stagnation at various levels is causing lot of heart burning and humiliation to Officers in all cadres. Adding to this, the present decision of allocating certain portion of the posts in Assistant 'B' cadre is further depriving chances of our promotion. This order has a solitary effect on the entire cadre and percolate down to the bottom of cadre. For example, as against the present cadre of 27 Assistant 'B', 9 are earmarked for direct recruitment, that means only 18 posts are available for promotion. In addition to this, there is an eminent possibility of reduction of posts by 30%. If this happens, there would be further reduction in the cadre strength and resulted higher stagnation. We therefore appeal to your goodself that in the interest of the service the posts of Assistant 'B' should be filled-up by the method of promotion only. However, the authorities if so feel that it is necessary to encourage competition the authorities can make a Provision for limited departmental recruitment by way of competitive examination. This would satisfy the test of competitiveness as well as the test of seniority. As explained by us in the earlier Para that in the interest of

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administration also there should not be a direct recruitment at the level of Assistant 'B'. We therefore submit that dispensing with direct recruitment would satisfy the twin conditions stated above i.e., elimination of stagnation and choosing the right kind of people to hold the post of Assistant 'B'. Aggrieved by this action we have invoked the jurisdiction of Central Administrative Tribunal, Hyderabad Bench by filing O.A. 272 of 1997. The Hon'ble Tribunal was prima-facie convinced with our contentions but as the departmental channel was not exhausted and there was always scope for re-consideration by the administration, the Hon'ble Tribunal remanded back the matter to the authorities. In the circumstances it is just and proper to re-consider the entire issue in the light of the submissions made by us above. We hope and pray for favourable re-consideration of this entire issue.

We further submit that with fond hope of securing higher status in service and with hope of reaching atleast to the level of Assistant 'B', we have joined in service. But present decision shattered our hopes and aspirations. This also amounts to alteration of service conditions to our detriment.

We therefore earnestly appeal to your goodness to re-consider the entire issue and do justice to the in-service candidates. We pray to your goodness accordingly.

Yours faithfully,
 (1) (H. S. YAMARAYANA SINGH)
 (2) (CH. SATISHAN)
 (3) (K. RAGLESHWARA RAO)
 (4) (G. PRASAD)

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SETU 50
Annexure - A. XII

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

The Honourable Mr. Justice K.G. Balakrishnan
And

The Honourable Mr. Justice B.N. Patnaik

Friday the 6th day of June, 1997/ 15th Jyaishta, 1913.

C.M.P. No. 16771/97 in O.P. No. 9580/97 S

Petitioners/Petitioners:

1. M. Soman Pillai, Leader, Joint Consultative Machinery (JCM), JCM Regional Council, Vikram Sarabhai Space Centre, Thiruvananthapuram.
2. S. Viswanathan, SC No. 20153, Office Clerk B, PGA/CSC, Vikram Sarabhai Space Centre, Thiruvananthapuram.

Vs.

Respondents/Respondents:

1. Union of India, represented by its Secretary, Department of Space, Government Secretariat, Bangalore.
2. Chairman, Indian Space Research Organisation, Bangalore.
3. Director, Vikram Sarabhai Space Centre, Thiruvananthapuram.
4. Joint Secretary (Chairman), Department of Space, Regional Council, New Delhi.
5. Central Administrative Tribunal, Ernakulam.

Petition praying that in the circumstances stated in the affidavit filed along with the O.P. the High Court be pleased to stay all further proceedings pursuant to Exts. P2 and P4 pending disposal of the O.P.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of O.P. and upon hearing the arguments of Mr. P. Revindran, Advocate for the petitioner, the court passed the following:

ORDER

Interim stay for 2 weeks & Notice.

6.6.97.

Sd/- K.G. Balakrishnan, Judge

Sd/- B.N. Patnaik, Judge

/ True Copy /

Ext. P2: true copy of Office Memorandum dated 17.5.95 issued by ISRO Headquarters.

Ext. P4: true copy of the representation dated 6.6.1995 submitted jointly by various recognised staff Associations before the 2nd respondent.

Assistant Registrar

rb1/7/6/

Annexure-A-X

46-

प्रधान कृय एवं भण्डार कार्यालय
Office of Head, Purchase
& Stores

07 JUL 1997

भार केन्द्र / SHAR Centre

GOVERNMENT OF INDIA
DEPARTMENT OF SPACE
ISRO :: SHAR CENTRE
P & GA DIVISION

SCF:PGA:ESTT:II:5.1

July 3, 1997

OFFICE MEMORANDUM

Shri CH. Seetharam, Staff Code No. G 12119, Purchase Assistant 'A' [ad hoc] may refer to his representation dated 29.04.97 addressed to the Secretary, DOS/Chairman, ISRO, Bangalore for dispensing with the direct recruitment to the post of Assistant 'R'. The request has been examined by the Department in detail. It has been stated by the Department that the grant of Rs.1640-2900/- scale to the Assistant 'R' of DOS / ISRO Centres / Units was a package with the condition that 33 1/3rd of posts will be filled up by direct recruitment and the decision to introduce direct recruitment was taken with the consent of the staff side members and as such the request of Shri CH. Seetharam, Purchase Assistant 'A' [ad hoc], Staff Code No. G 12119 for dispensing with the direct recruitment of Assistant 'R' at this juncture cannot be agreed to.

[KNN. NAMBUDIRI]
ADMN. OFFICER-II

To

Shri CH. Seetharam
Staff Code No. G 12119
Purchase Assistant 'A' [ad hoc]

Through: Head, Purchase & Stores

cc to: Personal File/File No.5.1

52

IN THE COURT OF ADMINISTRATIVE TRIBUNAL AT HYDERABAD
OA NO.1425 OF 1997

Between:

M.Satyanarayana Singh & others .. Applicants

and

R-1. Union of India, rep.by)
Secretary to the Govt.,)
Department of Space,)
Antariksh Bhavan,)
New BEL Road,)
Bangalore.)

R-2. The Indian Space Research)
Organisation, rep.by)
Member (Personnel),)
Department of Space,)
Govt.of India,)
Antariksh Bhavan,)
New BEL Road,)
Bangalore.)

R-3. The Director, SHAR Centre,)
Department of Space,)
Govt.of India,)
Sriharikota, Nellore Dist.)

.. Respondents

REPLY STATEMENT FILED BY THE RESPONDENTS 1 to 3

1. I, C.K.Kutty, S/O. Shri C.P.Narayanan aged 53 years do hereby solemnly affirm and state as follows:

I am the Head, Personnel & General Administration, SHAR Centre, Department of Space, Sriharikota and as such, I am well acquainted with all the facts of the case. I have read the application filed by the applicant and noted the contents thereof. I am filing this reply affidavit on behalf of all the Respondents as I am authorised to do so. The material averments made in the application are denied save those that have been specifically admitted hereunder.

Reviewed by
[Signature]
16/09/98
for - P. waveend

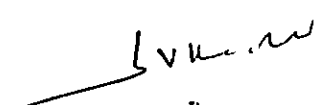
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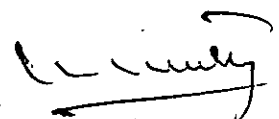
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2. Before advertizing on the contentions raised in the O.A, for a better appreciation of the issues, a brief background of the special powers conferred to the Department of Space and the recruitment and promotional norms followed in the Department of Space is furnished hereunder:

2.1) In order to promote rapid development of activities connected with Space Science, Space Technology and Space Applications, Govt.of India considered it necessary in 1972 to set up the Department of Space (hereinafter called as DOS), free from all non-essential restrictions and needlessly inelastic rules. Accordingly, by an amendment to the Govt.of India (Allocation of Business) Rules, 1971 issued vide Notification No.CD-567/72 dated 18.7.72, (Marked and produced as Exhibit R-1) DOS was inter-alia given full powers to form its own policies and procedures to be adopted in all matters related to the personnel under the control of the Dept.of Space, primarily to achieve the tasks assigned to it. The DOS has also been exempted from consultation with the UPSC for appointment and promotion of its personnel. Under the special powers available to it, the DOS has formulated its personnel policies including on matters related to recruitment and promotion of its personnel, to suit its specific and unique requirements. The activities assigned to DOS and Indian Space Research Organisation (hereinafter called as ISRO) are unique, combining both Research & Development


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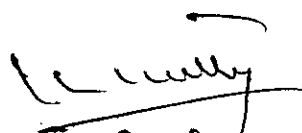
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(R&D) and Developmental tasks. Obviously, the Organisation needed selection of Scientists and Technologists of high calibre in these specified areas. Further, to support the S&T activities in areas like Purchase, Finance, Stores and Personnel Management, competent and committed team was also needed.

2.2) Normally in Government, the appointment of personnel (Recruitment and promotion) is made by the following agencies:-

<u>Category of posts</u>	<u>Agency</u>
(a) Group A & B ..	U.P.S.C
(b) Group 'C' ..	Staff Selection Board
(c) Group 'D' ..	Concerned Department

Since selection and retention of such a team within the constraints of time and proficiency was not felt possible through the normal channels referred to above which are more conventional, time consuming and procedure oriented, the DOS has been exempted from consultation with the UPSC for appointment and promotion of its personnel and the D.O.S/I.S.R.O., under the powers conferred by Govt. of India (Allocation of Business) Rules 1971, formulates its own Recruitment and Promotion policies. For the purpose of Recruitment and Promotion, the personnel working in D.O.S / I.S.R.O., are classified as Scientific & Technical (hereinafter called as S & I) and (b) Administrative.


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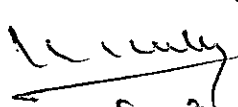
2.3) While S&T employees are covered by Flexible Complementing Scheme (hereinafter called as F.C.S) for the purpose of promotion, the promotions of Admn. Staff are subject to availability of vacancies. Under the F.C.S., the required number of posts in the lower grade are upgraded to accommodate those found suitable for promotion within the category whereas Admn.personnel cannot be promoted unless vacant posts are available. The procedure for recruitment and promotions of Admn.Staff are regulated by the Orders contained in the O.M No.HQ/ADMN/4.20(2) dated 1.12.75 (Marked & Produced as Exhibit R-2) of I.S.R.O Headquarters, Bangalore, as amended from time to time.

2.4) The following are the different types of Administrative posts available in D.O.S/I.S.R.O.

<u>Designation</u>	<u>Scale of pay</u>
1) Office Clerk-A ..	Rs.950-1500
2) Office Clerk-B ..	Rs.1200-2040
3) Assistant 'A' ..	Rs.1400-2300
(Admn./Accts./Purchase/Stores)	
4) Assistant-B ..	Rs.1400-2600
(Admn./Accts./Purchase/Stores)	
5) Assistant Officer ..	Rs.2000-3200
(Admn./Accts./Purchase/Stores)	
6) Officer-I ..	Rs.2200-4000
(Admn./Accts./Purchase/Stores)	
7) Officer-II ..	Rs.3000-4500
(Admn./Accts./Purchase/Stores)	
8) Head ..	Rs.3700-5000
(Admn./Accts./Purchase/Stores)	

Till 17.5.95, the method of filling up of all the above posts except the posts of Office Clerk-A was by promotion. As seen from para 8.1 of O.M dated 1.12.75 (Exhibit R-2), the posts of Admn.Asst.B/Accounts Asst.B/Purchase Asst.B/Stores Asst.B were to be filled-up by promotion. Even


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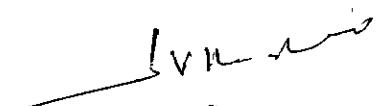

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though certain percentage of the posts of Assistants in the Ministries/Departments of Govt. of India are filled up by Direct Recruitment, it was decided in D.O.S/I.S.R.O in the initial stages of formation of the Department that posts of Assistants 'B'/'A' in the areas of Administration /Accounts/Purchase/Stores were to be filled-up on promotion in order to provide promotional avenues to the young Personnel joined the organisation at Office Clerk 'A'/Office Clerk 'B' level.

2.5) There was a demand from Staff Side that the scale of pay attached to the post of Assistant-B (Administration /Accounts/Purchase/Stores) had to be upgraded from Rs.1400-2600 to Rs.1640-2900. The demand of the Staff Side was considered keeping in view the following aspects:-

- i) To plan and execute highly complex and scheduled critical projects, administrative staff of a high quality matching the quality of Scientists/Engineers are essential.
- ii) Administrative Staff in I.S.R.O., are not confined to desk related jobs but are also assigned project related works.
- iii) The Assistant-B play a vital role in the Administrative area and their next level of promotion is Assistant Officers as explained supra, at which level they have to shoulder varied and complex responsibilities.


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2.6) While considering the proposal to assign higher scale of pay to the posts of Assistant-B (Administration/Accounts/Purchase/Stores), the aspect of filling up the posts of Assistant-B by direct recruitment to fall in line with other Ministries/Departments of Govt. of India was also considered keeping in view the following advantages of recruiting the personnel by direct recruitment:-

- i) It is in consonance with the principle of democracy in as much as all qualified persons get an equal opportunity for public office at all levels of the posts.
- ii) It widens the area of selection, and thereby the best talent in the Country may be found out.
- iii) It brings new blood in to the service. By giving the young men and women an opportunity to enter the services at middle level, it keeps them continuously adopted to new ideas and outlook of Society and prevents them from becoming the exclusive preserve of the old and conservative people.
- iv) It impels the employees to keep abreast of new developments in their several fields lest they should prove inferior or incompetent for higher posts.
- v.) In the absence of direct recruitment, the persons who are promoted to higher positions are promoted at an age when they have lost all initiative, quickness and vigour. The intake of young personnel through direct recruitment may compensate the above deficiency to some extent and improve the efficiency in administration.

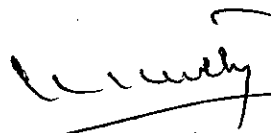
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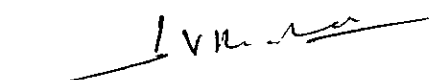
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2.7) The matter regarding assigning higher payscale of Rs.1640-2900 to Assistant-B was under discussion in various meetings of the Deptl.Council of Joint Consultative Machinery and Compulsory Arbitration in the DOS (hereinafter called as "J.C.M & C.A"). It was agreed that direct recruitment at the level of Asst.-B to the extent of one third of the vacancies could be introduced simultaneously assigning the pay scale of Rs.1640-2900 to the post of Asst.-B.

2.8) A proposal to assign the higher scale of pay to the post of Asst.-B and earmarking one third of the vacancies of Asst.-B for filling up by direct recruitment was sent to the Govt. for accord of approval. After receiving the approval of the Govt., orders were issued to the above effect vide Office Memoranda No.2/13(10)/85-I (Vol.iv) dated 17.5.95 (Marked and produced as Exhibit-R3) of Dept. of Space and HQ:Admn:A.20 (2) dated 17.5.95 (Marked and produced as Exhibit R4) of ISRO Headquarters, Bangalore. In terms of Office Memorandum No.HQ:Admn:A.20(2) dated 22.4.96 (Marked and produced as Exhibit R5), the recruitment for the post of Asst.-B will be a common recruitment on all ISRO basis and will be done by ISRO Headquarters. Accordingly, a Notification bearing No.HQ:Admn:4.26(7)/96 dated 13.12.96 (Marked and produced as exhibit R6) was issued calling for the applications for the posts of Asst.-B to be filled up. In connection with the selection of the personnel for the above posts, written examinations were held on 28.12.1997.


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2.9) Due to exigencies of public services, there had been requests from various centres / units of ISRO to operate the posts of Asst.-B earmarked for direct recruitment on Adhoc basis. After examining the matter in detail, it was decided vide communication No.HQ:Admn:A.20(2) dated 13.9.95 (Marked and produced as Exhibit R7), the post of Asst.-B earmarked for direct recruitment may be operated on Adhoc basis for a period of 6 months and the period of operation has further been extended upto 12.3.1998 vide communications dated 6.5.96, 11.9.96, 17.2.97 and 17.9.97 (Marked and produced as Exhibits R8,R9,R10 and R11), in view of the above decision to fill up the posts of Asst.-B earmarked for direct recruitment. The above decision to operate the posts of Asst.B on adhoc basis is only an interim arrangement till the regular recruitment is made as explained in para 2 of communication dated 6.5.96 (Exhibit-R8). In pursuance of the above decision, applicants No.1 and 2 were promoted on adhoc basis against the vacant post of Purchase Asst.-B earmarked for direct recruitment, vide Office Order No.SCF:PGA:Estt:-2:1.2 dated 17.7.1996 (Marked and produced as Exhibit R12). The applicant No.3 was also promoted to the post of Admn.Asst.-A on adhoc basis against the post fell vacant on account of operation of Admn.Asst.-B Operated on adhoc basis, by internal promotion, which was earmarked for direct recruitment. The applicant No.4 was also promoted to the post of Office Clerk -B which fell vacant on account of operation of the post of Asst.-B on adhoc basis

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by internal promotions, vide Office Order No.SCF:PGA: Estt:II:1.2 dated 15.1.1997 (Marked and produced as Exhibit R-13). The above promotions were effected subject to the following conditions:-

1. The adhoc promotions will not confer any claim or right for promotion to any regular vacancy.

2. The service rendered in officiating capacity would not count for the purpose of seniority in that grade and eligibility for regular promotions

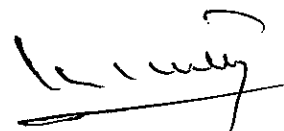
3. They will automatically stand reverted to their original posts on expiry of the short term vacancy or on further orders.

3. Having stated the brief background of the case of the applicants, the parawise reply on the various points raised by the applicants is furnished seriatim as under:-


3.1 In regard to the averments made in paras 1,2 & 3 in the application, it is most respectfully submitted that they are formal in character and need not be traversed.

3.2 Reply to para 4.a of the O.A:

The details of appointment / posts held by the Applicants in SHAR Centre, a wing of ISRO under DOS are furnished below:-



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S.No.	Name	Details of Appointments	
	S/Shri	Post	Date
1.	M.Satyanarayana Singh	Office Clerk-A	24.4.73
		Office Clerk-B	05.8.75
		Pur.Asst.-A	30.3.88
		*Pur.Asst.-B(Adhoc)	2.7.96
2.	Ch.Seetharam	Office Clerk-A	24.2.81
		Office Clerk-B	30.3.88
		*Pur. Assistant-A (Adhoc)	02.7.96
3.	K.Nageswara Rao	Helper-B	21.1.76
		Lab.Asst.-A	05.1.78
		Office Clerk-A	24.5.82
		Office Clerk-B	19.10.90
		*Admn.Asst.-A (Adhoc)	01.01.97
4.	G.Prasad	Office Clerk-A	7.12.83
		*Office Clerk-B (Adhoc)	15.01.97
5.	S.P.Udaya Kumar	Attendant.-A	16.09.74
		Office Clerk-A	20.09.85

3.3 Reply to para 4.b of the O.A:

The ISRO was an autonomous body till 31.3.1975. It was converted into a Government organisation w.e.f.1.4.1975 in view of the increasing magnitude of its activities and financial outlay on the projects entrusted to ISRO and of the National importance of these projects. In exercise of the powers delegated under Govt.of India (Allocation of Business) Rules, 1971 (Exhibit R-1), the Dept.of Space has been formulating its own policies and procedures to be adopted in all matters related to the personnel under the control of the Dept.of Space, including the norms for recruitment and promotion of all the personnel in DOS/ISRO. As per the norms laid down by DOS/ISRO, certain levels upto which particular category of employees can be promoted were


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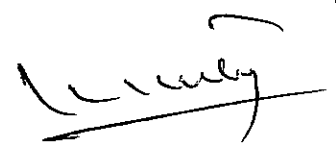

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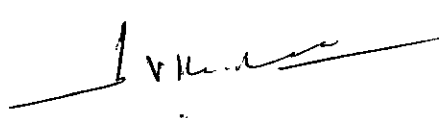
prescribed in respect of each category. As explained in para 2.4 supra, an employee who joins the organisation as Office Clerk-A can reach upto Head, Personnel and Genl. Administration/Purchase & Stores and Accounts & IFA on promotion against the posts earmarked for promotion after completion of required number of years of service prescribed for each post as detailed below:-

For promotion to the post of -----	Residency period -----	Quota earmarked for seniority/ merit. -----
1. Office Clerk-B	3 years as Office Clerk-A	75% Seniority 25% merit
2. Assistant-A	3 years as Office Clerk-B	75% Seniority 25% merit
3. Assistant-B	3 years as Asst.-A	100% seniority
4. Asst. Officer	5 years as Asst.-A or 3 yrs. as Asst.-B	Promotion by seniority & merit among the empanelled can- dates at the ra- tio of 1:2 (only Asst.-Bs will be promoted against seniority quota and all other eligible emplo- yees against merit quota.
5. Officer-I	3 years	100% merit.
6. Officer-II	3 years	100% merit.
7. Heads of concerned Divisions	6 years	100% merit.

In Administrative line, the following four areas were identified as distinguishable areas:-



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1. Personnel & General Administration (Herein after called as "P&GA".
2. Accounts
3. Purchase
4. Stores

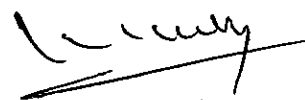
As explained in para 6 of ISRO Hqrs.O.M dated 1.12.1975 (Exhibit R-2) Office Clerks-A and B are interchangeable within the above Admn.areas whereas the personnel at the level of Assistant and above are non-interchangeable among the above Admn.areas. Office Clerks-B have an option to write Deptl.examinations in all / any of the above Admn.areas for considering for interview for promotion as Asst.-A and once they are promoted as Assistant-A (say Admn.Asst-A/Pur.Asst.-A/ StoresAsst.-A/ Accts.Asst.A), they cannot be allowed to switch over to other Admn.areas. The posts of Assistant Officers and above form as a centralised cadre and for Asst.Officers grade and above, promotion will be from among the eligible candidates in Centres / Units of ISRO as a whole. The review for promotion for these grades will be conducted by ISRO Headquarters at Bangalore on a centralised basis. For the posts of Office Clerk-B, Assistant-A and Assistant-B, promotion will be from among the eligible candidates available in a particular Centre / Unit of ISRO. The Centres / Units of ISRO are located at various places throughout the Country. As explained in para 2.3, the promotions of Administrative staff are vacancy oriented and therefore stagnation to some extent is bound to be there as long as the policy of vacancy oriented promotions is in existence. As explained above, 25% of the posts are earmarked for promotion under merit quota and real meritorious personnel can have fast growth if they make


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use of the facility. The Apex Court, in Director, Lift Irrigation Corporation Limited; Vs. T.K.Mohanthi, 1991 A.I.R, SCW, on page 397, held that there is no Fundamental Right to promotion but an employee has only right to be considered for promotion when it arises, in accordance the relevant Rules. The Apex Court also held in similar cases that creating promotional avenues is the privilege of expert committees like Pay Commission. In order to have a remedy for stagnation, the V Central Pay Commission has suggested an "Assured Career Progression" scheme (ACP), under which two guaranteed financial upgradations would be given to Group-B, C & D officials after eight(8) and sixteen(16), ten(10) and twenty(20), and twelve (12) and twenty four (24) respectively. The orders of Government of India on the above recommendations of the V Central Pay Commission are still awaited and as and when such scheme has been introduced by the Govt.of India, the problem of stagnation can be reduced to some extent. Further, the problem of stagnation in administrative personnel is not peculiar to the employees of ISRO and the policy of vacancy oriented promotions for Administrative Staff is in existence in all most all the Ministries / Departments of Government of India. Any deviation to the above general policy prevailing through out Govt.of India will have far reaching consequences and unbearable liability to the public exchequer. As explained in para 2.4 to 2.8 supra, the recruitment of personnel in the middle level i.e., at the level of Assistant is not peculiar to the Dept.of Space and the above practice is in vogue in all most all the Ministries/Departments of Govt. of India since long. Hence, the


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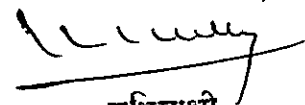

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contention of the applicants that the present impugned decision of the Government to fill up one-third of the vacancies of Assistant-B by direct recruitment, is in an arbitrary manner is not tenable in view of the fact that as explained in para 2.5 to 2.8 supra, the above decision was taken after the issue was discussed in the Departmental Council Meetings under Joint Consultative Machinery and Compulsory Arbitration.

3.4 Reply to para 4(c) of the O.A:

As explained in para 2.5 supra, it is a fact that there was a demand from Staff Side that the scale of pay attached to the post of Assistant-B had to be up-graded from Rs.1400-2600 (Pre-revised) to Rs.1640-2900 (Pre-revised). The circumstances under which it was decided to fill-up one third of the vacant posts of Assistant-B by direct recruitment were explained in paras 2.5 to 2.8 supra. In Central Secretariat Service, 50% of the substantive vacancies in Assistant grade are filled through direct recruitment and the remaining 50% are filled by promotees. In Centres/Units of DOS/ISRO, only one third of the vacant posts of Assistant-B are ear-marked for direct recruitment. The contention of the applicants that as against the present cadre of 27 Assistant-B, 9 posts are ear-marked for direct recruitment is far from truth. There are only 23 posts of Assistant-B in SHAR Centre and at present only 4 vacancies of Assistant-B are ear-marked for direct recruitment in SHAR Centre, Sriharikota. The criteria for ear-marking posts for direct recruitment is not based on the total strength of the cadre for the simple reason that unless the posts are vacated, the question of filling up, or


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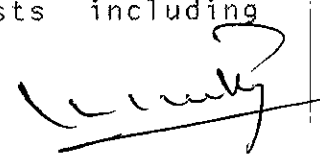

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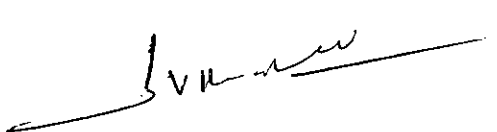
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ear-marking for direct recruitment does not arise. In every cycle of 3 vacancies, one vacancy has to be ear-marked for direct recruitment and the remaining 2 for promotees. Further, the internal candidates are also allowed to compete with direct recruits by relaxing the norms i.e., age upto 45 years and removing stipulation of required percentage of marks, vide Office Memorandum No.HQ:ADMN:A.20(2) dated 22.4.96 (Exhibit R-5). Since internal candidates are also allowed to compete with direct recruits, they can also show their worth and get selected for the posts of Assistant-B.

3.5 Reply to para 4.d of the O.A:

As explained in para 2.6 supra, it is very much essential to recruit personnel from intermediary stage also in order to maintain efficiency in Administration. The decision in ear-marking one third of the vacancies for filling up by direct recruitment is in public interest. Further, it is the prerogative of the Government to decide in what manner the posts in Government have to be filled up. It is not out of place to mention that in Government of India, the posts at the level of Assistant-B as well as the posts in supervisory level are filled by direct recruitment. The concept of direct recruitment at Assistant level and other posts at supervisory level was introduced long back. With the past experience, it is well established that Government of India has been functioning very satisfactorily with the combined services of direct rectuitees as well as promotees. Hitherto, the employees who joined as Office Clerk-A with S.S.L.C qualification have been occupying the higher posts including


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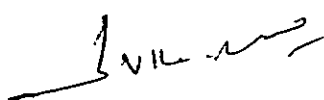
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Supervisory posts on promotion basis. To plan and execute highly complex and schedule critical projects, Administrative staff of a high quality are essential. It is the experience of the Department that some of the employees who occupies the higher posts on account of their promotion on seniority basis are not able to cope-up with the nature and quality of work that warrants in a high-tech Department like DOS/ISRO. Further, the efficient performance of personnel in Administrative Cadre is vital for the successful accomplishments of the technical tasks of the Department of Space. Hence, ISRO continuously attempts to ensure the quality of its manpower, both Scientific/Technical and Administrative, to meet the challenging needs of the organisation. Further, the Assisants-B play a vital role in the administrative area at the time of giving logistic support in connection with the successful launch of the launch vehicles. The contention that no specialised qualifications are prescribed is not correct in view of the following norms prescribed for the post of Assistant-B:-

- | | | |
|-------------------------|----|---|
| 1. Ednl. Qualifications | .. | Graduation in any discipline with 55% marks. Post-graduate will be preferred. |
| 2. Method of selection | .. | Written test followed by interview. |
| 3. Age | .. | 21 - 28 years. |

As explained supra, the entry qualification for the post of Office Clerk-A is S.S.L.C whereas, the minimum qualification required for Assistant-B is Graduation with 55% marks. If the efficiency in administration is not ensured, the personnel at


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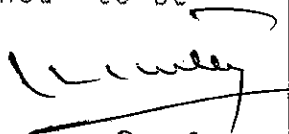

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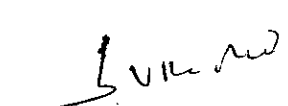
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higher levels with lesser standards are liability to the public exchequer.

3.6 Reply to para 4.e of the O.A:

The contention that while provision of direct recruitment is itself contested as has been illogical and without any nexus to the object sought to be achieved, the earmarking of the vacancies to the direct recruitment is causing further hardship is far from truth in view of the detailed reasons given in foregoing paragraphs for earmarking one third of the posts for direct recruitment and on account of the fact that organisational needs are prime concern rather than the individual interest. It is contended that the notification for filling up 3 posts of Assistant-B in SHAR Centre is contrary to the orders of the Government contained in O.M dated 17.5.95 and consequential orders issued by the Government and ISRO. The procedure for filling up for the posts of Assistant-B has been outlined in O.M No.HQ:ADMN:A.20(2) dated 17.5.95 (Exhibit R-4). The Office Memorandum No.HQ:ADMN:A.20(2) dated 5.1.96 (Marked & Poduced as Exhibit R-14) stipulates that the posts of Assisant-B vacant as on 17.5.95 would be filled up by promotion of internal Assistants-A and the posts falling vacant from 17.5.95 filled up by direct recruitment as per the procedures contained in O.M dated 17.5.95 (Exhibit-R4). In accordance with para-4 of the Office Memorandum dated 17.5.95 (Exhibit R-4), the first post falling vacant has to be earmarked for direct recruitment. Hence, the following posts in different areas fell vacant after 17.5.95 have been earmarked for direct recruitment since they happened to be


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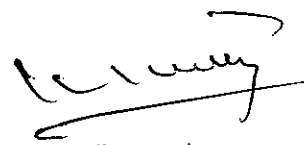
the first post in each area:-

1. Purchase Assistant-B fell vacant on 22.6.95 on account of promotion of Shri E.T.Rama Rao as Assistant Purchase Officer.
2. Administrative Assistant-B fell vacant on 14.2.96 on account of promotion of Shri V.Srikumar, as Assistant Admn.Officer.
3. Accounts Assistant-B fell vacant on 10.12.96 on account of promotion of Shri T.M.C Sampath Kumar, as Assistant Accounts Officer.
4. Stores Assistant-B fell vacant on 5.8.97 on account of demise of Shri S.Kameswara Rao.

Hence, the contention of the applicants that notification for filling 3 posts of Assistant-B in SHAR Centre is contrary to the orders of the Government contained in O.M dated 17.5.95 and consequential orders issued by the Government and ISRO is not tenable.

3.7 Reply to para 4.f of the O.A:

It is a fact that in pursuance of the decision of the Department to earmark one third of the posts of Assistant-B for filling up by direct recruitment through open competition on all India basis vide O.M dated 17.5.95 (Exhibit R-4), a notification No.HQ:ADMN:4.26(7)/96 dated 13.12.96 (Exhibit R-6) was issued inviting applications for filling up 18 posts of Assistant-B. As explained in para 2.8, the recruitment for the post of Assistant-B will be a common recruitment on all ISRO basis and will be done by ISRO Headquarters at Bangalore. The number of vacancies



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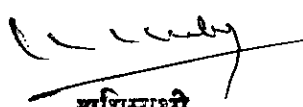
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mentioned in the notification referred to above is the number of vacancies earmarked for direct recruitment by all ISRO Centres/Units located throughout ISRO. The details of vacancies of Assistant-B in SHAR Centre headed by Respondent No.3 after the issue of O.M dated 17.5.95 (Exhibit R-4) providing provision of one third vacancies for direct recruitment are given below:-

Name of the post -----	Date of occurrence of the vacancy -----	Method of filling -----
1. Purchase Asst.B	22.06.95	Direct Recruitment
2. Admn. Asst. B	14.02.96	Direct Recruitment
3. Purchase Asst.B	28.06.96	Promotion
4. Accounts Asst.B	10.12.96	Direct Recruitment
5. Admn.Asst. B	31.12.96	Promotion
6. Stores Asst. B	05.08.97	Direct Recruitment
7. Accounts Asst.B	20.06.97	Promotion

Administration, Accounts, Purchase and Stores are distinguishable areas in Administrative line. In order to provide direct recruits in all the areas in equal proportion, it is necessary to devise a method by which injecting direct recruits in all the above areas in equal proportion can be ensured. Hence, the first post fallen vacant, in each of the 4 areas in Administrative line, after 15.5.96 are earmarked for direct recruitment as shown above. Hence, the contention of the applicants that though only 5 vacancies arose after 17.5.95, 3 are earmarked for direct recruitment in clear violation of the cycle is baseless in view of the fact that earmarking of the posts for direct recruitment is strictly in terms of O.M dated 17.5.95 (Exhibit R-4). Further, it is submitted that since the first post in each area is


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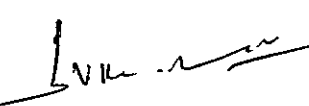
earmarked for direct recruitment, the next 2 vacancies in each area will be automatically earmarked for promotion and the ratio prescribed in O.M dated 17.5.95 (Exhibit R-4) fulfilled. Just to safeguard the interest either of the applicants or any other employees, the public interest can not be disregarded in as much as by applying 1:2 ratio on all the vacancies put together, public interest suffers since direct recruits can not be deployed in equal proportion in all the areas.

3.8 Reply to para 4(g), 4 (i), 5(b), 5(c) & 5(g) of the O.A:

The contention of the applicants that the decision to introduce 1/3rd direct recruitment to the post of Assistant-B was taken without consulting the Staff Side of the J.C.M & C.A is far from truth. As informed earlier, the matter was discussed at the meetings of the Departmental Council of J.C.M held on 25.9.1992 (17th Meeting) (Marked & Produced as Exhibit R-15), 4.06.93(2nd session-18th meeting) (Marked & Produced as Exhibit R-16), 10.2.94 (19th meeting) (Marked and produced as Exhibit R-17) and 16.2.1995 (Marked & Produced as Exhibit R-18) (1st session of the 21st Meeting) before issuing the O.M No.2/13(10)/85-I(Vol.IV) dated 17.5.1995 (Exhibit R-3) implementing 1/3rd direct recruitment to the post of Assistant 'B' in ISRO.

During the discussions in the 17th Meeting of Departmental Council of J.C.M held on 25.9.1992, it was informed to the Staff Side that the attempts made by the Department for getting the scale of pay of Rs.1640-2900/- to Assistant 'B' in ISRO were not successful. Then, the Staff Side mentioned that the matter was pending for along time and the Department not being able to get


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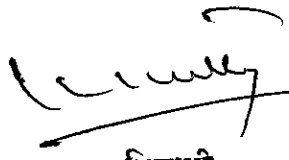

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the approval of the Government, they requested to refer the matter for arbitration. It was agreed at that time to refer the matter to arbitration after obtaining the approval of the Competent Authority.

But, during the discussions at the 1st session of the 18th meeting of the Departmental Council held on 16.4.93, the Staff Side informed that they had come to a conclusion after discussion among themselves that they would not go for arbitration in this regard and were agreeable for lateral entry at Assistants level so that the Department could take up the matter for necessary approval for giving the scale of Rs.1640-2900/- to ISRO Assistants.

During the discussions at the 19th meeting of J.C.M held on 10.2.94, the Chairman of the Departmental Council informed that only recently the scale of pay Rs.1640-2900/- was approved by the Finance for the DOS Secretariat Assistants and the issue of extending the same scale for ISRO Assistants 'B' is being taken up again with Finance. In this connection, Chairman pointed out that Finance insisted even in case of DOS Secretariat not only direct recruitment of Assistants but also on the standard of examination for direct recruitment at the same level of the direct recruitment of Assistants in Central Secretariat Service. The Staff Side confirmed their acceptance for 33 1/3% of direct recruitment at the level of Assistant 'B' to enable the Department to take up the case again with Finance.


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During the I Session of the 21st meeting of the Departmental Council of J.C.M held on 16.2.95, Chairman of the Departmental Council informed that the proposal of the Department for assigning the pay scale of Rs.1640-2900/- to Assistant 'B' in ISRO has been in the final stages of the approvals and the matter is being constantly pursued by the Department. At this stage, the Staff Side mentioned that, against the direct recruitment quota to be filled at the level of the Assistant 'B' the eligible internal candidates may first be considered before resorting to advertisement. The Staff Side was clearly informed that the requirement of direct recruitment is a pre-condition for assigning the pay scale of Rs.1640-2900/- to such posts and any change in such approach will result in rejection of our proposal by the Government. It was also clarified that all eligible internal candidates in DOS/ISRO can also apply and compete with the outsiders as and when such posts are advertised.

It may thus be seen that the O.M No.2/13(10)/85-I(Vol.IV) dated 17.5.95 (Exhibit R-3) implementing 1/3rd direct recruitment to the post of Assistant 'B' in ISRO was issued only in consultation with the Staff Side of the Departmental Council of J.C.M. The contention of the applicants that the decision of the Respondents is unilateral, arbitrary, discriminatory and was taken without consulting the Staff side of the J.C.M, is baseless.

3.9 Reply to para 4(h) of O.A:

It is confirmed that the Leader of the J.C.M (Staff Side) along with another person filed an O.A Dy.No.3426/97 before the


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Hon'ble Central Administrative Tribunal, Ernakulam Bench and the same was not registered by the Hon'ble Tribunal on the ground of non-maintainability vide its order dated 2.5.97. Aggrieved by the orders of the Hon'ble CAT, Ernakulam Bench, the Leader, J.C.M Staff Side and the other filed an O.P No.9580/1997-S before Hon'ble High Court of Kerala. In its order dated 6.6.97, the Hon'ble High Court of Kerala granted interim stay for two weeks and again in its order dated 20.6.1997 granted stay for one more week. The case was finally heard on 4.7.97 when the Hon'ble High Court of Kerala set aside the Hon'ble CAT, Ernakulam order dated 2.5.97 and directed the disposal of the O.A Dy.No.3426/97 by the Hon'ble CAT, Ernakulam Bench. Accordingly, the CAT,Ernakulam Bench registered the O.A Dy.No.as O.A No.1179/97 and finally dismissed the case vide its order dated 12.11.97. In its order, the Hon'ble CAT, Ernakulam Bench had observed as under:-

"Para 40 - we donot find any material to convince ourselves that the respondent Department has actually failed to comply with the provisions of the policy regarding the operation of J.C.M or that the impact communications adversely affected in legal right of the second applicant in a manner which is not valid -----".

Copies of the Hon'ble CAT, Earnakulam judgement dated 2.5.97, the interim orders dated 6.6.97 and 20.6.97 and the final orders dated 4.7.97 of the Hon'ble High Court of Kerala and the final orders dated 12.11.97 of the Hon'ble CAT, Ernakulam Bench are enclosed (Marked & produced as Exhibit R-19 to 23).


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In this connection, the Respondents would submit that an O.A No.158/97 was filed by the ISAC/ISRO Staff Association, Bangalore before the Hon'ble CAT, Bangalore Bench, praying for a similar relief. A copy of the O.A is enclosed (Marked & Produced as Exhibit R-24). In the final hearing on 20.2.98, the Hon'ble Tribunal at Bangalore, based on the decision of Hon'ble CAT, Ernakulam Bench, (in the O.A No.1179/97) upholding the action of the Respondents in rejecting that the application, rejected the application No.158/97 filed by the ISAC Staff Association. A copy of the CAT, Bangalore Bench, order dated 20.2.98 in O.A No.158/97 is enclosed (Marked & Produced as Exhibit R-25).

4.1 Reply to para 5(a) of the O.A:

In view of the above detailed submissions, the decision of the Department to reserve one third of the posts of Assistant-B to be filled up by the method of direct recruitment is neither arbitrary, nor discriminatory and nor unconstitutional.

4.2 Reply to para 5(d) of the O.A:

It is submitted that the Department had to put in a lot of efforts to obtain the approvals of the appropriate authorities, against all odds, to get the scale of pay of Rs.1640-2900/- to the post of Assistant 'B' of ISRO. The approval for introduction of the scale of pay of Rs.1640-2900/- in ISRO for the post of Assistant 'B' was accorded with the condition that 1/3rd of the posts are to be filled by direct recruitment as is being done in the case of the post of Assistant in the DOS Secretariat.


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4.3 Reply to para 5(e) of O.A:

The decision to introduce direct recruitment at the level of Assistant 'B' in ISRO was to meet the pre-condition set for implementation of the pay scale of Rs.1640-2900/- to the post of Assistant 'B' in ISRO. It was done only to meet their long pending demand for the scale of pay of Rs.1640-2900/- and the same could not have been met unless the condition of direct recruitment was honoured by this Department. Hence, the decision of the direct recruitment at the level of Assistant 'B' was taken in the interest of the employees after having discussions with them in the J.C.M forum.

4.4 Reply to para 5(f) of O.A:

It is respectfully submitted that the posts of Admn.Asst.'B', Accounts Asst.'B', Purchase Asst.'B' and Stores Asst.'B' are separate category of posts for which separate promotion rosters (SC/ST) are maintained for filling the vacancy as and when the vacancy occurs in the above category of posts. The following vacancies have occurred in SHAR Centre after the issue of O.M dated 17.5.95 providing provisions of 1/3rd vacancies for direct recruitment.

Name of the Post	Date of occurrence of the vacancy	Method of filling
------------------	--------------------------------------	-------------------

1.Purchase Asst.'B'	22.6.95	Direct recruitment
2.Purchase Asst.'B'	28.6.96	Promotion

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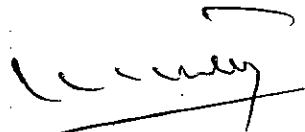
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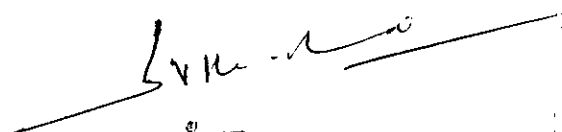
1. Admn. Asst. 'B'	14.2.96	Direct recruitment
2. Admn. Asst. 'B'	31.12.96	Promotion

1. Accts. Asst. 'B'	10.12.96	Direct recruitment
2. Accts. Asst. 'B'	20.6.97	Promotion

1. Stores Asst. 'B'	5.8.97	Direct recruitment

As submitted in para 3.4 above, in order to provide direct recruits in all the areas in equal proportion, it is necessary that the first post fallen vacant in each of the four areas in Administrative line viz., Administration, Accounts, Purchase & Stores after 17.5.95 are earmarked for direct recruitment as shown above. The contention of the applicants that though only 5 vacancies arose after 17.5.95, 3 posts are earmarked for direct recruitment in clear violation of the cycle is denied and the earmarking of the vacancies for direct recruitment is strictly in terms of O.M dated 17.5.95 (Exhibit R-4). The next two vacancies in each area will be automatically earmarked for promotion as per O.M dated 17.5.95. It is once again submitted that just to safeguard the interest either of the applicants or any other employees, the public interest can not be disregarded in as much as by applying 1:2 ratio on all the vacancies put together, public interest suffers since direct recruits can not be deployed in equal proportion in all the areas. Further, each post of Admn. Asst. 'B', Accounts Asst. 'B', Purchase Asst. 'B' and Stores Asst. 'B' is a distinct category.


 DEPONENT


 साक्ष्यांक
 ATTESTOR

::27::

5. In regard to averments made in para 6 and 7 of the O.A it is submitted that they are formal in character and need not be traversed.

6. Reply to paras 8 & 9 of O.A:

Regarding reliefs sought in the O.A., the respondents submit that as explained in the foregoing paragraphs, the Department has implemented the direct recruitment at the level of Assistant 'B' in ISRO with the full knowledge of the Staff Side of J.C.M and took a policy decision to bring meritorious and deserving candidates from the open market to the administrative stream of the Organisation, which is a prestigious institution of national importance only to the extent of 1/3rd of the vacancies which have fallen vacant after 17.5.95, the date on which the DOS O.M No.2/13(10)/85-I(Vol.IV) dated 17.5.95 (Exhibit R-3) was issued. The respondents are within their powers to take policy decisions in larger interest of the public and the petitioners have no legal or constitutional rights to insist for continuance of "old policy" to fillup the posts of Asst.-B through Departmental promotion alone. It is also submitted that in the matter of policy decision of the executive, the extraordinary jurisdiction of this Hon'ble Tribunal under Article 226 of the Constitution is not liable to be invoked. The decision taken by the respondents in the present case is bonafide and it is not liable to be interefered with by this Hon'ble Tribunal.

7. In regard to averments made in para 10 and 11 of the O.A it is submitted that they are formal in character and need not be traversed.

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8. That this Respondent may be permitted to file supplementary or amended counter, if found necessary, at a later stage based on the rejoinder, if any, filed by the applicant.

9. In view of the foregoing facts, the Respondents humbly pray that this Hon'ble Tribunal may be pleased to dismiss the O.A on merits with costs.

Solemnly affirmed before me on this
15th day of April 1998 the
contents of this Affidavit having
read out to the deponent and he
signed his name in my presence.



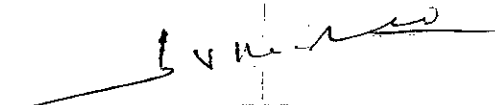
DEPONENT

सि. के. कुट्टी
C. K. KUTTY

प्रधान, कार्मिक एवं सामान्य प्रशासन
Head. Personnel & General Admn.

शार केन्द्र
SHAR CENTRE

Before me



ATTESTOR

V. KRISHNA RAO
Asst. Administrative officer
& D Sec., P & GA Divn.
Govt. of India, Dept. of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

- 2 -
- (iii) all matters connected with Space Applications;
(iv) all activities connected with the development and use of outer space including -

- (a) projects and industries concerned with the utilisation of outer space;
- (b) the design, manufacture and launching of rockets and satellites; and
- (c) work connected with Space Applications.

2. Financial Assistance for the furtherance of research and study in Space science and Space Technology and for building up adequate trained man-power for the development of the Space programme including -

- (i) assistance to institutions and associations engaged in scientific work and to Universities for advanced study and research in Space Science; and
- (ii) grant of scholarships to students in educational institutions, and other forms of financial aid to individuals including those going abroad for studies in the field of Space Science.

3. International relations in matters connected with Space including -

- (i) matters relating to Space in the United Nations specialised agencies and relations with other countries; and
- (ii) correspondence with Universities and other educational institutions abroad in connection with foreign scholarships and the training of Indian scientists.

4. All matters relating to the personnel under the control of the Department.

Office copy

EXHIBIT R-1

EXHIBIT R-1

EXHIBIT R-1

Annexure-II

DOC. No. CD-567/72

29

RASHTRAPATI BHAVAN
NEW DELHI

July 18, 1972
Asadha 27, 1894

NOTIFICATION

In exercise of the powers conferred by clause (3) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Government of India (Allocation of Business) Rules, 1961, namely:-

1. (1) These rules may be called the Government of India (Allocation of Business) (Ninety-first Amendment) Rules, 1972.
- (2) They shall come into force at once.
2. In the Government of India (Allocation of Business) Rules, 1961, hereinafter referred to as the said Rules, in the First Schedule, after entry 27, the following entry shall be inserted, namely:-

"27 A. Department of Space (Antaresak Vibhag)"

3. In the Second Schedule to the said Rules,
 - (a) under the heading "DEPARTMENT OF ATOMIC ENERGY (PARMANU OORJA VIBHAG)", entry 9 shall be omitted;
 - (b) after the heading "DEPARTMENT OF SCIENCE AND TECHNOLOGY (VIGYAN AUR PRAGYOGGANI VIBHAG)" and the entries thereunder the following heading and entries shall be inserted, namely:-

1. All matters relating to Space Science, Space Technology, and Space Applications including:
 - (i) research (including fundamental research)
 - (ii) matters connected with Space and the development of its uses;

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5. Execution of works and purchase of lands debitable to the budget of the Department.
6. Procurement of stores and equipment required by the Department.
7. Financial sanctions relating to the Department.
8. All matters relating to the Physical Research Laboratory, Ahmedabad."

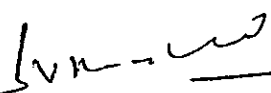
④ 4. All matters relating to National Remote Sensing Agency (NRSA)

V.V.Giri
PRESIDENT

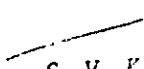
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② Secretary with notification no CD-1162/80
dated 4/12/80 issued by Headquarters, Ahmedabad.

True Copy
Attested by:


S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn.
Govt. of India, Dept. of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

True Copy
Attested by:


S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn.
Govt. of India, Dept. of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

2.4 If a candidate with qualification and/or experience higher than those prescribed in the norms and mentioned in the advertisement is called for and interviewed, he shall be offered only the advertised grade and not a higher grade. It would be appropriate for the interview committee to recommend increments in the advertised grade as considered appropriate, of which the normal working rule should be a maximum of five increments.

2.5 Where the candidate applies for a post for which he satisfies all the requirements, he will not be recruited against a lower post. If he is not found suitable for the advertised post, the candidature should be rejected.

2.6 Where the candidate has qualifications and/or experience higher than those prescribed and advertised and where he is recruited, his next review will be only after the prescribed number of years and not earlier.

3. Promotions will be governed in accordance with the principles and procedures set out in this Order. Those who satisfy the minimum service prescribed shall alone be considered for promotion.

4. As far as administrative staff are concerned, posts cannot be created only to provide for promotions except to the extent mentioned in Para 7 below.

5. Categorisation of Administrative Staff:

5.1 Different appellations such as Scientific, Technical, Administration Auxillary, etc., are currently used to denote different categories of staff. There have been no clear cut definitions for these categorisations resulting in their incorrect applications. In order to remove all ambiguities arising therefrom the staff of ISRO in future will be categorised either as (i) Scientific and Technical, or (ii) Administrative, only and not otherwise.

5.2 The categories listed in Annexure-I will be designated as Administrative.

5.3 The following shall be treated as Scientific and Technical:

Library Assistants 'A' and 'B'

Librarian 'A', 'B' and 'C' in the Library

Documentation Officers

Translators

Field Assistant 'A', 'B' and 'C'

Assistant Agricultural Supervisor and

Agricultural Supervisors 'A' and 'B' in the Maintenance Groups.

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GOVERNMENT OF INDIA
INDIAN SPACE RESEARCH ORGANISATION

EXHIBIT R-2 82

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ISRO Headquarters
F Block, Cauvery Bhavan
District Office Road
Bangalore 560 009:

No.HQ:ADMN:4.20(2)

December 1, 1975:

OFFICE MEMORANDUM

Sub: Career Opportunities for Administrative Staff
in ISRO--Rationalisation of procedures.

1. The principles and procedures followed by the ISRO C Centres on matters relating to norms, recruitment, review, promotion, designation and classification of posts, etc., have not yet been fully codified. Some of these aspects have been gone into and it has been decided to standardise these into a uniform pattern for adoption by all ISRO Centres. Certain matters relating to administrative staff have now been decided and the following orders are issued. Separate orders will be issued relating to Scientific and Technical Staff.

2. The norms, as prescribed, are applicable at the stage of recruitment. The norms shall not be directly applied for purposes of internal promotion. // ✓

2.1 The statement of qualifications and experience prescribed in the norms should be treated as minimum requirements and should be accordingly advertised. It should be noted that educational qualifications and experience are two separate items of requirements. The prescribed experience should have been obtained after acquiring the prescribed educational qualification.

2.2 If a candidate who has applied does not possess the minimum qualification and/or experience as prescribed, he shall not be called for the interview. // ✓

2.3. If a candidate with qualifications and/or experience higher than those prescribed as minimum applies, he may be called for the interview if his educational qualifications and/or experience are not less than the minimum prescribed and are considered appropriate. The higher qualification/experience shall not give the candidate any edge over other candidates adequately qualified as per the advertisement.

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6.4 In every one of these cases there will be a written test, as prescribed, before permitting movement. Further, past service in the previous post will not count for purposes of subsequent review, promotion, etc., in the new area of work and will count only for general service purposes such as Provident Fund, Pension, Leave etc.

6.5 The test for horizontal movement of personnel from one area to another at a given grade and the test to be conducted for promotion into a particular grade will be the same for any give grade.

7. Review and Promotion:

7.1 A clear distinction between supervisory and non-supervisory levels will be drawn for the purpose of review and promotion of administrative staff. As an example, staff including Office Clerk 'A', Office Clerk 'B', Assistants 'A' and 'B' will be treated as non-supervisory. Staff in all categories in the scale of pay of Rs.350-575 pre-revised (Revised Rs.550-900) will be considered as the first supervisory level and grades higher than this will all be supervisory levels.

7.2 All Administrative Staff will be reviewed at the end of three years service in a grade. If a person is considered fit for promotion and if there is no vacancy in the higher grade, he may be given advance increments not exceeding two. At the end of one more year, i.e., at the end of four years in the same grade, he will be reviewed once again, and if he is considered fit again for promotion and there is no vacancy in the higher post, he may be given not more than one advance increment. Advance increments, at the end of the third and fourth years as above, will be given only to those persons who are found fit for promotion and cannot be promoted for want of vacancies. Advance increments shall not be given to those who are not found fit for promotion. At the end of the fifth year, the person will be reviewed once again, and if at this time the person is found fit for promotion but there is no vacancy to promote him, a post can be created in the higher grade to justify his promotion subject to conditions explained in para 7.3 below. If a particular individual shows satisfactory performance at three consecutive reviews and if there is no post available to promote him, the post can be nevertheless be created within (a) non-supervisory level, and (b) supervisory level, each level being treated as a separate block. This will provide the outlet avenue so that stagnation beyond five years will not occur in respect of a promising individual. However, in respect of categories shown in Annexure-III where the minimum service for consideration for promotion to next grade (Column 4) is stipulated as 5 years, the review for grant of advance increments or promotion as well as providing the outlet avenues by automatic creation of posts in the higher grade will be at the end of the fifth, sixth and seventh years, the other conditions being the same as those applicable to staff where the minimum service for review is 3 years service in a grade. For this purpose, the groups within which automatic creation of the higher post can be justified at the end of five/seven years as explained above, are as under:-

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Utilization
C. S. Ch
21.11/6/79

5.4 Care should be taken to give the correct designations to posts and confusing designations should be avoided; as for example, 'Boat Driver-cum-Mechanic'. Either it should be 'Boat Driver', in which case it is to be treated as Administrative, or 'Boat Mechanic', when it will be Scientific and Technical. Similarly, Vehicle Operators not doing maintenance work will be treated as Administrative Staff.

5.5 Use of unauthorised and unapproved designations is strictly prohibited and designations not available in the norms shall not be used. If any additional designation is considered necessary, it shall be adopted only after obtaining the prior approval of ISRO Council. The addition of appellations like Chief, Senior, etc., will not also be in order and would require prior approval of ISRO Council except in cases already in use.

5.6 The designation 'Helper' shall be used only to such staff working in Workshops or Laboratories. Staff working in administrative divisions or engaged in office assistance in technical divisions at that level shall be called 'Attendants'. The use of designations 'Non-Technical Helper' or 'Technical Helper' shall cease.

6. Interchangeability:

6.1 Certain posts in administrative categories are treated on being at par and posting may be made from one to the other without a test or assessment. These posts are treated as interchangeable. No consent is required from the employee concerned for such posting. The posts which are treated as interchangeable and those which are not interchangeable are listed in Annexure-II.

6.2 Work in General Administration, Accounts, Data Processing, Purchase, Stores, Public Relations and Security being specialised items of work, staff will not be considered interchangeable at levels higher than the level of Office Clerk 'A'.

6.3 In the case of non-interchangeable posts, posting from one to another cannot be done without the employee passing satisfactorily the prescribed test and interview. Such horizontal movement among non-interchangeable groups is permissible only if the employee seeking such movement has completed a minimum period of one year service in the post which he is holding at that time. The employee should also satisfy all the educational qualifications requirements attached to the post to which movement is sought, but there will be no insistence on the prescribed experience. Such movements are permissible in the following cases on the basis of satisfactorily going through a prescribed test and/or interview.

<u>From</u>	<u>To</u>
i) Telephone/Telex Operator 'A'	Office Clerk 'A'
ii) Telephone/Telex Operator 'B'	Office Clerk 'B'
iii) Junior Stenographer	Office Clerk 'B'
iv) Stenographer	Assistant 'A'
v) Personal Assistant	Assistant 'B'
vi) P.A. to Director	Assistant Administrative Officer

Pl. S.
C. H. S.
7.10.7
C.B. S.
Interview

- d) Asst. Purchase Officer
Purchase Officer I
Purchase Officer II
- e) Asst. Stores Officer
Stores Officer I
Stores Officer II
- f) Asst. Public Relations Officer
Public Relation Officer I
Public Relation Officer II
- g) Asst. Security Officer
Security Officer I
Security Officer II

Group VII

Asst. Canteen Manager
(at Rs.350-575 level)
(at Rs.400-950 level)

Group VIII

Sub-Officer
Station Officer
Fire Officer I.

Note:-The existing designations of Public Relations Officer in the pre-revised grade of Rs.400-950 (Revised Rs.700-13 and in the pre-revised grade of Rs.700-1250 (Revised Rs.11 1600) are re-designated as Public Relations Officer I and Public Relations Officer II respectively. Similarly, the existing designations of Security Officer in the pre-revised grade of Rs.400-950 (Revised Rs.700-1300) and in the pre-revised grade of Rs.700-1250 (Revised Rs.1100-1600) are re-designated as Security Officer I and Security Officer II respectively. A new post of Fire Officer I is being created.

7.3 Creation of posts for promoting persons in the circumstances explained in para 7.2 above, will be available within the supervisory and non-supervisory levels independently. There will not be an automatic creation of post from the non-supervisory to supervisory level, merely to accommodate the promotion of an individual. Creation of a post in the first supervisory level will have to be justified on the basis of the organisation requirements. Posts in supervisory categories at level higher than Rs.700-1250 pre-revised (Revised Rs.1100-1600) will not be created merely for the purpose of providing avenues for promotion. Even within this limit, i.e., upto pre-revised grade Rs.700-1250 (Revised Rs.1100-1600) no supervisory post shall be created to provide for promotion as stipulated in para 7.2, if it has the effect of having two officers of the same grade in the same area of work in that Centre/Unit with no officer at a higher level to supervise the work in this area.

I Non-Supervisory:

Group I

a) General Administration

Office Clerk 'A'
Office Clerk 'B'
Adm. Assistant 'A'
Adm. Assistant 'B'

b) Accounts

Office Clerk 'A'
Office Clerk 'B'
Accounts Assistant 'A'
Accounts Assistant 'B'

c) Data Processing

Data Processing Asst. I
Data Processing Asst. II

d) Purchase

Office Clerk 'A'
Office Clerk 'B'
Purchase Asst. 'A'
Purchase Asst. 'B'

e) Stores

Office Clerk 'A'
Office Clerk 'B'
Stores Asst. 'A'
Stores Asst. 'B'

f) Public Relations

Office Clerk 'A'
Office Clerk 'B'
Public Relations Asst. 'A'
Public Relations Asst. 'B'

(g) Pl. & Records (11/4/77)

Group II

Typist
Jr. Stenographer
Stenographer
Personal Assistant

Group III

Fireman
Leading Fireman

Group IV

Telephone/Telex Operator 'A'
Telephone/Telex Operator 'B'
Sr. Telephone/Telex Operator

Group V

a) Heavy Vehicle Driver
Sr. Heavy Vehicle Driver

b) Light Vehicle Driver
Despatch Rider
Sr. Light Vehicle Driver

b) Fork Lift Operator 'A'
Fork Lift Operator 'B'
Sr. Fork Lift Operator

d) Crane Operator 'A'
Crane Operator 'B'
Sr. Crane Operator

II Supervisor

Group VI

a) Asst. Adm. Officer
Adm. Officer I
Adm. Officer II

b) Asst. Accounts Officer
Accounts Officer I
Accounts Officer II

c) Asst. Data Processing Officer
Data Processing Officer I
Data Processing Officer II

(39)

== 8 ==

(29)

<u>Post</u>	<u>Pre-revised grade</u>	<u>Revised grade</u>	<u>Avenue</u>
Light Vehicle Driver	110-131	260-350	Open :
Despatch Rider			
Fork Lift Operator 'A'			
Crane Operator 'A'			
Cook			
Weight Bridge Operator 'B'	110-131	260-350	Promot open :
Fireman ✓	110-139	260-350	Open :
Office Clerk 'A'/Typist Telephone/Telex Operator	110-180	260-400	Open :
Head Security Guard	110-180	260-400	Promot
Sr. Light Vehicle Driver	130-175	320-400	Promot
Fork Lift Operator 'B'			
Crane Operator 'B'			
Head Cook			
Heavy Vehicle Driver ✓	130-175	320-400	Promot. open m
Driver-cum-Operator (Fire Service) Leading Fireman	130-180	320-400	Promot: open m.
Jr. Stenographer Office Clerk 'B'	150-325	380-640	Promoti open m:
Telephone/Telex Operator 'B'	150-325	380-640	Promoti
Sr. Heavy Vehicle Driver	170-290	380-560	Promoti
Sr. Fork Lift Operator			
Sr. Crane Operator			
Admn. Assistant 'A'	210-425	425-700	Promoti open ma
Accounts Assistant 'A'			
Data Processing Asst. I			
Purchase Asst. 'A' A			
Stores Assistant 'A'			
Public Relations Asst. 'A'			
Security Assistant 'A'			
Stenographer			
Sub-Officer			
Canteen Supervisor	210-425	425-700	Open ma.

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7.4 When posts in higher grades are created for reasons other than that stated in para 7.2 above, the same will be filled in by selection from among all eligible candidates who might have been reviewed earlier and found fit, but not promoted for want of vacancies. If there are no such candidates, the eligibility of others qualified as per these rules for promotion will be assessed. If no persons are still available, open market recruitment will be resorted to.

7.5 Those who are not found fit for promotion on review, will be reviewed again after one year from the date of the earlier review.

8. Lateral Entries:

8.1 The following shall be the basis normally for filling up of posts at the various levels. This will be subject to the general considerations outlined in paras 8.1 to 8.5 below.

Post	Pre-revised grade,	Revised grade	Avenue
Attendant 'A'	70-95	200-250	Open market
Sweeper 'A'			
Cleaner 'A'			
Canteen Boy 'A'	70-95	200-250	Open market
Gardener 'A'			
Security Guard 'A'			
Attendant 'B'			
Sweeper 'B'			
Cleaner 'B'			
Canteen Boy 'B'	85-110	210-270	Promotion or open market
Gardener 'B'			
Security Guard			
Costener Operator			
Bearer 'A'	85-110	210-270	Open market
Weight Bridge Operator 'A'			(Pl. see O.H. dt-28/10/81)
Attendant 'C'			
Sweeper 'C'			
Canteen Boy 'C'			
Gardener 'C'			
Security Guard 'C'		260-350	Promotion
Costener Operator 'B'			
Bearer 'B'			
Cleaner 'C'			

3.3 Where a post is earmarked for being filled by promotion or open market, then promotion should first be considered from among the qualified internal candidates of the Centre and open market recruitment should be resorted to only after it has been established that all or some of the posts cannot be filled by such promotions.

8.4 Where a post is to be filled by promotion, an attempt will be made to fill the same from the eligible candidates of the Centre, failing which the vacancy should be notified to all DOS/ISRO Units and all qualified candidates will be considered. If both those approaches fail, open market recruitment will be resorted to.

8.5 For administrative posts in Rs.700-1250 pre-revised (Revised Rs.1100-1600) grades and above, however, promotion will be from among the eligible candidates of DOS/ISRO as a whole. Thus, all vacancies in Rs.700-1250 pre-revised scale (Revised Rs.1100-1600) and above must be notified to all DOS/ISRO Units and the selection will be done by a common committee of DOS/ISRO.

8.6 Notwithstanding any of the above, the organisation reserves the right, at all times, to recruit candidates at any level by open market recruitment.

9. Internal Promotions:

9.1 Internal promotions of administrative staff will be governed by the procedures contained in Annexure-III, read with paragraph 7 above. The minimum service after which a person may be considered for promotion to the next higher grade and the nature of the test to be conducted have been indicated in columns 4, 5 and 6 of the Annexure-III. Invariably, scrutiny of the confidential reports and personal interview are essential. Written tests will be necessary in certain cases, as indicated. In such cases, the test will be in English, General Knowledge and an area paper. In addition, where a person is to move from the non-supervisory grade of Rs.250-450 pre-revised (Revised Rs.470-750) to the first supervisory grade of Rs.350-575 pre-revised (Revised Rs.550-900), there shall be a special area paper in General Administration, or Accounts or Purchase or Stores or Public Relations as the case may be. For promotion of (i) Jr. Stenographers as Stenographers and (ii) Personal Assistants as P.A. to Director, where a change in stenographic skill is involved, a test will be conducted to assess stenographic ability. In respect of Canteen Staff, where the person is to move from Canteen Supervisor in Rs.210-425 pre-revised grade (Revised Rs.425-700) to Asst. Canteen Manager in Rs.350-575 pre-revised grade (Revised Rs.550-900) the test will be in (i) English, (ii) General Knowledge, (iii) General Area Paper and (iv) Specific Area paper (Accounting, Purchase and Catering).

Pre-revised
grade

Revised
grade

Avenue

Sr. Telephone/Telex Operator	210-425	425-700	Promotion
Admn. Assistant 'B'			
Accounts Assistant 'B'			
Data Processing Asst. II			
Purchase Assistant 'B'			
Stores Assistant 'B'	250-450	470-750	Promotion
Pub. Relations Asst. 'B'			
Security Assistant 'B'			
Personal Assistant			
Asst. Admn. Officer			
Asst. Accounts Officer			
Asst. Data Processing Officer			
Asst. Purchase Officer			
Asst. Stores Officer	350-575	550-900	Promotion
Asst. Pub. Relations Officer			
Asst. Security Officer			
Asst. Canteen Manager			
P.A. to Director			
Station Officer	350-680	650-960	Promotion or open market
Admn. Officer-I			
Accounts Officer-I			
Data Processing Officer-I			
Purchase Officer-I			
Stores Officer-I	400-950	700-1300	Promotion or open market
Pub. Relations Officer-I			
Security Officer-I			
Canteen Manager			
Fire Officer-I		700-1300	Promotion or open market
Admn. Officer-II			
Accounts Officer			
Data Processing Officer-II			
Purchase Officer-II	700-1250	1100-1600	Promotion
Stores Officer-II			
Pub. Relations Officer-II			
Security Officer-II			

8.9) An individual can be considered for the next promotion only after he has completed three years of satisfactory service in the grade. The prescribed number of years of service mentioned above is the minimum requirement for consideration for promotion and in no circumstances can this be relaxed by a period of more than three months on the date on which the organisation wants to fill up the post.

Amended
C.H.
date 14/11/77

9.2 The written tests to be conducted for promotion into a particular grade and the tests prescribed for horizontal movement of personnel from one area to another will be the same for any given grade. ✓

9.3 Personal Assistants will also be eligible for consideration for promotion to the post of Assistant Administrative Officer on passing the prescribed test/Interview. ✓

10. All members of the staff at the level of Office Clerk 'A' Office Clerk 'B', Assistant 'A' and Assistant 'B', will be required to do typing work if and when necessary. Junior Stenographers, Stenographers, Personal Assistants and P.As. to Director will be required to carry out both stenographic and typing work as required in the exigencies of work.

11. The above orders will be in force from the date of issue of this Office Memorandum.

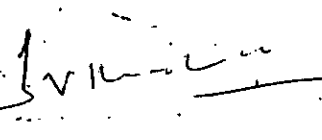
Sd/-
(T.N. Seshan)
Member Secretary (Finance)
ISRO Council.

Encls: Annexure I (Page No.12 & 13)
Annexure II (Page No.14 to 17)
Annexure III (Page No.18 to 25)

To
All Concerned:

True Copy
Attested by:

VN/Sarna/6176:


S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn.
Govt. of India, Dept of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

ADMINISTRATIVE STAFF IN DIFFERENT AREAS IN I.S.R.O.

ANNEXURE I: to ISRO HQ:
OM No.HQ:ADM:4.20(2)
dated 1st December, 1975:

Sl. No.	Grade (Figures in brackets denote revised grade)	Anti-satellite	Accounts	Data Processing	Purchase and Stores	Public Relations	Telephone and Tele. Equip.	Library	Medical	Transport Operation	Canteen	Fire	SRF	Security	Technical Divsn.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
1.	70-1-85-EB-2-95 (200-3-206-4-324-EB-4-250)	Attendant	Attendant 'A'	Attendant 'A'	Attendant 'A'	Attendant 'A'	Attendant 'A'	Attendant 'A'	Sweeper 'A'	Cleaner 'A'	Canteen Boy 'A'	---	Gardener 'A'/Sweeper 'A'	Security Guard 'A'	Attendant 'A'
2.	85-2-95-EB-3-110 (210-4-250-EB-5-270)	Attendant 'B' Asst. Operator 'A'	Attendant 'B'	Attendant 'B'	Attendant 'B'	Attendant 'B'	Attendant 'B'	Attendant 'B'	Sweeper 'B'	Cleaner 'B'	Canteen Boy 'B'/Bearer 'A'	---	Gardener 'B'/Sweeper 'B'	Security Guard 'B'	Attendant 'B' W/Weigh Bridge Operator 'A'
3.	(260-6-326-EB-8-350)	Attendant 'C' Asst. Operator 'A'	Attendant 'C'	Attendant 'C'	Attendant 'C'	Attendant 'C'	Attendant 'C'	Attendant 'C'	---	Cleaner 'C'	Canteen Boy 'C'/Bearer 'B'/Sweeper 'C'	---	Gardener 'C'/Sweeper 'C'	Security Guard 'C'	Attendant 'C'
4.	110-3-131 (260-6-326-EB-8-350)	---	---	---	---	---	---	---	---	Light Vehicle Driver/Despatch Rider	Cook	---	---	---	W/Weigh Bridge 'B'/Fork Lift Optr. 'A'/Crane Optr. 'A'
5.	110-3-131-4-139 (260-6-326-EB-8-350)	---	---	---	---	---	---	---	---	---	---	Fireman	---	---	---
6.	110-5-150-EB-5-180 (260-6-290-EB-6-326-8-366-EB-8-390-10-400)	Office Clerk 'A' Typist	Office Clerk 'A' Typist	---	Office Clerk 'A' Typist	Office Clerk 'A' Typist	Telephone Operator 'A' Tele. Operator 'A'	Office Clerk 'A' Typist	Office Clerk 'A' Typist	Office Clerk 'A' Typist	Office Clerk 'A' Typist	Office Clerk 'A' Typist	Office Clerk 'A' Typist	Head Security Guard	Office Clerk 'A' Typist
7.	(130-5-175 (320-6-326-8-390-10-400)	---	---	---	---	---	---	---	---	Heavy Vehicle Driver/Sr. Light Vehicle Driver	Head cook	---	---	---	Fork Lift Operation B Crane Operator B
8.	130-5-175-5-180 (320-6-326-8-390-10-400)	---	---	---	---	---	---	---	---	---	---	---	---	---	---
9.	150-10-250-EB-15-15-325 (380-12-440-EB-15-560-EB-20-640)	Jr. Steno/ grapher Office Clerk B	Jr. Steno/ grapher Office Clerk B/ Asst. Cashier	---	Jr. Steno/ grapher Office Clerk B	Jr. Steno/ grapher Office Clerk B	Telephone Operator 'B' Tele. Optr. 'B'	Jr. Steno/ grapher/ Office Clerk B	Office Clerk B	Jr. Steno/ grapher/ Office Clerk B	Office Clerk B	Driver-cum-Operator/ Loading Firm	Office Clerk B	Jr. Steno/ grapher/ Office Clerk B	---
10.	170-10-290 (380-12-500-EB-15-560)	---	---	---	---	---	---	---	---	Sr. Heavy Vehicle Driver	---	---	---	---	Sr. Heavy Vehicle Driver

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	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
11. 210-10-290-15-320- ED-15-425 (425-15-500-ED-15- 560-20-700)	Admn. Asst.'A' Steno- grapher	Accounts Asst.'A' Steno- grapher	Data Pro- cessing Asst.I	Purchase Asst.'A'/ Stores Asst.'A'/ Steno- grapher	Public Relations Asst.'A'	Sr. Te- lepho- ne Ope- rator/ Sr. Te- lex Ope- rator					Canteen Super- visor			Security Asst. A	Admn. Asst. 'A'/Steno- grapher
12. 210-10-290-15-425 (425-15-500-ED-15- 560-20-700)												Sub- Officer			
13. 250-15-ED-25-450 (470-15-530-ED-20- 650-ED-25-750)	Personal Asst./Admn Asst.B	Accounts Asst.'B'	Data Pro- cessing Asst.II	Purchase Asst.'B'/ Stores Asst.'B'	Public Relations Asst.B				Admn. Asst.'B'					Secu- rity Asst.'B'	Personal Asst./Admn Asst.B
14. 350-20-450-25-475- SG-25-575 (550-25-750-ED-30- 900)	Asst. Admn Officer/ P.A. to Director	Asst. Accounts Officer	Asst.Data Process- ing Officer	Asst.Pur- chase Officer/ Asst.Sto- res Offi- cer	Asst. Pu- blic Re- lations Officer			Asst. Admn. Officer			Asst. Canteen Manager			Asst. Secu- rity Officer	Asst. Admn. Officer
15. 350-25-500-30-590- ED-30-680 (650-30-740-35-880- ED-40-960)												Station Officer			
16. 400-40-800-50-950 (700-40-900-ED-40- 1100-50-1300)	Admn. Officer-I	Accounts Officer-I	Data Pro- cessing Officer-I	Purchase Officer-I/ Stores Officer-I	Public Relations Officer						Canteen Manager	Fire Offi- cer-I		Secu- rity Offi- cer-I	
17. 700-40-1100-50-1250 (1100-50-1600)	Admn. Officer-II/ Personnel Officer	Accounts Offi- cer-II	Data Pro- cessing Officer- II	Purchase Officer- II/ Stores Officer-II	Public Relations Offi- cer II.									Security Officer-II	

ote: 1. There will be no special treatment for Cashiers except with regard to allowance as prescribed under rules.

2. The following posts are not provided in the norms, but are included here. Norms for these will be prescribed separately.

(1) Public Relations Officer-II (2) Personal Officer (3) Sr. Fork Lift Operator (iv) Fire Officer-I.

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Grade
(Figures in
brackets denote
revised grade)

Post

Whether
inter-
changeable
or not

Remarks

110-180
(260-400)

Telex Operator 'A'
Telephone Operator 'A'

Non-inter-
changeable

Telex operator 'A'
is interchangeable
with Typist. However,
Telex Operators are
not interchangeable
with Office Clerks 'A'.
All Office Clerks 'A'
will do typing work if
required.

Head Security Guard

Non-inter-
changeable

130-175
(320-400)

Heavy Vehicle Driver
Sr. Light Vehicle Driver
Fork Lift Operator 'B'
Crane Operator 'B'
Head Cook

Non-inter-
changeable

130-180
(320-400)

Leading Fireman
Driver-cum-operator

Non-inter-
changeable

150-325
(380-640)

Jr. Stenographer

Non-inter-
changeable

The term Steno-Typist
has been redesignated
as Jr. Stenographer.
The applicable design-
ation will be 'Jr.
Stenographer'.

Telex Operator 'B'
Telephone Operator 'B'

Non-inter-
changeable

Office Clerk 'B' in
General Adm.,
Purchase, Stores,
Public Relations

Non-inter-
changeable

At this level there is
no interchangeability
as between various
Sections, Such as Gene-
ral Administration,
Accounts, Purchase,
Stores & Public
Relations. Staff of
this grade working in
Technical Divisions
will be treated as
part of General
Administration.

Office Clerk 'B' in
Accounts
Asst. Cashier

Inter-
changeable

No special treatment
is proposed for Asst.
Cashiers. They will be
treated on par with
with Office Clerk 'B'
except for special pay
as per rules.

ANNEXURE II to ISRO HQ
O.M.No.HQ:ADMN:4.20(2)
dated 1st December, 1975:

POSTS WHICH ARE INTERCHANGEABLE
and NON-INTERCHANGEABLE

Grade (Figures in brackets denote revised grade) (Rs.)	Post	Whether inter- changeable or not.	Remarks
70-95 (200-250)	Attendant 'A' Sweeper 'A' Cleaner 'A' Gardener 'A' Canteen Boy 'A' Security Guard 'A'	Non-inter- changeable	
85-110 (210-270)	Attendant 'B' Sweeper 'B' Cleaner 'B' Gardener 'B' Canteen Boy 'B' Security Guard 'B' Generator Operator 'A' Bearer 'A' Weigh Bridge Operator A	Non-inter- changeable	
110-131 (260-350)	Attendant 'C' Sweeper 'C' Cleaner 'C' Gardener 'C' Canteen Boy 'C' Security Guard 'C' Generator Operator 'B' Bearer 'B' Weigh Bridge Operator B Fork Lift Operator 'A' Crane Operator 'A' Light Vehicle Driver Despatch Rider Cook	Non-inter- changeable	
110-139 (260-350)	Fireman	Non-inter- changeable	
110-180 (260-400)	Typist Office Clerk 'A'	Inter- changeable	Interchangeable also as among administra- tion, accounts, pur- chase, stores, public relations. Staff work- ing in technical divi- sions will be treated as part of Genl. Admini- stration.

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Grade (Figures in brackets denote revised grade)	Post	Whether inter- changeable or not	Remarks
400-950 (700-1300)	Adm. Officer I Accounts Officer I Data Processing Officer I Purchase Officer I Stores Officer I Public Relations Officer I Canteen Manager Security Officer I	Non-inter- changeable	
(700-1300)	Fire Officer I	Non-inter- changeable	
700-1250 (1100-1600)	Adm. Officer II Accounts Officer II Data Processing Officer II Purchase Officer II Stores Officer II Public Relations Officer II Security Officer I	Non-inter- changeable	

* * * * *

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Grade (Figures in brackets denote revised grade)	Post	Whether inter- changeable or not.	Remarks
170-290 (380-560)	Sr. Heavy Vehicle Driver Sr. Fork Lift Operator Sr. Crane Operator	Non-inter- changeable	
210-425 (425-700)	Adm. Assistant 'A' Accounts Assistant 'A' Data Processing Asst. I Purchase Assistant 'A' Stores Assistant 'A' Public Relations Asst. 'A' Canteen Supervisor Security Assistant 'A' Stenographer	Non-inter- changeable	At this level also there is no interchangeability as between the various Sections, such as Gene- ral Administration, Accounts, Public Rela- tions, Purchase and Stores. Staff of this grade working in Tech- nical Divisions will be treated as part of General Administration.
	Sub-Officer	Non-inter- changeable	
250-450 (470-750)	Adm. Assistant 'B' Accounts Assistant 'B' Data Processing Assis- tant II Purchase Assistant 'B' Stores Assistant 'B' Public Relations Assis- tant 'B' Security Assistant 'B' Personal Assistant	Non-inter- changeable	
350-575 (550-900)	Asst. Adm. Officer Asst. Accounts Officer Asst. Data Processing Officer Asst. Purchase Officer Asst. Stores Officer Asst. Public Relations Officer Asst. Canteen Manager Asst. Security Officer PA to Director	Non-inter- changeable.	
350-680 (650-960)	Station Officer	Non-inter- changeable	

(1)	(2)	(3)	(4)	(5)	(6)	(7)
7.	700-40-1100-50-1250 (1100-50-1600)	Adm. Officer-II				

Note:

The procedure outlined above (page No.18) will apply to the following areas:

- 1) General Administration & Personnel Management
- 2) Accounts
- 3) Data Processing
- 4) Purchase
- 5) Stores
- 6) Public Relations

*General Area Paper will cover Constitution of India, Office Procedure, working of Government.

Special Area Paper will be in one of the following, as appropriate:

- 1) General Administration & Personnel Management
- 2) Accounts
- 3) Data processing
- 4) Purchase
- 5) Public Relations

PROCEDURES FOR INTERNAL PROMOTIONS OF ADMINISTRATIVE STAFF:

ANNEXURE-III to ISRO HQ OM No.HQ:
ADMN:4.20(2) dated 1st December, 1975.

I: ADMINISTRATIVE STAFF:

Sl. No.	Scale -- Pre-revised (Revised within brackets)	Designation	Minimum service for consideration for promotion to next grade (No. of years)	Nature of promotional tests	Broad contents of written test	REMARKS
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	110-5-150-EB-5-180 (260-6-290-EB-6-326-8-366-EB-8-390-10-400)	Office Clerk A	3	CR + T + I	English, General Knowledge, Area Paper e.g., in Personnel Management or Accounts OR Purchase OR Stores OR Public Relations.	
2.	150-10-250-EB-15-325 (380-12-440-EB-15-560-EB-20-640)	Office Clerk B	3	CR + T + I	-do- (Higher level)	
3.	210-10-290-15-320-EB-15-425 (425-15-500-EB-15-560-20-700)	Admn. Asst. A	3	CR + I		
4.	250-15-325-EB-25-450- (470-15-530-EB-20-650-25-750)	Admn. Asst. B	3	CR + T + I	General Knowledge, General Area Paper; Special Area Paper*	Personal Assistants with 3 yrs as Personal Assistant will also be eligible for consideration for promotion to the post of A.A.O.
5.	350-20-450-25-475- SG-25-575 (550-25-750-EB-30-900)	Asst. Admn. Officer	3	CR + I		
6.	400-40-800-50-950 (700-40-900-EB-40-100-50-100)	Admn. Officer I	3	CR + I		

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III(A): CANTEEN SUPERVISORY STAFF:

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			for Non gradua- tes	for Gra- duates	for Dip. in Cater- ing	
1. 210-10-290-15-320-EB- 15-425 2. (425-15-500-EB-15- 560-20-700)	Canteen Supervisor	6	3	--	CR + T + I	English, General Know- ledge, General Area Paper, Specific Area Paper (Accounting, Purchase, Catering).
3. 350-20-450-25-475-SG- 25-575 4. (550-25-750-EB-30-900)	Asst. Canteen Manager	3	3	3	CR + I	
5. 400-40-800-50-950 (700-40-900-EB-40- 1100-50-1300)	Canteen Manager					

III(B): CANTEEN WORKING STAFF:

(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. 110-3-131 (260-6-326-EB-8-350)	Cook	3		CR + I		
2. 130-5-175 (320-6-326-8-390-10-400)	Head Cook	3				

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II. STENOGRAPHIC STAFF:

== 20 ==

(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	10-5-150-EB-5-180 260-6-290-EB-6-326- 366-EB-8-390-10-400)	Typist	3	CR + T + I	English, General Know- ledge, Stenography test	
2.	150-10-250-EB-15-325 (380-12-440-EB-15- 550-20-640)	Jr. Stenographer	3	CR + T + I	English, General Know- ledge, Stenography test	
3.	210-10-290-15-320-EB- 15-425 (425-15-500-EB-15- 560-20-700)	Stenographer	3	CR + I		
4.	1250-15-325-EB-25-450 (470-15-530-EB-20- 650-EB-25-750)	Personal Assistant	3	CR + T + I	English, General-Know- ledge, Stenography test.	Personal Assist- ants are also eligible for consideration for promotion to the post of A.A.O.
5.	350-20-450-25-475-SG- 25-575 (550-25-750-EB-30-900)	P.A. to Director				

V1: FIRE SERVICE STAFF:

(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. 110-3-131-4-139 (260-6-320-EB-8-350)	Fireman		3	CR + I		
2. 130-5-175-5-180 (320-6-8-390-10-400)	Loading Fireman		--	--		
3. 210-10-290-15-425 (425-15-500-EB-15-560-20-700)	Sub-Officer		5	CR + T + I	General Knowledge, General Area Paper. Specific Area Paper on Chemistry of Fire, Theory of Extinguishers etc.	
4. 50-25-500-30-590- EB-30-680 (650-30-740-35-880-EB-40-960)	Station Officer		3	CR + I		
5. (700-40-900-EB-40-1100- 1100-50-1300)	Fire Officer-I					

(31)

SECURITY:

NO RULES ARE PROPOSED FOR THE PRESENT. THESE WILL BE ISSUED SEPARATELY.

ADMINISTRATIVE STAFF IN THE GRADE RS.110-131 (PRE-REVISED) AND BELOW:

(2)

(3)

(4)

(5)

(6)

(7)

70-1-85-EB-2-95

(200-3-206-4-234-EB-

4-250)

Attendant A

Sweeper A

Cleaner A

Gardener A

Canteen Boy A

3

CR

85-2-95-EB-3-110

(210-7-250-EB-5-270)

Attendant B

Sweeper B

Cleaner B

Gardener B

Canteen Boy B

Gestetner Operator A

Bearer A

Weight Bridge Operator 5

CR + I

110-3-131

(260-6-326-EB-8-350)

Attendant C

Sweeper C

Cleaner C

Gardener C

Canteen Boy C

Gestetner Operator B

Bearer B

Weight Bridge Operator B

I. TRANSPORT OPERATION STAFF:

	(2)	(3)	(4)	(5)	(6)	(7)
10-3-131 260-6-326-EB-8-350)		Ligh Vehicle Driver Despatch Rider Fork Lift Operator A Crane Operator A	5	CR + T + I		
130-5-175 (320-6-326-8-390- 10-400)		Sr.Light Vehicle Driver Fork Lift Operator B Crane Operator B	5	CR + T + I		
170-10-290 280-12-500-EB-15-560		Sr.Fork Lift Operator Sr.Crane Operator	-	--		
130-5-175 (320-6-326-8-390-10-400)		Heavy Vehicle Driver	5	CR + T + I		
170-10-290 280-12-500-EB-15-560)		Sr.Heavy Vehicle Driver				

**True Copy
Attested by:**

S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn.
Govt. of India, Dept of Space
ISRO : SHAR CENTRE
Sethurikola-524 124 (A.P.),

NOTE:

CR = Confidential Rolls
T = Written Test
I = Interview

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(1)	(2)	(3)	(4)	(5)	(6)	(7)
-----	-----	-----	-----	-----	-----	-----

(A) TELEPHONE STAFF:

1	110-5-150-EB-5-180 (260-6-290-EB-6-326- 18-366-EB-8-390-10-400)	Telephone Operator A	3	CR + T + I	English, General Know- ledge.
2	150-10-250-EB-15-325 (380-12-440-EB-15-560- EB-20-640)	Telephone Operator B	3	CR + T + I	-do- (higher level)
3	210-10-290-15-320-EB- 15-425 (425-15-500-EB-15-560- 20-700)	Sr. Telephone Operator			

(B) TELEX STAFF:

1	110-5-150-EB-5-180 (260-6-290-EB-6-326- 18-366-EB-8-390-10-400)	Telex Operator A	3	CR + T + I	English, General Know- ledge, Typing.
2	150-10-250-EB-15-325 (380-12-440-EB-15-560- EB-20-640)	Telex Operator B	3	CR + T + I	-do- (higher level)
3	210-10-290-15-320-EB- 15-425 (425-15-500-EB-15-560- 20-700)	Sr. Telex Operator			

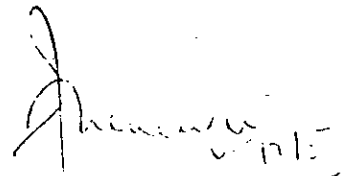
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4. After taking into account the various aspects of the issue, the matter has been examined in the Department in detail in consultation with Department of Personnel and Training and Ministry of Finance and the President is pleased to assign the pay scale of Rs.1640-60-2600-EB-75--2900 to the post of Assistant 'B' in ISRO Centres/Units simultaneously introducing direct recruitment through open competition at such level. The extent of such direct recruitment would, however, be limited to 1/3rd of the vacancies, so that the existing employees in the organisation would still have adequate promotional opportunities along with the benefit of a higher pay scale. Detailed guidelines on filling up of the posts at the level of Assistant 'B' in ISRO Centres/Units will be issued separately by ISRO Hq.

5. All the employees presently working as Assistants 'B' in ISRO Centres/Units are to be extended an option in terms of FR 23 exercisable within a period of 3 months from the date of issue of the guidelines by ISRO Hq. The pay of those employees who opt for the pay scale of Rs.1640-2900 is to be fixed as per the provisions at FR-22(I)(a)(2).

6. All the posts falling vacant in the category of Assistant 'B' in ISRO Centres/Units are to be filled up in accordance with the ISRO Hq. guidelines.

7. These orders will be effective from the date of issue of the guidelines by ISRO Hq.


(A. Sengupta)

Joint Secretary to the Govt. of India

To:

True Copy
Attested by:

As per General circulation list.

X: Copy to Sri Rajesh, Sr Anand for info n-a
N.K. - [initials]
AAO - pl. take up the issue.
S. V. KRISHNA RAO
Asst. Administrative Officer
L & D Sec., P & GA Divn.
Govt. of India, Dept of Space
ISRO SHAR CENTRE
Sriharikota-524 124 (A.P.)

* This is for admn. Staff only.
No action
[initials]
26/5



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Antariksh Bhavan
New BEL Road
Bangalore-560 094

May 17, 1995

OFFICE MEMORANDUM

Subject : Personnel Service Regulations - Introducing direct recruitment for Assistants 'B' in ISRO Centres/Units assigning higher pay scale - regarding.

Indian Space Research Organisation (ISRO) functioned as an autonomous body till 31.3.1975 and was converted into a Government organisation with effect from 1.4.1975. When ISRO functioned as an autonomous body, the posts of Assistants in administrative areas were operated at two levels i.e., Assistant 'A' and Assistant 'B' and the same position has continued.

2. ISRO continuously attempts to ensure the quality of its manpower, both scientific/technical and administrative, to meet the challenging needs of the organisation. To plan and execute highly complex and schedule critical projects, administrative staff of a high quality matching the quality of Scientists/Engineers are essential. Administrative staff in ISRO, are not confined to desk related jobs but are also assigned project related works. In view of the fact that the Assistants 'B' play a vital role in the administrative area and their next level of promotion is Assistant Officers, at which level they have to shoulder varied and complex responsibilities, it has been under the consideration of the Department to assign a higher pay scale to the existing Assistants 'B', while bringing in qualitative improvement in such category.

3. The matter regarding assigning higher pay scale to Assistant 'B' has also been under discussion in various meetings of the Departmental Council, JCM. It was agreed that direct recruitment at the level of Assistant 'B' to the extent of 1/3rd of the vacancies could be introduced simultaneously assigning the pay scale of Rs.1640-2900 to the post of Assistant 'B'.

(60)

: 2 :

4 The method of filling the vacancy falling under the direct recruitment and promotion quota shall be as per the following model roster, which will be maintained at ISRO HQ:-

1st post : Direct recruitment
2nd post : Promotion
3rd post : Promotion
4th post : Direct recruitment
5th post : Promotion
6th post : Promotion
7th post : Direct recruitment
and so on

5 While the norms for promotion of Assistants-A to Assistants-B remain unchanged in respect of 2/3rd of the vacancies earmarked for promotion, the norms for direct recruitment will be as follows:-

- a) Age : 21-28 years
- b) Educational Qualification : Graduate in any discipline with 55% marks. Post-graduate will be preferred.
- c) Method of selection : Written Test followed by interview.

For employees working in ISRO/DOS, upper age limit will be relaxed upto 33 years.

6 Nothing in these orders shall affect reservations, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Ex-servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

....3...-

भारत सरकार
अन्तरिक्ष विभाग
इसरो मुख्यालय
अन्तरिक्ष भवन, न्यू वी ई एल रोड
बैंगलूर 560 094 भारत
तार इसरो टेलीफोन 0845-2499 व 0845-2326
दूर प्रतिक्रिया 0812-334229
दूरभाष 334474



सत्यमेव जयते

GOVERNMENT OF INDIA
DEPARTMENT OF SPACE

ISRO HEADQUARTERS

ANTARIKH BHAVAN

NEW BEL ROAD BANGALORE-560 094 INDIA
GRAMS. ISRU TLX: 0845 - 2499 / 2326
FAX: 0812 - 334229 TELEPHONE 334474

EXHIBIT R- A

HQ:ADMN:A.20(2)

May 17, 1995

OFFICE MEMORANDUM

The scale of pay for the post of Assistant-B in the areas of P&GA, Accounts, Purchase, Stores and Security has been revised to Rs.1640-60-2600-EB-75-2900 for all the existing Assistants-B as per OM No.2/13(10)/85-I(Vol.IV) dated May 17, 1995 issued by DOS. The said OM also prescribes direct recruitment to the extent of 1/3rd of the posts of Assistant-B through open competition.

2 ISRO HQ OM No.HQ:ADMN:4.20(2) dated December 1, 1975, as amended from time to time, stipulates the method of filling up the post of Assistant-B. The scheme provides for the promotion of Assistant-A to Assistant-B on seniority basis. This scheme also envisages direct recruitment of Administrative staff under certain conditions..

3 It has been decided, in partial modification of OM dated 1.12.1975 (particularly para 8), as amended from time to time, that the posts of Assistants-B vacant as on date and those falling vacant hereafter will be filled up as follows:-

a) 1/3rd of the posts by direct recruitment through open competition on all India basis;

and

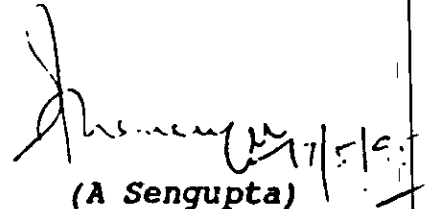
b) 2/3rd of the posts by promotion following the existing procedures for promotion.

....2..

7 All posts of Assistant-B vacant as on date and falling vacant hereafter shall be notified by Centres/Units to Head, P&GA, ISRO Headquarters along with reservation position, who in turn will take action to fill up the posts.

8 These orders shall come into force with immediate effect.

9 Hindi version will follow.

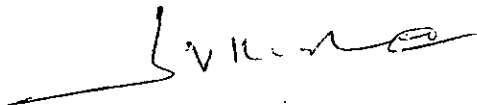


(A Sengupta)
Joint Secretary, DOS/
Member (Personnel), ISRO Council

As per distribution list

The Head
ORR-55C/K-

True Copy
Attested by:



S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn.
Govt. of India, Dept of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

PERSONNEL SECTION
RECEIVED
13 MAY 1996

GOVERNMENT OF INDIA
DEPARTMENT OF SPACE
ISRO HEADQUARTERS
TANTARIKSH BHAVAN
NEW BEL ROAD, BANGALORE 560 094 INDIA
GRAMS ISRO, TELEX: 0845-2499/2321
FAX: 080-3334229 TELEPHONE 3334472

भारत सरकार
अंतरिक्ष विभाग
इसरो मुख्यालय
नया बेल रोड, बंगलूर - 560 094 भारत
हस्त. टेलिफोन: 0845-2499/2326
दूर. प्रसारण: 080-3334229
दूरभाष 3334472

62

EXHIBIT R-5

HQ:ADMN:A.20(2)

April 22, 1996

OFFICE MEMORANDUM

It was decided that 1/3rd of the posts of Assistant-B in Administrative areas in the scale of pay of Rs.1640-60-2600-EB-75-2900 will be filled by direct recruitment through open competition. The norms for recruitment of Assistant-B earmarked for direct recruitment was notified vide OM No.HQ:ADMN:A.20(2) dated 17.5.1995. Subsequently, there have been representations from the employees and JCM Staff Side for reducing the percentage of marks and increasing the age for internal candidates. The matter was also discussed in the Departmental Council of the JCM. After detailed consideration and taking into account all the relevant aspects, it has been decided to revise the age and educational qualification for internal candidates who have completed 3 years of service in ISRO/DOS to participate in the direct recruitment through open competition, as follows:

Age	45 years
Educational Qualification	Graduation. Not essential to have 55% marks in graduation. This concession in the marks in graduation will be valid only for a period of 5 yrs from the date of issue of this OM.

2 The vacancy roster for each Area i.e. P&GA, Accounts, Purchase, Stores, etc., will be maintained separately for each Area Centre/Unit wise. The vacancies occurring for direct recruitment as per the model roster indicated in para 4 of the OM No.HQ:ADMN:A.20(2) dated 17.5.1995 will be intimated by Centres/Units to Head, P&GA, ISRO Headquarters. The post earmarked for promotion will be filled by the Centres/Units as hitherto.

3 The recruitment for the post of Assistant-B will be a common recruitment on all ISRO basis and will be done by ISRO Headquarters. The syllabus for the written test for direct recruitment of Assistant-B will be notified separately.

4 All other terms and conditions for recruitment/promotion of Assistant-B, stipulated in OM No.HQ:ADMN:A.20(2) dated 17.5.1995 will remain unchanged.

True Copy

Attested by:

S. V. KRISHNA RAO
Asst. Administrative Officer
L & D Sec. P & GA Divn.
Govt. of India, Dept. of Space
ISRO SHAR CENTRE
Srithrikota-524 124 (A.P.)

(M G Chandrasekhar)

प्रधान कार्यालय
OFFICE OF THE HEAD
P & GA

(84)

(29)

: 2 :

The present emoluments package at the minimum of the pay scale that is offered in cities like Bangalore, Ahmedabad, Thiruvananthapuram etc. is Rs. 5200/- in the pay scale of Rs.1640-60-2600-EB-75-2900. the pay scale is under revision.

1. Reservation: Vacancies fall in the following categories:

Scheduled Castes	: 03
Scheduled Tribes	: 02
Other backward classes	: 04
Unreserved	: 09
<hr/>	
Total	: 18
<hr/>	

2. Conditions of eligibility

a. Nationality: Must be a citizen of India

b. Educational Qualification

Graduate with minimum of 55% marks. Post graduate degree holders are preferred. Computer skills would be an added advantage.

c. Age : Between 21 and 23 Years as on 24.01.1997

Upper age limit will be relaxable upto 5 years in respect of candidates belonging to SC/ST and 3 years in respect of candidates belonging to OBC.

3. The candidates selected are liable to be posted/transferred to any place in India, where ISRO/DOS Centres/Units/Activities are located.

4. Given below format of the application may be typed on a plain paper and filled in by own hand writing should reach:

The Administrative Officer-II,
ISRO Headquarters,
Anantnash Bhavan,
New BEL Road,
Bangalore 560 094.

on or before 24.01.1997. Incomplete applications not accompanied by documents to be attached and applications received after the due date will not be considered. The envelope containing the application must be subscribed in bold letters as "APPLICATION FOR THE POST OF ASSISTANT-B".

...3

100

(48) (63)
SHAR CENTRE
RECRUITMENT SECTION

NO. SCF/PGA/RIT/96

December 30th, 1996

EXHIBIT R-6

A copy of the Advt. No. HQ/Admn/4.26(7)/96 dt. 13.12.1996 received from Admn. Officer-III, ISRO Headquarters, Bangalore is reproduced below for circulation among the staff members of your Entity/Unit/Division.

ADMIN. OFFICER-I
RECRUITMENT

GOVERNMENT OF INDIA
DEPARTMENT OF SPACE
INDIAN SPACE RESEARCH ORGANISATION

No. HQ:ADMN:4.26(7)/96

December 13, 1996

IN SEARCH OF ASSISTANTS 'B'

Indian Space Research Organisation provides self reliant space based services for the Country in Telecommunication, TV, Meteorological applications, Natural resources survey & management, disaster Warning, environment monitoring through INSAT and IRS satellite systems. ISRO has also developed satellite launch vehicles with PSLV already operational and GSLV being built. ISRO has started design and development of next generation satellites to provide enhanced and augmented services to the Nation as well as to provide satellite launch vehicles to launch IRS and INSAT class of satellite from our own soil. An effective executive support system covering personnel & General Administration, Finance & Accounts, Purchase and Stores exists for supporting the Scientists/Engineers in their challenging tasks.

ISRO is looking for young dynamic and dedicated ASSISTANTS 'B' in the areas of personnel & General Administration, Purchase, Stores and Finance & accounts for work in Centres/Units of ISRO located all over the country, such as:

1. Vikram Sarabhai Space Centre, Thiruvananthapuram
2. Liquid propulsion Systems Centre at Thiruvananthapuram, Mahendragiri and Bangalore
3. Sriharikota Range Centre, Sriharikota
4. ISRO Satellite Centre, Bangalore
5. Central Management Offices at Bangalore and other locations
6. Space Applications Centre, Ahmedabad
7. ISRO Telemetry, Tracking and Command Network, Bangalore
8. Master Control Facility, Hassan

The Organisation provides for excellent growth potential for the right individuals, through its performance review system which ensures that a good performer gets the promotion. The organisation also provides attractive medical facilities, subsidised canteen and transport to all and housing accommodation to most of its staff and house rent allowance for others.

.....2

66

31

: 4 :

14. Languages known (Please specify)

Languages	Read	Write	Speak

15. References

16. Any other relevant information

DECLARATION

I hereby declare that all statements made in this application are true, complete and correct to the best of my knowledge and belief. I understand that in the event of any information being found false or incorrect or my ineligibility being detected before or after the examination, my candidature/appointment is liable to be cancelled.

I have read the provisions in the advertisement carefully and I hereby undertake to abide by them.

I further declare that I fulfill all the conditions of eligibility regarding age, educational qualifications, etc. prescribed for admission to the examination.

I also declare that I have never been convicted by any court of law.

Place

Date

Signature of the Applicant

Notes

1) The following documents are to be attached with the application:

a) Attested copies of certificate showing age, educational qualifications including marks card for the graduation. The original certificates should not be sent along with the application.

b) Certificates in support of belonging to SC/ST/OBC.

c) Latest passport size photograph (to be affixed on the application).

2) Candidates serving in Central/State Government departments, Undertakings, Autonomous Bodies, etc. should send their applications through proper channel.

3) Candidates found eligible on the basis of the application submitted will be admitted to the written examination.

4) The written examination will be held as per the following scheme and syllabi:

(A) Examination Centres:

Ahmedabad, Bangalore, New Delhi, Sriharikota and Thiruvananthapuram

(30)

65

101

PLEASE AFFIX
YOUR RECENT
PASSPORT SIZE
PHOTOGRAPH

FORMAT OF APPLICATION
(TO BE FILLED IN OWN HAND IN CAPITAL LETTERS)

1. Post applied for :

2. Advertisement No. and date :

3. Name in full :

4. Date of Birth and Age :

5. Sex :

6. Nationality :

7. Whether belong to SC/ST/OBC :
(Please specify)

8. Address for correspondence :

9. Nearest Railway Station :

10. Educational and other qualifications:

Degree/ Diploma	University/ Board	Subjects	Year of Passing	%age of marks	Class

11. Computer skills. Possessed, if any:

Nature of knowledge/ skill possessed. [list out software packages with independent handling ability]	Level of Knowledge/ skill	Organisation/ institution Where from learned	Remarks

12. Choice of Centre for written Test (Please tick):

Ahmedabad Bangalore New Delhi

Sriharikota Thiruvananthapuram

13. Details of employment in chronological order:

1 Organisation	2 Post/held	3 Period From/To	4 Emoluments drawn	5 Nature of Work

6
Reasons for
leaving

.....4

68 33

Candidates will have to appear for the written examination at their own cost. Those who qualify in the written examination will have to appear for the interview. ISRO has discretion to fix the qualifying marks in any or all the subjects of examination. The candidates who attend the interview will be eligible for reimbursement of to and fro II class train fare by the shortest route on production of proof for onward journey.

Canvassing in any form is a disqualification.

-----\$4\$-----

True Copy
Attested by

S. V. Krishna Rao
S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec. P & GA Divn.
Govt. of India, Dept. of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

9) Scheme of the Examination:

The subjects for the examination, the time allowed and the maximum marks for each subject will be as follows.

Paper	Name of the test	Max. marks	Duration
Paper-I	a) Reasoning ability b) General awareness	100	3 hours
Paper II	a) Arithmetic b) English	100	3 hours

- The papers in all the subjects will consist of objective type questions except one of the questions in English, which will be of a descriptive type.
- Candidates must write the papers in their own hand. In no circumstances will they be allowed the help of a scribe to write the answers for them.

10) Syllabi for the Examination:

Paper I (a) Reasoning Ability:

Questions in the test of Reasoning Ability will be non-verbal and verbal. Of the 100 items, 40 items will be of Non-verbal type based on classification, analogy and series. The remaining 60 items will be of verbal type based on letter/number series, letter/number/word analogy, number/letter/word classification, coding and decoding, problem solving/finding the rule, spatial orientation/ special visualization, statement conclusion/syllogistic reasoning.

Paper I(b) General Awareness:

Questions in this test will aim at measuring knowledge of current events besides knowledge of general science/social science and their application to the society. This test will also include questions on sports, cultural history, geography, general polity, etc.

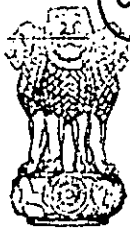
Paper II(a) Arithmetic:

This test will include questions on problems relating to percentages, ratio and proportions, averages, estimation, use of table and graphs, mensuration, time and distance, ratio and time, etc.

Paper II(b) English:

Questions in this test will be based on error recognition, fill in the blanks (using verbs, proportions, articles, etc), vocabulary, spellings, sequence of sentences in a paragraph, sequence of words in a sentence, close passage and comprehension passages, etc. Synonyms and antonyms will be asked in the context of the given passage.

भारतीय अन्तरिक्ष प्रबन्धन विभाग
इसरो मुख्यालय
अन्तरिक्ष भवन, न्यू को ई एल रोड
बैंगलूर ५६० ०१५ भारत
ता. भारी. टेलीफोन ०८४५ २४३९ व ०८४५ २३२०
दूर संचिकांक ०८०-३३४२२९
दूरभाष ३३४४७४



सत्यमेव जयते

69
CONTROLLER'S OFFICE
DEPARTMENT OF SPACE
ISRO HEADQUARTERS
ANTARIKSH BHAVAN
NEW BEL ROAD, BANGALORE 560 015 INDIA
GRAMS ISHO ०८४५ २४३९ व २३२०
FAX ०८० ३३४२२९ TELEPHONE ३३४४७४

EXHIBIT R-7

103

No. ISRO/AFB/AD (2)

September 13, 1995.

Requests have been received from various Centres/Units to operate the post of Assistants 'B' earmarked for direct recruitment on adhoc basis. The matter has been examined in detail and it has been decided that the post of Assistants 'B' earmarked for direct recruitment may be operated on adhoc basis for a period of six months.

Adm. Officer-II
from a
13/9/95

(V.P.D. Nambiar)
Head, Pers & Genl Admn

Director, ISTRAC/MCF
Controller, VSSC/SAC/SHAR/ISAC/LPSC
Chief Engineer, CED
Admn. Officer-II, ISRO HQ

How many post are available? Full time or part time?

Let us operate all posts, if there is any on the basis of the above.

True Copy
Attested by:

S. V. KRISHNA RAO
Asst. Admn. Officer office
L & D Sec. Pers. & CA Divn
Govt. of India, Dept. of
ISRO ISHA CENTRE
Sriharikota-524 124 (A.P.)

भारत सरकार
अन्तरिक्ष विभाग

इसरो मुख्यालय

अन्तरिक्ष भवन, न्यू बी ई एल रोड

बैंगलूर - 560 094 भारत

तार : इसरो, टेलिक्स : 0845-2499/2326

दूर प्रतियंत्रण : 080-3334229

दूरभाष : 3334474



सत्यमेव जयते

GOVERNMENT OF INDIA
DEPARTMENT OF SPACE

ISRO HEADQUARTERS

ANTARIKSH BHAVAN

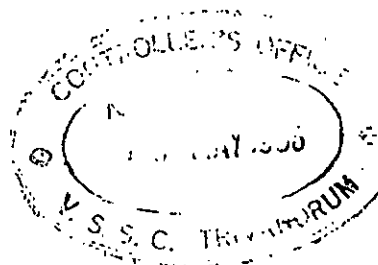
NEW BEL ROAD, BANGALORE- 560 094

GRAMS : ISRO TELEX : 0845-2499/

FAX : 080-3334229 TELEPHONE : 033

EXHIBIT R-

HQ:ADMN:A.20(2)



May 06, 1996

Vide ISRO HQ letter of even number dated September 13, 1995, it was decided that the post of Assistant-B earmarked for direct recruitment may be operated on adhoc basis for a period of six months.

2 Subsequently, Centres/Units have requested to intimate whether the adhoc promotions given against the posts of Assistant-B earmarked for direct recruitment can be continued beyond six months. It has been decided that the post of Assistant-B earmarked for direct recruitment may be operated on adhoc basis for another six months w.e.f. March 13, 1996 or till regular recruitment is made, whichever is earlier.

3 This issues with the approval of competent authority.

V P D Nambiar
Head, Personnel & Gen Admn

Director, ISTRAC/INSAT MCF
Chief Engineer, CED
Controller, ISAC/LPSC/SAC/SHAR/VSSC
Admn Officer-II, ISRO HQ

True Copy
Attested by:

S. V. KRISHNA RAO
Asst. Administrative Officer
Sec. P & GA Divn
Govt. of India, Dept of Sp
ISRO : SHAR CENTRE
Shrikrishna-524 124 (A.P)

प्रधान कार्यालय
OFFICE OF THE HEAD
पी. एण्ड जी. ए.
P & G A

दियरी नं.
DIARY No:

तिथि
DATE

1530

22/7/96

भारतीय अन्तरिक्ष अनुसंधान संस्थान (INDIAN SPACE RESEARCH ORGANISATION (ISRO))

भारत सरकार

अन्तरिक्ष विभाग

इसरो मुख्यालय

अन्तरिक्ष भवन, न्यू वी ई एल रोड

बेंगलूर - 560 094 भारत

तार : इसरो, टेलिफोन : 0845-2499/2326

दूर प्रतिक्रिया : 080-3334229

दूरभाष : 3284474



सत्यमेव जयते

71

EXHIBIT R-9

4140 (PC)
17/9/96

GOVERNMENT OF INDIA
DEPARTMENT OF SPACE

ISRO HEADQUARTERS

ANTARIKSH BHAVAN

NEW BEL ROAD, BANGALORE-560 094 INDIA

GRAMS ISRO TELEX : 0845-2499/2326

FAX : 080-3334229 TELEPHONE 3234474

Establishment
Group : E-1
Dairy No: 18257 10-11
Date : 20-9-96
NO: ADMN: A.20(2)

प्रधान कार्यालय
OFFICE OF THE HEAD
जी. एड जी. ए.
P & GA
1952 18/9/96

September 11, 1996

Further to our letter of even number dated May 06, 1996, it has been decided that the post of Assistant-B earmarked for direct recruitment may be operated on adhoc basis for another six months w.e.f. September 13, 1996 or till regular recruitment is made, whichever is earlier.

2 This issues with the approval of competent authority.

V P D Nambiar
Head, Personnel & Gen Admn
Tel: 3416265

Director, ISTRAC/MCF
Chief Engineer, CED
Controller, ISAC/LPSC/SAC/SHAR/VSSC
Administrative Officer-II, ISRO HQ

True Copy
Attested by:

S. V. KRISHNA RAO
Asst. Administrative office
L & D Sec. P & GA Divn
Govt. of India, Dept of Space
ISRO SHAR CENTRE
Sriharikota-524 124 (A.P.)

भारत सरकार
अन्तरिक्ष विभाग
इसरो-मुख्यालय
अन्तरिक्ष भवन,

न्यू बी ई एल रोड, बंगलूर - 560 094, भारत
तार : इसरो, दूरभाष : 3415474
दूर प्रतिक्रिया : 080- 3415229



सत्यमेव जयते

72

EXHIBIT R- 1C

GOVERNMENT OF INDIA
DEPARTMENT OF SPACE
ISRO HEADQUARTERS
ANTARIKSH BHAVAN
NEW BEL ROAD, BANGALORE - 560 094, INDIA
GRAMS : ISRO TELEPHONE : 3415474
FAX : 080- 3415229

प्रधान कार्यालय OFFICE OF THE HEAD पी. एण्ड जी. ए. (पी) P & G (P)	
आदेश नं. Order No:	दिनांक DATE
291	21-2-97

HQ:ADMN:A.20(2)

नियंत्रक का कार्यालय CONTROLLER'S OFFICE	
आदेश नं. Order No.	837
दिनांक/Date	21/2/97
हस्ताक्षर/Initial	

February 17, 1997

Further to our letter of even number dated September 11, 1996, it has been decided that the post of Assistant-B earmarked for direct recruitment may be operated on adhoc basis, for another six months w.e.f. 13.03.1997 or till regular recruitment is made, whichever is earlier.

2 This issues with the approval of competent authority.

AO-II/Rev
21/2
H/P/GA(P)
21/2
AO-II/Rev
21/2

पी.एण्ड जी.ए. / P & G A
स्थापना / Establishment
तार / SHAR

ग्रुप/Group : 64
आदेश नं./Diary No : 44/1250
दिनांक/Date : 21/2/97

V P D Nambiar
Head, Personnel & Gen Admn

True Copy
Attested by:

Director, INSAT MCF/ISTRAC
Chief Engineer, CED
Controller, ISAC/LPSC/SAC/SHAR/VSSC
Administrative Officer-II, ISRO HQ

S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec. P & G A Div.
Govt. of India, Dept of Space
ISRO : SHAR CENTRE
Srihnikola-524 124 (A.P.)

P & G A
Establishment
SHAR
 Group 19-435-110
 Dairy No: 136
 Date : 24-9-97

73

EXHIBIT R-11

भारतीय विमान
 इसरो मुख्यालय

उपस्थिति भवन,
 ए. ए. ए. रोड, बंगलूर - 560 064, कर्नाट
 डा. इसरो, बंगलूर - 341647
 त. 080-2415224



GOVERNMENT OF INDIA
 DEPARTMENT OF SPACE
ISRO HEADQUARTERS
 ANTARIKSH BHAVAN
 NEW BEL ROAD BANGALORE - 560 064
 भारत सरकार, अंतरिक्ष विभाग का प्रधान कार्यालय, बंगलूर - 560 064

परीक्षा / प्रविष्टि विभाग
RECRUITMENT/REVIEWS
 अनुभाग SECTION
 शा. के. के. SHAR CENTRE
 आ. सं. Inward No. 1068
 दि. / Date... 23/9/97..

CONTROLLER'S OFFICE
 आ. सं. संख्या 4060
 Inward No.
 दिनांक/Date... 18/9/97
 हस्ताक्षर/Initial

प्रधान कार्यालय
OFFICE OF THE HEAD
 पी. ए. ए. डी. ए.
 P & G A
 आ. सं. संख्या Inward No: 1700
 तिथि DATE 19-9-97

Q:ADMNA.20(2)

September 17, 1997

प्रधान कार्यालय
OFFICE OF THE HEAD
 पी. ए. ए. डी. ए.
 P & G A
 डायरी सं. DIARY No: 2499
 तिथि DATE 24-9-97

Further to our letter of even number dated February 17, 2097, it has been decided that the post of Assistant B earmarked for direct recruitment may be offered on ad-hoc basis for another six months w.e.f. 12.09.97 till regular recruitment is made, whichever is earlier.

2 This issues with the approval of competent authority.

h/19
#P&G A for P&G A
As. P. for 1100
for with detail of new holder
g post.

AA/RR
 P. L. 22/9

Director, INSAT MCF/ISTRAC
 Chief Engineer, CED
 Controller, ISAC/ISPC/SAC, SHAR/VSSC
 Administrative Officer-II, ISRO HQ

copy forwarded to Head, P&G A (P)
 for kind information

28/9/97

(S. Sankara Sastry)
 Asst. Admn. Officer
 Recruitment/Reviews

532

**True Copy
 Attested by:**

S. V. KRISHNA RAO
 Asst. Administrative officer
 L & D Sec., P & GA Div.
 Govt. of India, Dept of Space
ISRO : SHAR CENTRE
 Sriharikota-524 124 (A.P.)

REB-ESS-262178

564 064 006 25121 15-87-235

EXHIBIT R- 12

GOVERNMENT OF INDIA
DEPARTMENT OF SPACE
ISRO :: SHAR CENTRE
PGA DIVISION

July 17, 1996

lar
t)

SCF:PGA:ESTT-II:1.2

OFFICE ORDER

The following employees are promoted on adhoc/officiating basis as detailed below against the resultant vacancies shown against their names.

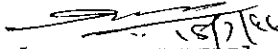
Sl. No.	Name, Designation, S.C.No and Divn./Section. S/Shri/Smt./Kum.	Promoted Post & Grade	Date of Promotion	Pay fixed on promotion	Promotion effected against the resultant vacancy of	Posted to	On relief to report to
1.	M Satyanarayana Singh, E 11260 Purch. Asst. 'A' IRT Purchase	Purch.Asst.'B' Rs.1640-2900/-	02.07.96	Rs.2180/-	Sri E.T. Rama Rao 'Purchase Asst.'B'	IRT Purchase	Head, P & S
2.	CH Seetharam, OCB PGA (M)	Purch.Asst.'A' Rs.1400-2300/-	02.07.96	Rs.1480/-	Sri M Satyanarayana Singh, PA 'A'	IRT Purchase	Head, P & S
3.	T Krupamma, OCB Central Stores.	Admn. Asst. 'A' Rs.1400-2300/-	11.06.96	Rs.2000/-	Smt. P Varalakshmi Admn.Asst.'A'(adhoc)	EM & W, P & GA(P)	Head P&GA (P)
4.	T Devasahayam OCA Canteen, SCF	Office Clerk-B Rs.1200-2040/-	02.07.96	Rs.1260/-	Shri CH. Seetharam Office Clerk-B	P & GA (M)	Head P&GA (M)
5.	L A Bhaskar Reddy OCA F & AD	Office Clerk-B Rs.1200-2040/-	11.06.96	Rs.1260/-	Smt. T Krupamma Office Clerk-B	Cen. Stores	Head P & S
6.	G Saradakumari OCA, IRT Accounts	Office Clerk-B	02.07.96	Rs.1260/-	Leave vacancy Smt.P Satyamma	IRT Accounts	Head Accts. & IFA


Contd...2

The above promotions are approved by the Director, SHAR Centre.

The adhoc/officiating promotions of the above officials will not confer any claim or right on them for promotion to any regular vacancy whenever it may arise in the Centre. The service rendered in adhoc/officiating basis would not count for the purpose of seniority in that grade and eligibility for promotion.

They will automatically stand reverted to their original posts on expiry of the short term vacancy unless otherwise notified.

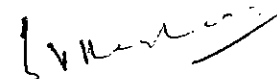

[K N N NAMBU DIRI]
ADMN. OFFICER-II
ESTABLISHMENT


To
The Individuals concerned

Through: Division/Section Heads

cc to : Associate Director, SHAR Centre
Head, Accts. & IFA [With a request to relieve the officials working under their control
Head, Purchase & Stores at the earliest]
Head, PGA (P)/(M)
Head, Canteen Services
Stores Officer-II, Central Stores
Accounts Officer-II, IRT
Purchase Officer-II, IRT
Canteen Manager, SCF Canteens
Accounts Officer-I, Pay & Estt.
Personal File/PC/MC

**True Copy
Attested by:**


S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn.
Govt. of India, Dept. of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

GOVERNMENT OF INDIA
DEPARTMENT OF SPACE
ISRO :: SHAR CENTRE
P&GA DIVISION

January 15, 1997

SCF:PGA:ESTT-II:1.2

OFFICE ORDER

The following employees are promoted on ad-hoc basis against the resultant vacancy of Shri T.N.C. Sampath Kumar, Accounts Asst. 'B', who was transferred to VSSC on promotion, w.e.f the forenoon of 15th January, 1997.

Sl. No.	Name, S C No. Design. & Divn. S/Shri/Smt/Kum	Post & Grade to which promoted	Pay fixed on promotion
01.	Ch.C. Venkatamma, N12358 Acct. Asst. 'A'	Accts. Asst. 'B' Rs.1640-2900/-	Rs.1940/-
02.	G. Govindamma, T 11498 Office Clerk 'B'	Accts. Asst. 'A' Rs.1400-2300/-	Rs.1850/-
03.	G. Prasad, E 11141 Office Clerk 'A'	Office Clerk 'B' Rs.1200-2040/-	Rs.1290/-

The ad-hoc promotions of the above officials will not confer any claim or right on them for promotion to any regular vacancy whenever it may arise in the Centre. The service rendered in officiating capacity would not count for the purpose of seniority in that grade and eligibility for regular promotion.

They will automatically stand reverted to their original posts on expiry of the short term vacancy or on further orders.

[K N N. NAMBU DIRI]
ADMN. OFFICER-II

To: The individuals concerned,
Through: Concerned Unit/Division/Secn. Heads
Copy to: Head, Accts. & ALFA
Head, P & GA
Head, Purchase & Stores
Admn. Officer, RMT-RWS
Accounts Officer, Pay & Estd.
Pers. File/PG/Master File

ISRO मुख्यालय

0845 2499 334474

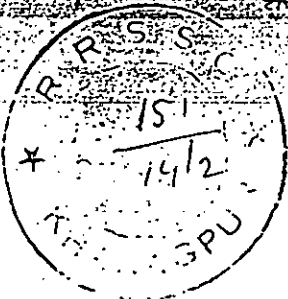
080 334229

334474



GOVERNMENT OF INDIA
DEPARTMENT OF SPACE
ISRO HEADQUARTERS

ANTARIKSH BHAVAN
NEW BEL ROAD, BANGALORE-560 094, INDIA
GRAMS ISRO TLX 0845 2499 / 2326
FAX 080 334229 TELEPHONE 334474



HQ:ADMN:A-20(2)



EXHIBIT R-1A
January 05, 1996

OFFICE MEMORANDUM

In partial modification of OM No.HQ:ADMN:A.20(2) dated 17.5.95, it has been decided that the posts of Assistant-B in the scale of pay of Rs.1400-2600 vacant as on 17.5.95 will be filled by promotion of internal Assistants-A. The post falling vacant from 17.5.95 will be filled as per the procedures stipulated in OM dated May 17, 1995.

2 - All other terms and conditions of the OM dated 17.5.95 remains unchanged.

3 This issues with the approval of competent authority.

V P D Nambiar
5/96

V P D Nambiar
Head, Personnel & Gen Admn

As per distribution list

As per distribution list
9/

True Copy
Attested by:

S. V. Krishna Rao

S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec. P & GA Dept.
Govt. of India, Dept. of Space
ISRO SHAR CENTRE
Sriharikota-524 124 (A.P.)

Excerpt from the Minutes of 17th Meeting of JCM
held on ~~11-9-92~~ 25-9-92. (78)

Ann Exhibit-R

EXHIBIT R-15

11. Thereafter, the new Agenda items for the Seventeenth Meeting were taken up for discussion.

2.01 Rs.1640-2900 scale to be implemented for all Assistants.

Joint Secretary informed that the attempts made by the Department for getting the scale of Rs.1640-2900/- to Asst. 'B' in ISRO were not successful and perhaps the matter could be revived after some time. The staff side mentioned that the issue has been pending for a long time and the Department not being able to get the approval of the Government, they requested to refer the matter for arbitration.

At this stage it was informed that a dissent note is to be recorded in JCM before referring the matter for arbitration and for recording dissent note, approval of the competent authority is required to be obtained by the Department. It was agreed to take action for getting the approval in this regard.

Action : US(J)

2.02 (a) Implement the recent decision of CAT, Ernakulam fixing the marks for interview and allocate more marks for practical/written test both for Admn. and Technical.

(b) In the light of the recent judgement of the Ernakulam Bench of the CAT on the marks to be provided for interview in the DPC for the Admn. Staff, reduce the marks to 10 for interview for the Tech. Staff also.

True Copy
Attested by:

S.V. KRISHNA RAO
Asstt. Admn. Officer

Extract from the Minutes of the 18th Meeting (I Session)
held on 16.4.1993.

79

EXHIBIT R-16

- 2.23 Sree Uthradam Tirunal Hospital and Cosmopolitan
(15th Mtg) Hospital, Thiruvananthapuram may be recognised
CS(MA) Rules.

JS informed Staff Side that the matter is being pursued with the Ministry of Health and Family Welfare. JS also informed that the Ministry of Health and Family Welfare have called for some information from the Health Department of the Government of Kerala.

[Action : US(K)]

- 2.08 Implement SIU recommendations for Stenographers to
(16th Mtg) improve their promotional avenues.

JS requested ISAC to send proposal for additional posts.

[Action : Controller, ISAC, Ad.O(V)]

- 2.01 Rs.1640-2900/- scale to be implemented for all
(17th Mtg) Assistants.

The Staff Side informed that they had come to a conclusion after discussion among themselves that they would not go for arbitration in this regard and were agreeable for lateral entry at Assistants level so that the Department could take up the matter for necessary approval for giving the scale of 1640-2900 to ISRO Assistants. Chairman informed that he was also convinced of the demand of the Staff Side in this regard and would try to get the scale of 1640-2900 to ISRO Assistants.

[Action : US(K)]

True Copy
Attested by:

S.V. KRISHNA NAU
Asst. Adm. Officer

Extract from the Minutes of 19th Meeting of JCM
held on ~~22-1-1992~~ 10-2-94. (80)

R-17
EXHIBIT R-17

2.14 Extend career opportunities for S&T staff who have
(18th Mtg) joined after 14.6.1984.

The Staff Side argued for removal of atleast written test for Helpers. Chairman categorically informed the Staff Side that dilution of standards can never be allowed.

2.04 Redesignate Radiographer, Lab. Technicians, Pharmacists
(15th Mtg) as Scientific Asst.

Staff Side pointed out that the Department had so far not issued orders introducing the scale of Rs.1640-2900 and requested to issue orders early since other Central Government Departments have already introduced. It was explained to them that the Department has been constantly following up this matter with the Ministry of Health and Family Welfare. Chairman requested JS to discuss with the officials when he visits Delhi on official tour.

[Action : US(K)]

2.01 Rs.1640-2900/- scale to be implemented for all
(17th Mtg) Assistants.

Chairman informed that only recently the scale of Rs.1640-2900 was approved by Finance for DOS Secretariat Assistants and the issue of extending the same scale for ISRO Assistants 'B' is being taken up again with Finance. In this connection, Chairman pointed out that Finance insisted even in case of DOS Secretariat not only direct recruitment of Assistants but also on the standard of examination for direct recruitment at the same level of the direct recruitment of Assistants in Central Secretariat Service. The Staff Side confirmed their acceptance for 3 $\frac{1}{3}$ % direct recruitment at the level of Assistants 'B' to enable the Department to take up the case again with the Finance.

True Copy
Attested by:

[Action : US(K)]

S.V. KRISHNA Rao
Asstt. Admn. Officer

Extract from the Minutes of the 21st Meeting (1st Session) held on 16-2-1995. (81) - 18 11/11

15.04 Redesignate Radiographer, Lab. Technicians, Pharmacists as Scientific Assistants.

EXHIBIT R- 18

&

19.06 Promotional avenues to para medical staff should be on par with Tradesman.

The Council was informed that in the absence of instructions of Government for introduction of an additional pay scale i.e., Rs.1640-2900/- to all the para-medical staff, a proposal for upgradation of certain posts in SHAR Centre was made and the approval is awaited. In response to the doubts expressed by the Staff Side, it was clarified that the existing eligible employees can be considered for such upgraded posts (promotion would be vacancy oriented), after receiving approval and such posts will not be personal to them and will be available to the Centres permanently.

17.01 Rs.1640-2900/- scale to be implemented for all Assistants.

Chairman informed the council that the proposal of the Department for assigning the pay scale of Rs.1640-2900/- to Assistant 'B' in ISRO has been in the final stages of the approvals and the matter is being constantly pursued by the Department. At this stage, the Staff Side mentioned that, against the direct recruitment quota to be filled at the level of Assistant 'B'; eligible internal candidates may first be considered before resorting to advertisement. It was informed that the requirement of direct recruitment is a precondition for assigning the pay scale of Rs.1640-2900/- to such posts and any change in such approach will result in rejection of our proposal by the Government. It was clarified that all eligible internal candidates in DOS/ISRO can also apply and compete along with the outsiders as and when such posts are advertised.

Action : US(K)

18.28 Risk Allowance may be introduced at the earliest.

The Council was informed that the reconstituted committee under the Chairmanship of Dr. Vasantha, Director, SHAR has commenced its deliberations. It was also informed that the views of the Staff Side to the Committee are awaited. At this stage the Staff Side stated that the committee should visit the Centres/Units to ascertain the views of the Staff Side before the final report of the committee is submitted to the Department. Chairman agreed to the need for the committee to ascertain the views of the Staff Side.

True Copy
Attested by:

S. V. KRISHNA RAO
Asst. Administrative Officer
L & D Sec., P & GA Divn.
Govt. of India, Dept. of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

Action : ISRO HQ.

Dy No.3426/97-

R-19

116

EXHIBIT R-19

Friday, this the 2nd day of May, 1997.

C O R A M

HON'BLE SHRI AV HARIDASAN, VICE CHAIRMAN
HON'BLE SHRI PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

....

1. D Soman Pillai, Leader,
Joint Consultative Machinery (JCM),
JCM Regional Council,
Vikram Sarabhai Space Centre,
Thiruvananthapuram—695 022.
2. S Viswanathan, SC No.28153,
Office Clerk B, PGA/CDS,
Vikram Sarabhai Space Centre,
Thiruvananthapuram—2.

....Applicants

By Advocate Shri P Ravindran.

vs

1. Union of India represented by its
Secretary, Department of Space,
Government Secretariat, Bangalore.
2. Chairman, Indian Space Research
Organisation, Bangalore.
3. Director, Vikram Sarabhai Space Centre,
Thiruvananthapuram.
4. Joint Secretary (Chairman),
Department of Space,
Regional Council, New Delhi.

....Respondents

By Advocate Shri CN Radhakrishnan.

O R D E R

HON'BLE SHRI AV HARIDASAN, VICE CHAIRMAN.

The first applicant in the Original Application is the Member of the Joint Consultative Machinery. The second applicant is an Office Clerk B. The application appears to have been filed on behalf of the Clerical Staff under the third respondent aggrieved

(83)

by a promotion policy. The grievance not being an individual one, but common. It appears that the first applicant as the leader of the staff and the second applicant, a member of the staff, allegedly affected, have joined and presented this application. The Registry has raised an objection regarding maintainability of the OA on the ground that a resolution authorising the first applicant to file the application has not been produced. The learned counsel for applicants states that the first applicant does not present the application as the Secretary of an association, but as a leader of the staff in the Joint Consultative Machinery (JCM). As leader in the JCM, he can represent the employees in the JCM, but cannot maintain an OA. If the staff are aggrieved by the policy and if there is a legitimate grievance, the Association of the staff can maintain the OA and it should be filed by the Association represented by its Secretary and one or two members. Hence, the present application cannot be entertained. The OA need not be registered as it is presented.

Dated 2nd May, 1997.

sd/-
PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

sd/-
AV HARIDASAN
VICE CHAIRMAN

CERTIFIED TRUE COPY

Date 7.5.97

Deputy Registrar

True Copy
Attested by:

S. V. KRISHNA RAO
Asst. Administrative Officer
& D Sec., P & GA Divn.
Govt. of India, Dept of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

The Honourable Mr. Justice K.G. Balakrishnan

And

The Honourable Mr. Justice B.N. Patnaik

Friday the 6th day of June, 1997/ 16th Jyaishta, 1919.

C.M.P. No. 1677/97 in O.P. No. 9580/97 s

Petitioners/Petitioners:

1. D. Soman Pillai, Leader, Joint Consultative Machinery (JCM), JCM/Regional Council, Vikram Sarabhai Space Centre, Thiruvananthapuram.
2. S. Viswanathan, SC No. 28153, Office Clerk B, PGA/CDS, Vikram Sarabhai Space Centre, Thiruvananthapuram.

Vs.

Respondents/Respondents:

1. Union of India, represented by its Secretary, Department of Space, Government Secretariat, Bangalore.
2. Chairman, Indian Space Research Organisation, Bangalore.
3. Director, Vikram Sarabhai Space Centre, Thiruvananthapuram.
4. Joint Secretary, (Chairman), Department of Space, Regional Council, New Delhi.
5. Central Administrative Tribunal, Ernakulam.

Petition praying that in the circumstances stated in the affidavit filed along with the O.P. the High Court be pleased to stay all further proceedings pursuant to Exts. P2 and P4 pending disposal of the O.P.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of O.P. and upon hearing the arguments of Mr. P. Ravindran, Advocate for the petitioner, the court passed the following:

ORDER

Interim stay for 2 weeks & Notice.

6.6.97:

By J. K.G. Balakrishnan, Judge

Sd/- B.N. Patnaik, Judge

/ True Copy /

Ext. P2: true copy of Office Memorandum dated 17.3.95 issued by ISRO Headquarters.

Ext. P4: true copy of the representation dated 6.6.1995 submitted jointly by various recognised staff Associations before the 2nd respondent.

Enl/7/6/

HEAD - PGA

Assistant Registrar

True Copy
Attested By:

S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Diva.
Govt. of India, Dept of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

(86)

ORDER


Interim stay extended for one week. Post on 25-6-1997.

20-6-1997.

Sd/- K.G. Balakrishnan, Ju

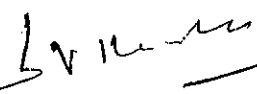
Sd/- C.S. Rajan, Judge.

/True Copy/


Assistant Registrar.

MT/-

True Copy
Attested by:


S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn.
Govt. of India, Dept of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

IN THE HIGH COURT OF KERALA AT ERNAKULAM

R-20

Present:

The Honourable Mr. Justice K.C. Balakrishnan
and
The Honourable Mr. Justice C.S. Rajan

Friday, the 20th day of June, 1997/30th Jyaistha, 1919

CMF.No.16771/97 in O.P.No.9580 of 1997-S

Petitioners-Petitioners:-

1. D. Soman Pillai, Leader,
Joint Consultative Machinery (JCM),
JCM Regional Council, Vikram Sarabhai Space Centre,
Thiruvananthapuram.
2. S. Viswanathan, SC No.28153,
Office Clerk B, PGA/CDS, Vikram Sarabhai Space Centre,
Thiruvananthapuram.

Vs.

Respondents-Respondents:-

1. Union of India, represented by its
Secretary, Department of Space,
Government Secretariat, Bangalore.
2. Chairman, Indian Space Research Organisation,
Bangalore.
3. Director, Vikram Sarabhai Space Centre,
Thiruvananthapuram.
4. Joint Secretary (Chairman),
Department of Space, Regional Council, New Delhi.
5. Central Administrative Tribunal, Ernakulam.

Petition praying that in the circumstances stated in the affidavit filed along with the O.P. the High Court be pleased to stay all further proceedings pursuant to Exts.P2 and P4 pending disposal of the O.P.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of O.P. and this court order dt. 6-6-97 and upon hearing the arguments of Mr. P. Ravindran, Advocate for the petitioner and of Mr. C.N. Radhakrishnan, Advocate for R1 to R4, the court passed the following:-

(87) R-29
EXHIBIT R-2162
120

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

The Hon'ble Mr. Justice K.G. Balakrishnan and
The Hon'ble Mr. Justice B.N. Patnaik

Friday, the 4th July, 1997/13th Ashadha, 1919

O.P.No, 9580 of 1997

PETITIONERS:

1. D. Soman Pillai, Leader,
Joint Consultative Machinery (JCM),
JCM Regional Council,
Vikram Sarabhai Space Centre,
Thiruvananthapuram-695 022.
2. S. Viswanathan, SC No.28153,
Office Clerk B, PGA/CDS,
Vikram Sarabhai Space Centre,
Thiruvananthapuram.

By adv. Shri.P. Ravindran.

RESPONDENTS:

1. Union of India, represented by its
Secretary, Department of Space,
Government Secretariat, Bangalore.
2. Chairman, Indian Space Research Organisation,
Bangalore.
3. Director, Vikram Sarabhai Space Centre,
Thiruvananthapuram.
4. Joint Secretary (Chairman),
Department of Space,
Regional Council, New Delhi.
5. Central Administrative Tribunal,
Ernakulam.

By adv. Shri.C.N. Radhakrishnan (R1-R4)

The above O.P. having been finally heard on
4-7-1997, the Court on the same day delivered the
following:

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88
124
K.G. Balakrishnan & B.N. Patnaik, JJ.

O.P.No. 9580 of 1997-S

JUDGMENT

Balakrishnan, J.

This is an Original Petition filed against an order dated 2-5-1997 passed by the Central Administrative Tribunal, Ernakulam Bench. The petitioners herein filed an Original Application before the Tribunal alleging that the respondents 1 to 3 are going to make direct recruitment to the post of Assistant B in the Indian Space Research Organisation. The first petitioner contended that he is a member of the Joint Consultative Machinery and matters like direct recruitment or change of policy regarding should have been discussed in the Joint Consultative Machinery and this fact was not discussed in that Committee. Therefore, the entire process of selection by direct recruitment to the

89



post of Assistant B is illegal and the petitioners prayed before the Tribunal for its interference. The application filed by the petitioners was rejected by the impugned order. The reason for rejection is stated as follows:

"It appears that the first applicant as the leader of the staff and the second applicant, a member of the staff, allegedly affected, have joined and presented this application. The Registry has raised an objection regarding maintainability of the OA on the ground that a resolution authorising the first applicant to file the application has not been produced. The learned counsel for applicants states that the first applicant does not present the application as the Secretary of an association, but as a leader of the staff in the Joint Consultative Machinery (JCM). As leaders in the JCM, he can represent the employees in the JCM, but cannot maintain an O.A."

It was further stated that if the first petitioner wanted to maintain the application, he should produce a copy of the resolution authorising the first petitioner to file the application.

2. We heard the petitioners' counsel and counsel for the respondents 1 to 4. Rule 4 of the Central Administrative Tribunal (Procedure) Rules, 1987 says

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(90)



that:

"An application to the Tribunal shall be presented in Form I by the applicant in person or by an agent or by a duly authorised legal practitioner to the Registrar or any other officer authorised in writing by the Registrar to receive the same or be sent by registered post with acknowledgement due addressed to the Registrar of the Bench concerned."

Rule 4(5) (a) says that:

"Notwithstanding anything contained in sub-rules (1) to (3), the Tribunal may permit more than one person to join together and file a single application if it is satisfied, having regard to the cause of action and the nature of relief prayed for, that they have a common interest in the matter."

According to the petitioners' counsel, the first petitioner has not filed the Original Application before the Tribunal as an agent of the employees or as a representative. He is a member of the Joint Consultative Machinery and the question regarding the appointment of the staff by direct recruitment, being a matter, ought to have been discussed by the Joint Consultative Machinery. The petitioners/were denied *opportunities* to submit their grievances before the Committee and, therefore, ~~they were denied~~ the decision taken by the

59

(91)

authorities to make direct recruitment is illegal.

We do not propose to go into the merits of the case.

As the first petitioner has not filed the Original Application before the Tribunal as an agent or as a representative, he is not liable to produce any authorisation or power-of-attorney. Whether the petitioners have any locus standi to file the application can be considered by the Tribunal. We do not think that the rejection of the application at the threshold is in order.

Therefore, we set aside Ext.P7 order. The

Original Application filed by the petitioners may be disposed of by the Tribunal in the light of the above observations. We make it clear that we do not make any decision regarding the locus standi of the petitioners to file a petition like the one they filed before the Tribunal.

O.P. is disposed of accordingly.

Sd/-

(K.G. BALAKRISHNAN)
Judge

Sd/-

(B.N. PATNAIK)
Judge

True Copy
Attested by:

4th July, 1997.
nan/-

S. V. KRISHNA RAO
Asst. Administrative Officer
L & D Sec., P & GA Divn
Govt. of India, Dept. of Space
ISRO: SHAR CENTRE
Sriharikota-524 124 (A.P.)

//True copy//

P.S. to Judge.

CAT order
dated 2.5.97
Rejecting 15
application
discussed in
para (1) of this
judgment

13/7/97

- 5 - (92)

Order on CMP No.16771/97 in O.P.No.9580/97-S.

Dismissed

4-7-1997.

Sd/- K.G. Balakrishnan, Judge.
Sd/- B.N. Patnaik, Judge.

APPENDIX

Petitioners' Exhibits:

- Ext.P1 - True copy of the scheme for joint Consultation and Compulsory Arbitration for the Employees of Department of Space/ Indian Space Research Organisation.
- Ext.P2 - True copy of office Memorandum dated 17-5-95 issued by ISRO Headquarters.
- Ext.P3 - True copy of the representation submitted by the 1st petitioner dt. 30-5-95 before the 2nd respondent.
- Ext.P4 - True copy of the representation dated 6-6-95 submitted jointly by various recognised staff Associations before the 2nd respondent.
- Ext.P5 - True copy of the circular dated 17-1-97 issued by the VSSC.
- Ext.P6 - True copy of the original application submitted by the petitioners before the Tribunal.
- Ext.P6(a) True copy of the joint application submitted along with Ext.P6 before the C.A.T., by the petitioners.
- Ext.P7 - True copy of the order of the C.A.T., Ernakulam dated 2-5-1997.
- Ext.P8 - True copy of the details of the source documents concerning career opportunities in I.S.R.O. for Administrative Staff.
- Ext.P9 - True copy of the overview of the type of of staff in Administration areas issued by the respondents.
- Ext.P10 - True copy of the procedure for internal promotions in respect of Administrative staff.
- Ext.P11 - True copy of the approved grouping of posts for reservation, seniority a model roster is prepared by respondents.

.....

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-6- (93) 128 14

Ext.P12 - True copy of the communication S.O.
No.4/1(1)/90-VI(V) (Vol)III) dated
5-9-1995.

Ext.P13 - True copy of the communication No.PP&M:
112 dated 20-9-1996.

Respondents' Exhibits:

Ext.R1 - True copy of minutes of the 21st meeting
(first section) of the Dept. Council of
JCM held on 16-12-1995.

Ext.R2 - True copy of office memorandum No.2/13
(10)851 Vol.IV dated 17-5-1995 issued by
Joint Secretary, Dept. of Space.

Ext.R3 - True copy of Office Memo.No.HQ:ADMN:A.20(2)
dated 22-4-1996 issued by the Scientific
Secretary, Dept. of Space.

**True Copy
Attested by:**

S. V. KRISHNA RAO

S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn
Govt. of India, Dept. of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

True Copy,

P. S. S. S.
Examiner:

WEDNESDAY, THIS THE 12TH DAY OF NOVEMBER, 1997.

C O R A M:

HON'BLE MR. A. V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. S.K. GHOSAL, ADMINISTRATIVE MEMBER

1. D. Soman Pillai, Leader,
Joint Consultative Machinery (JCM)
JCM Regional Council,
Vikram Sarabhai Space Centre,
Thiruvananthapuram-695 022.
2. S. Viswanathan, SC No. 28153,
Office Clerk 'B', PGA/CDS
Vikram Sarabhai Space Centre,
Thiruvananthapuram-695 022.

...Applicants

By Advocate Mr. P. Ravindran

Vs.

1. Union of India
represented by its Secretary,
Department of Space,
Government Secretariat,
Bangalore.
2. Chairman,
Indian Space Research Organisation,
Bangalore.
3. Director,
Vikram Sarabhai Space Centre,
Thiruvananthapuram.
4. Joint Secretary (Chairman)
Department of Space,
Regional Council,
New Delhi.

...Respondents

By Advocate Mr. C.N. Radhakrishnan

The application having been heard on 17.10.97, the Tribunal on 12.11.1997 delivered the following:

O R D E R

HON'BLE MR. S.K. GHOSAL, ADMINISTRATIVE MEMBER

The first applicant in this Original Application is a member of the Departmental Council (Council for short) constituted by the first respondent as an integral part of



the Joint Consultative Machinery (JCM). He is also a leader on the staff side of the Regional Council, which is a lower level body under the same JCM. The second applicant in the present Application is an employee of the third respondent working as a Clerk in grade 'B' (Clerk B) in his office.

2. It has been alleged, inter alia, on behalf of these applicants that the impugned order at Annexure A2, bearing No.HQ: ADMN:A.20(2) dated 17.5.95, which is an Office Memorandum providing for direct recruitment through open competition to the extent of 1/3rd of the posts of Assistant in grade 'B' (Assistant B), which is the promotional post for Assistant grade 'A' (Assistant A), which in turn is the promotional post of Clerk-B, contravenes the provisions of the scheme for Joint Consultation and Compulsory Arbitration (the Scheme for short) for the employees of the respondent Department. The Scheme, which is another name for JCM, has been fully described under Annexure A1. These two applicants have further impugned the circular of advertisement at Annexure A5 issued by the respondent Department, i.e. the Department of Space, bearing No. VSSC/PGA/CDS/22(243) dated 30.12.96, calling for applications from candidates in the open market for 18 posts of Assistant B falling under the 1/3rd quota meant for direct recruitment. Similarly, they have impugned the internal circular issued by the respondent, NO. 3 at Annexure A6, bearing No. VSSC/EST/G/80/97 dated 17.1.97, inviting applications for recruitment to the posts of Assistant B also from amongst the employees of the respondent Department who have

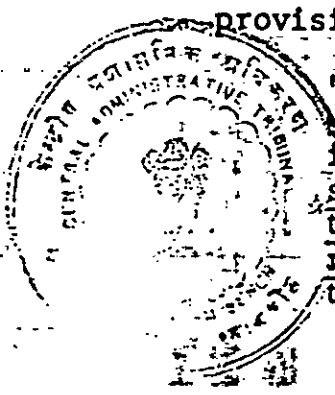
completed three years of service, provided such employees are graduates and not more than 45 years of age, for participation in the same direct recruitment i.e., through open competition for the same 18 (eighteen) posts meant for direct recruitment.

3. The thrust of the arguments advanced by these two applicants is that these impugned orders and communications issued by the respondent Department have violated the specific provisions of the Scheme, which have been prescribed validly and formally, and therefore, have created a legal obligation for the respondent Department not to act contrary to those provisions.

4. The specific provisions, which according to the applicants, have been contravened by the respondent Department are those relating to the obligation for the Department to make a reference of a matter, which is discussed at the Departmental Council, but on which disagreement has taken place between the two sides namely, the Government represented by the Department and the staff represented by the nominees of various staff Associations, to a Committee of the Council for further examination and report. This provision is found in Annexure A1 under paragraph 13(1). Since the provisions of the Scheme under paragraphs 13(1) to 13 (11) have been referred to and relied upon by both the applicants and the respondents in this case, we feel it may be useful to reproduce those provisions:

"Procedure for settlement of disputes

In the event of disagreement between the two sides, the matter may be referred to a Committee of the council appointed for further examination and report. But if a final disagreement is recorded and the matter is one for which compulsory arbitration



...4... (97) 130
is provided, it shall be referred to arbitration, if so desired by either side. In other cases, the Government will take action according to its own judgment. A matter disposed by a council will not be placed on agenda during the following 12 months except when the Chairman of the council, for special reasons, directs otherwise;

11) As mentioned in para-4, compulsory arbitration shall be limited to pay and allowances, weekly hours of work and leave of a class or grade of employees. Cases of individuals shall not be subject to compulsory arbitration. No dispute shall be referred to arbitration unless it has been considered by the National Council or the Departmental Council as the case may be and final disagreement between the two sides had been recorded. If there is dispute relating to an arbitrable matter in a lower council, it will be placed before the Departmental Council."

(Emphasis supplied)

5. The applicants have alleged that the Department have unilaterally and arbitrarily introduced the element of direct recruitment to the cadre of Assistant B in spite of the fact that in all the meetings of the Departmental Council of the JCM of the Department of Space, the staff side has rejected the proposals for introduction of any such direct recruitment. It has been specifically urged on behalf of the applicants that though the objections were raised by the staff side, those objections were not considered and the first respondent, i.e., the Secretary of the Department of Space, has arbitrarily introduced the element of direct recruitment for the cadre of Assistant B to the extent of 1/3rd of the vacancies in that cadre. It has been further stated by the applicants that the applicants have been making representations against the impugned orders at Annexure A2, without, however, there being any response from the respondent Department.

6. Further and more specifically, on behalf of the second applicant who is now holding a post of Clerk B, it has been argued that direct recruitment to the extent of 1/3rd of the vacancies in the



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(98) cadre of Assistant-B would result in deprivation of adequate opportunities for the senior people in the feeder category of Assistant-A and in turn, ^{for those} in the lower feeder category of Clerk-B. Thus, the right of the 2nd applicant, as an employee of the Department working in the Clerk-B cadre will be adversely affected. Besides, being an employee belonging to a Scheduled Caste, he has been guaranteed promotion to such higher posts under the Constitution. Since the impugned decision at Annexure A2 of introducing direct recruitment is not designed to promote public interest in any specific manner, it cannot take away the right of the second applicant. Finally, the applicants have sought the reliefs that the impugned orders and communications issued by the respondent Department should be quashed, the earlier policy of promotion based on seniority alone continued and the matter of direct recruitment referred to a Committee of the Departmental Council.

7. The respondent Department, on the other hand, has challenged the locus standi of the first applicant in the matter. It has been stated by the respondent Department that the first applicant has himself benefitted already under that order. He cannot, therefore, be an aggrieved party according to the respondent Department. We have dealt with this aspect of locus standi for the 1st applicant separately below.

As regards the other allegations made by the applicants, the learned counsel for the respondents has argued that there has been no violation, while passing the impugned order at A2, of the provisions of the Scheme described in detail at A1 and more specifically that the decision of the Department to introduce some degree of



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direct recruitment has been necessitated by its concern for efficiency and meritorious service in Public Administration and is thus obviously in public interest.

8. He has admitted, however, that the Department is obliged, under the Scheme to refer a matter, on which a disagreement takes place and is so recorded at the meeting of the Departmental Council, first to a Committee of the Departmental Council as per the JCM, and then if a final disagreement is recorded, to the Board of Arbitration, compulsorily. But, the learned advocate for the respondent Department has argued, no such disagreement took place or was recorded as such on this subject at the meeting of the Departmental Council held on 16.2.95, as evidenced by the proceedings of that meeting. These proceedings were circulated under the communication from the first respondent bearing No. 12/2(1)/952 (Vol.II) dated 25.5.95 at Annexure RV.

9. A copy of these approved minutes (proceedings) of the said meeting of the Departmental Council, we observe, was also sent, amongst others, to the first applicant under the same communication.

10. Further, the respondent Department has explained in the reply statement that it is necessary as a policy to ensure administrative efficiency and to provide competent services to the technical and scientific personnel of the Indian Space Research Organisation, ^(ISRO) which is the principal part of the Department, through an efficient cadre of Assistant-B who, in turn and on promotion, would be called upon to man still higher posts at the level of Assistant Officers and above in the Organisation. Considering the critical importance of the work being done by the ISRO for the nation as a whole, as a matter of administrative

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Necessary

policy it has been found ^{to} ^{necessary} infuse young blood and introduce merit-based recruitment through ^{then} competition at the level of Assistant-B to a limited extent, without seriously affecting the normal promotional opportunities for the lower feeder categories, it has been averred on behalf of respondent Department. The respondents have further asserted that it was only after the matter was discussed at the meeting of the Departmental Council held on 16.2.95 that the Department took a decision to provide for a quota limited to the extent of 1/3rd of the vacancies arising in future for direct recruitment. *in Batlad*

11. We find considerable force in the general line of argument that in the interest of promoting administrative efficiency infusion of fresh blood at certain stages, through open competition and based on merits, for public service is in public interest. For an administrative Department like the Department of Space, where the administrative staff has to service, with a high degree of competence, the scientists and technologists, who are engaged in tasks and works of critical importance for the nation as a whole, such open and merit-based lateral induction may, in fact, be essential. Therefore, in our opinion, such an administrative Department is fully competent to decide upon such a policy of direct recruitment which, it has to be admitted, will thus meet

the test of public interest. But the main ground for challenging this policy, in our considered view, is procedural irregularities, as alleged by the applicants.



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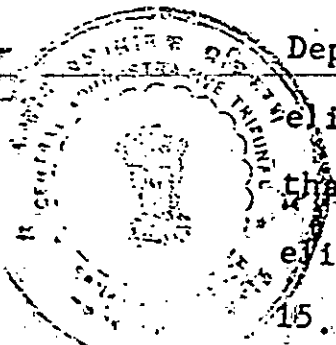
Therefore, those allegations will have to be carefully considered.

12. The learned counsel for the official respondents, has then stated that considering the various representations received from the staff Associations, after the issue of the order under challenge, i.e., Annexure A-2, the Department has issued the order at Annexure R-VI, providing for adequate and special concession for the internal candidates i.e., the employees of the Department. Several conditions which have been prescribed for fresh candidates applying for posts meant for direct recruitment to Assistance-B cadre, have been formally declared under R-VI as not applicable for the internal candidates.

13. We observe that, for example, the age for the internal candidates has been relaxed upto 45 years and that the insistence on a minimum level of marks at 55% of the total marks at the graduation level in their case has been given up.

14. In the reply statement filed by the respondent Department it has been mentioned further that not only thousands of eligible open market candidates have already applied for these eighteen posts, but so have hundreds of internal candidates. Thus, according to the respondent Department, this policy has also been found to have elicited a large measure of support all round, including that from those employees of the Department who are eligible.

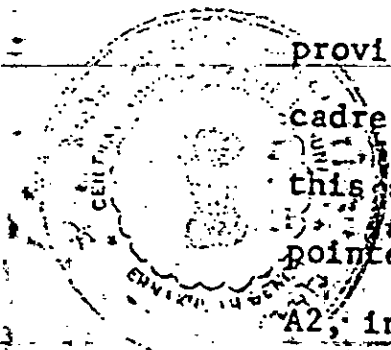
15. On behalf of the respondent Department it has been finally urged that there is no case for any judicial



intervention in this matter which is primarily concerned with the formulation and implementation of an appropriate administrative policy, particularly when it enjoys such a wide measure of support among the employees concerned and when it does not offend any of the provisions of the Constitution or any of the provisions of the Scheme at Annexure A1.

16. Further, as regards the special claim of the second applicant, according to the respondent Department, he does not have any fundamental right to uninterrupted promotions from one lower cadre to the next higher cadre and then on to all the still higher cadres in any unbroken sequence, just because he belongs to a Scheduled Caste.

17. At the threshold itself we find ourselves in complete agreement with this particular position which is evidently valid in law. It is so, because the 2nd applicant has not mentioned any provision, specifically providing for reservation for the SCs in all the promotional cadres upto Assistant-B which dispensation, considering the inadequacy of the representation of SCs in a particular promotional cadre, the respondent Department could make under the amended provisions of Article 16 of the Constitution. In the absence of such specific provisions of reservation for SCs/STs in the promotional cadre of Assistant-B, the claim of the 2nd applicant on this score does not appear convincing to us. Further, as pointed out by us below, para 6 of the impugned order at A2, in particular, protects all the special concessions and dispensations in favour of the SC/STs that the Department



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has issued and may issue from ⁻¹⁰⁻ time to time and makes t¹³⁶
operation of the said impugned order conditional upon this ²¹
clause. The applicants, on the other hand, have failed to
produce any evidence that the impugned order actually
violates any of these special safeguards for SCs/STs. A
mere assertion on the part of the applicants couched in
general terms can hardly be expected to be ^a substitute for
such evidence.

18. Before we proceed to discuss the merits of the case
further, it will be necessary for us specifically to
consider the locus standi of the first applicant. This
issue has been raised in particular by the respondent
Department. In this context, it is useful, in our opinion
to dwell briefly upon the background of the present O.A.

19. The present original application had earlier been
rejected by this Bench at the stage of registration
itself, through an order dated 2.5.97, on the ground that
the first applicant could not prosecute the matter
legitimately on behalf of the staff allegedly adversely
affected, unless he had proper authorisation from the
concerned Staff Association, which, in turn would be
normally represented by its Secretary and one or two
members. Since the first applicant had failed to do so,
the O.A. was dismissed in limine. Against that order ^{of}
the Tribunal, the applicants approached the Hon'ble High
Court of Kerala with the Original Petition No. 9590/97.

The Hon'ble High Court has allowed the petition and held ^{that}
the rejection of the Original Application at the threshold
by this Tribunal was not in order. It ~~has~~ also held that
the first applicant has not filed the O.A. as an agent or
a representative, but primarily as a member of the

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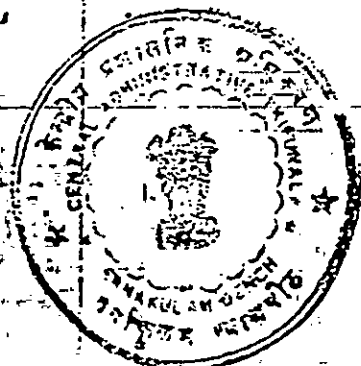
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Departmental Council under JCM and therefore, he is not liable to produce any authorisation or power of Attorney from a Staff Association.

20. This was the only ground on which the Tribunal had earlier rejected the O.A. at the very admission stage. We have further recognised that the 1st applicant being a duly nominated member of the Departmental Council enjoys a clear locus standi for the purpose of challenging what is discussed and decided at a meeting of the said Council irrespective of whether any other class interest has suffered or not, and irrespective of whether he had turned out to be a beneficiary under the impugned policy or not. We have, therefore, decided not to allow the issue of locus standi of the 1st applicant to stand further in the way of a substantive consideration of the merits of the case. We have, decided to proceed to hear the matter on merits. Accordingly, the matter has been so heard.

21. The fate of the present Application, in our considered view, turns critically on whether or not the impugned order at A2 was passed even after a disagreement in respect of the same matter took place at the meeting of the Departmental Council under JCM and even after such a disagreement was validly recorded in a duly prescribed manner. According to us, it is this allegation of a serious procedural irregularity which has to be properly considered and decided. It is, therefore, essential in our opinion to refer to the minutes approved duly by the Chairman of the Council and circulated with the communication dated 25.5.95 by the first respondent at R-V. The relevant part of the minutes relating to the discussions held at the Departmental Council at its meeting on 16.2.95 on this particular topic is reproduced below:

"7.01 A. 1640-2900/- scale to be implemented for all



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Assistants:

Chairman informed the Council that the proposal the Department for assigning the pay scale of 1640-2900 to Assistant-B in ISRO has been in the final stages of the approvals and the matter is being constantly pursued by the Department. At this stage, the Staff side mentioned that, against the direct recruitment quota to be filled at the level of Assistant-B, eligible internal candidates may first be considered before resorting to advertisement. It was informed that the requirement of direct recruitment is a precondition for assigning the pay scale of Rs. 1640-2900 to such posts and any change in such approach will result in rejection of our proposal by the Government. It was clarified that all eligible internal candidates in DOS/ISRO can also apply and compete along with the outsiders as and when such posts are advertised."

(emphasis supplied)

22. From the minutes, as reproduced above, it is clear that the staff side had mentioned at the meeting that against the direct recruitment quota to be filled at the level of Assistant-B, eligible internal candidates should be considered before resorting to advertisement. However, the same minutes also indicate that it was finally clarified that all eligible internal candidates in the Department could also apply and compete along with outsiders as and when posts under the direct recruitment were finalised. Further, it is evident from the above extract of the minutes that the upward revision of the scale of pay and assigning that higher and revised pay

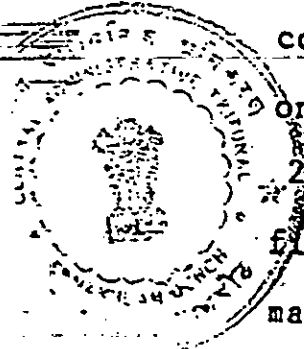
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scale of R. 1640-2900 to the cadre of Assistant-B was contingent, in the perception of the Council, upon the introduction of an element of direct recruitment in that cadre and that if there were to be any change of approach, it was felt, the proposal for the assignment of the revised and higher scale of pay to the cadre of Assistant-B might be rejected by the Government

23. However, when Annexure A2 order was passed by the Department, i.e., the first respondent, a few representations were indeed made against it on behalf of the Associations. The applicants have relied upon those representations in support of their contention that there was actually disagreement between the staff side and the respondent Department in respect of the proposal to introduce some degree of direct recruitment to the cadre of Assistant-B.

24. But we must observe at the outset that ^{at} such representations ^{by} themselves, in this particular context of alleged violation of provisions of JCM, do not partake the character of a disagreement between the Department i.e. the official side and the Staff side. If these representations are to be considered as valid disagreements and recognised as such, they should have been duly ^{made and} recorded at a meeting of the Departmental Council constituted as a part of the JCM. However, considering that the applicants have placed much reliance on these representations, we discuss them below.

25. It is seen from the representation submitted by the first applicant dated 30.5.95, i.e., Annexure A3, that he made a reference to the discussions on this matter at the JCM. This reference is apparently to the meeting of the



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Departmental Council under JCM held on 16.2.95 which have quoted above.

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26. In this representation at Annexure A3, the applicant in his capacity as the leader on the staff side for the Regional Council and a member of the Departmental Council under JCM, has said while referring to the JCM discussions,

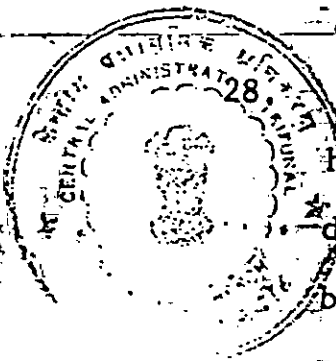
"the Department took a stand against the will and wish of the staff side to enforce 1/3rd direct recruitment quota at the level of Assistant for giving the revised scale of Rs. 1640-2900 to Assistant-B. The Department has taken a unilateral decision without consulting the staff side to induct direct recruitment at the level of Assistant-B. It was then stated by the Chairman, ISRO that though a direct recruitment is insisted, the internal candidates would be given due weightage in the selection of filling up the 1/3rd posts."

(emphasis supplied)

27.

The Chairman, ISRO, we observe, in his capacity as the Secretary of the Department of Space is the Chairman of the Departmental Council. It is he who presided over the said meeting of the Departmental Council held on 16.2.95, where these discussions took place and whose minutes he subsequently approved and circulated at R-V. We have quoted those very minutes above.

We further observe that the applicant in his representation at Annexure A3 has not really disputed that there was a discussion on this point; but that according to him what was agreed at that meeting was that internal candidates should be given



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due weightage in the matter of filling up of the 1/3rd posts under the direct recruitment quota.

29. The applicants have referred to another representation dated 6.6.95 at A4 made on behalf of the representatives of a number of Staff Associations in respect of the impugned order at A2. Because of its importance and the fact that it may throw some light on the nature and background of these objections, it is useful in our opinion to reproduce Annexure A4. While referring to the impugned order at A2, it says:

"..Please refer to the orders issued on the subject cited above.

JCM Staff side appreciate the efforts taken by the Chairman in getting 1640-2900 scale for Assistant-Bs in lieu of 1400-2600. The following are the views of the Staff side.

1. We are against for open recruitment at Assistant-B level to the extent of 1/3rd posts.
2. Recruitment should be at Asst. A level and preference be given for internal candidates before resorting open recruitment.
3. Pay fixation benefit under FR 22(c) to be given from 1.1.86.
4. Age relaxation.
5. Posts which are vacant as on 17.5.95 should not be brought under the purview of present order.
6. Instead of First point, the merit point should be made third point and seniority should be made first and second points.
7. The eligibility for Asst. A/B should be 5 years to compete for Asst. Officer post.

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8. Conditions are to be fixed after consultation with JCM even for internal candidates.

9. The recruitment of Assistant should be at centre level.

10. Any other issue connecteds to the above."

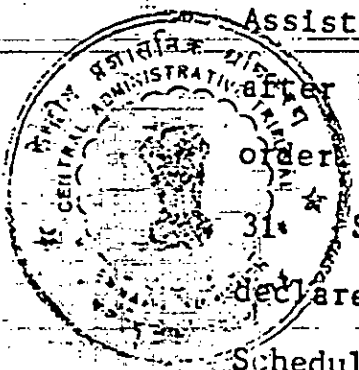
(Emphasis supplied)

30. This representation recognises that the Chairman of ISRO was making efforts to get the benefit of a higher scale of pay for employees at the level of Assistant-B. However, it says that the direct recruitment should take place at the level of Assistant-A i.e., the level just below Assistant-B, and further that the internal candidates should be given preference. Significantly, it makes no reference to the discussions on this matter at the meeting of the Departmental Council under JCM or to any disagreement, in particular, during such discussions.

We have already referred to the order passed by the Department, subsequent to Annexure A2, at Annexure R-VI dated April 22, 1996 under which both the age and educational qualifications have been relaxed in favour of the internal candidates. This, according to us, doubtless amounts to giving due weightage to 1/3rd of the vacancies in Assistant-B cadre. Further, para 7 of the Annexure A-2 i.e., the impugned order, specifically limits the application of the limited direct recruitment quota for Assistant-B, only to those vacancies which would arise

after 17.5.95, i.e. the date of issue of the said impugned order.

31. Significantly, para 6 of the same order also declares that special concessions for categories like Scheduled Castes would not be affected. We have already discussed the implications of this para-6 of the impugned



order in detail above.

32. We also note that Annexure R-V circulating the minutes of the Departmental Council, as approved validly by the Chairman of the said Council, where the matter was specifically and admittedly discussed, was given wide circulation. The applicants did not, at any point of time earlier, challenge it as incorrect. Even now the relevant part of the said minutes at R-V relating to the discussion on the matter at the meeting of the Department Council held on 16.2.95 under JCM has not been challenged in the O.A.

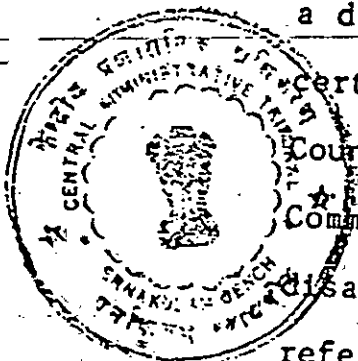
33. These minutes have become final in terms of the specific provision of para 12 of the Scheme at Annexure A1 dealing with finalisation of the minutes of the Council. The provisions of para 12 are reproduced below:

"12. The minutes of the meeting will be finalised under the directions of the Chairman of the Council in the usual manner and copies thereof will thereafter be circulated to members of the Council by the member Secretary of the official side.

(Emphasis ours)

34. There is no dispute that the procedure set out above has been followed by the respondent Department while finalising and circulating the minutes.

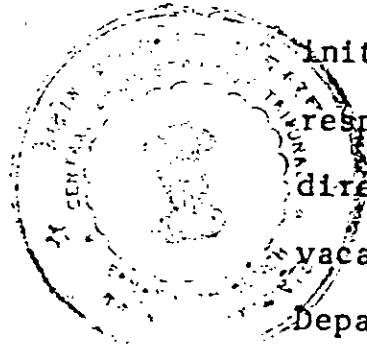
35. It has also been admitted on both sides that in terms of the Departmental policy at Annexure A1, whenever a disagreement takes place and is recorded in respect of certain specified matters at a meeting of the Departmental Council, such matters would have first to be referred to a Committee of the Council and if there is a final disagreement recorded even thereafter, the matter would be referred to the Board of Arbitration for compulsory



(111)

36. The main question that arises for consideration, therefore, is whether such a disagreement as discussed above actually arose. It would be relevant, in our considered view, to recognise in this context that just any disagreement, like the disagreements expressed after the issue of the impugned order, or at any other point of time, or on any other occasion, will not amount to a disagreement in this specific sense. To the contrary, a disagreement, if any, should have arisen, specially and Qvidently, only at a meeting of the Departmental Council as a part of JCM when the relevant matter was taken up for discussion there. If the answer to this crucial question, namely, did a disagreement in the latter and specific sense arise, is in the affirmative, i.e., that such a specific disagreement did indeed take place there, then the main prayer of the applicants will have to be granted; otherwise not.

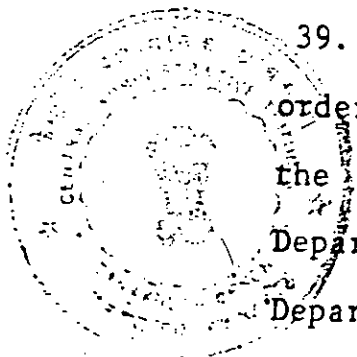
37. From the facts and circumstances of the case, as discussed in detail above by us, we are unable to persuade ourselves to hold that there was in fact any specific disagreement at the meeting of the Departmental Council under JCM. Undoubtedly, discussions between the two sides took place on the impugned policy. Clarifications were evidently furnished by the Chairman in the context of the initial objection from the staff side at the meeting in respect of the need for introduction of an element of direct recruitment, limited to 1/3rd of the future vacancies in the cadre of the Assistant-B in the Department. Had there been such a disagreement even after those clarifications from the Chairman, it would have been



recorded concerning that matter in the duly approved minutes of the Departmental Council of the JCM available at R-V. The concerned part of those minutes, that we have quoted above, in our considered view, amply proves that there was indeed no such disagreement after the Chairman explained the relevant circumstances.

38. We do not consider it necessary to deliberate at this stage on the alternative but important line adopted by the learned counsel for respondent Department, namely, that even if a disagreement had taken place, the scope for reference to a Committee of the Departmental Council and then, in the event of a final disagreement being recorded there, to a Board of Arbitration, is limited to matters which are specifically mentioned in the policy on JCM at Annexure A1, i.e. (i) Pay and Allowances, (ii) Weekly hours of work, and (iii) leave of a class or grade of employees; but that the scope of that reference does not include the manner of recruitment to a particular cadre of posts, like Assistant-B. Nor do we wish to comment on the further defence taken by the learned counsel for the respondent Department that since the introduction of direct recruitment to a cadre like Assistant-B, ^{lies} in the area of administrative policy, there is hardly any scope for judicial intervention in such matters.

39. In our opinion, the real challenges to the impugned orders and communications at Annexure A2, A5 and A6 are the alleged lack of compliance by the respondent Department with the provisions of the formal policy of the Department on JCM at Annexure A1, i.e., an irregularity of procedures and the alleged violation of the right of



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employees like the second applicant. Consideration of other points of defence made on behalf of the respondent Department would have arisen if those challenges were found maintainable. Since, on the contrary, having dealt with those two allegations at length and having found them untenable, we have come to the conclusion that the impugned orders and communications cannot be faulted on those grounds, detailed consideration of those other points urged by the official respondents, in our considered view, is not necessary.

40. We donot find any material to convince ourselves that the respondent Department has actually failed to comply with the provisions of the policy regarding the operation of JCM or that the impugned communications adversely affect any legal right of the second applicant in a manner which is not valid. In the light of the discussions recorded above and based on the pleadings and material placed before us and the arguments advanced by the learned counsel on either side, we are unable to accept the case of the applicants.

41. As a result, the application fails and we order dismissal of the application.

The parties to bear their own costs.

Dated the 12th November, 1997.

Sd/-
S K GHOSAL
ADMINISTRATIVE MEMBER

Sd/-
A V HARIDASAN
VICE CHAIRMAN



CERTIFIED TRUE COPY
Date 12-11-97

Deputy Registrar

True Copy
Attested by:

S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn
Govt. of India, Dept. of S
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

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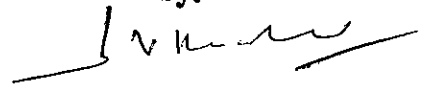
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LIST OF ANNEXURES

1. Annexure A-1 : Scheme for Joint Consultation and Compulsory Arbitration for the Employees of Department of Space/Indian Space Research Organisation.
2. Annexure A-2 : Office Memorandum dt.17th May, 1995 issued by ISRO Headquarters. (Ref.No.HQ:ADMN:A.20(2)).
3. Annexure A-3 : Representation dt.30-5-1995 submitted by the 1st applicant before the 2nd respondent.
4. Annexure A-4 : Representation dt.6-6-1995 submitted jointly by various recognised Staff Association before the 2nd respondent.
5. Annexure A-5 : Circulation of Advertisement dt.30-12-1996 issued by the V.S.S.C.(Ref.No.VSSC/PGA/CDS/22(243)).
6. Annexure A-6 : Circular dt.17th January, 1997 issued by the V.S.S.C.(Ref.No.VSSC/EST/G/80/97).
7. Annexure R-V : Minutes of the 21st Meeting(First Session) of the Departmental Council of JCM held on 16-2-1995.
8. Annexure R-VI : Office Memorandum No.HQ:ADMN:A.20(2) dt. 22-4-1996 issued by Scientific Secretary, ISRO Headquarters.



True Copy
Attested by:



S. V. KRISHNA RAO
Asst. Administrative officer
L & D Sec., P & GA Divn.
Govt. of India, Dept. of Space
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P)

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565/97b2
413/97

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R-24

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE

BENCH

ORIGINAL APPLICATION No. 158.../97

Between:

ISAC Staff Association.

Represented by its General
Secretary Sri AN Nandakumar
and others

.. Applicants

And

Secretary, Department of
Space, ISRO, Bangalore

.. Respondent

I N D E X

Sl. No.	Date	Description	Page Nos.
1.	01.03.1997	Application	1-13
2.	16.01.1997 ANNEXURE-A	Advertisement	- 14
3.	ANNEXURE-A1	Appendix-3 under the head 'Procedure for Internal Promotions'	15-16
4.	04.12.1996 ANNEXURE-AA	True copy of the Representation of the Applicants	17-18
5.	"	Vakalat	- 19

BANGALORE

DATED: 3.3.1997

True Copy

COUNSEL FOR APPLICANTS

Attested by:

S. V. KRISHNA RAO

Asst. Administrative officer

L & D Sec., P & GA Divn.

Govt. of India, Dept. of Space

ISRO : SHAR CENTRE

Sriharikota-524 124 (A.P.)

ORIGINAL APPLICATION No. 158 /1997

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985.

1. ISAC Staff Association
Represented by its General Secretary
Sri P N Nandakumar
ISRO Satellite Centre
Department of Space
Airport Road
Vimanapura
Bangalore 560 017.

2. Sri V Sathyanarayana Babu
Son of late K Pandurangaiah Setty
Aged 35 years
Residing at No.7/1, III Cross
Car Street, Ulsoor
Bangalore 560 008.
Presently working as OCA
in ISRO Satellite Centre
Airport Road, Vimanapura
Bangalore 560 017

3. Sri A Shankarappa
Son of late Appalla
Age 43 years
Residing at No.12-C, 102
DOS Housing Colony
Airport Road, Domlur
Bangalore 560 071.
Presently working as OCB
in ISRO Satellite Centre
Airport Road, Vimanapura
Bangalore 560 017

4. Sri G K Srinath
Son of late G C Keshavan
Age 43 years
Residing at No.10C-301
DOS Housing Colony
Airport Road, Domlur.
Bangalore 560 071
Presently working as Assistant-A
in ISRO Satellite Centre
Airport Road, Vimanapura
Bangalore 560 017.

.. Applicants

AND

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1. Secretary, Department of Space/
Chairman, Indian Space Research
Organization (ISRO)
Indian Space Research Organization
Head Quarters, Department of Space
Government of India
Anthariksh Bhavan
New BEL Road
Bangalore 560 094.

Respondent

DETAILS OF APPLICATION

1. Particulars of order against which the application is made.
 - a) Order No. : Advt. No.HQ.ADMN.4.26(7)/96 (ANNEXURE-A)
 - b) Date : 16.1.1997 (Indian Express)
 - c) Passed by : Issued by the Respondent proposing to fill up the posts of Assistant-B in the Respondent directly.
 - d) Subject in brief : Proposed action on the part of the respondents to fill up the posts of Assistant-B in the respondent organisation directly, denying the promotional avenues and opportunities to the staff working in the organisation which was hitherto followed by the respondent.
2. Jurisdiction of the Tribunal : The Applicants declare that the subject matter of the order/advertisement against which they want redressal is within the jurisdiction of this Tribunal.
3. Limitation : The Applicants declare that the Application is within the limitation prescribed under section 21 of the Central Administrative Tribunals Act, 1985.
4. Brief Facts of the Case:

The brief facts of the case are given herein below:

- i) The first petitioner is a Union representing major work force of the respondent. The Petitioners 2 to 4 are

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presently working as Office Clerk-A (OCA), Office Clerk-B (OCB) and Assistant-A in the ISRO Satellite Centre, Bangalore. The Petitioners are gravely and severely affected and injured by the proposed action on the part of the respondent in proposing to fillup the Assistant-B posts directly through open market and totally ignoring the relevant rules and practice followed in regard to the fulfillment of the said posts 100% through promotion.

- ii) ISRO Satellite Centre which wholly belongs to Central Government (Department of Space) is governed by its own set of regulations which govern the selection, posting and promotion to various cadres in the establishment. The lower cadre in the establishment is OCA (LDC) in the scale of Rs.950-1500 which is known as Office Clerk-A from which a person in the establishment commences his career. The said position is filled up mainly through Employment Exchange and 10% of the said position is reserved for Group 'D' administrative staff. From the said position the next cadre in the hierarchy is OCB (UDC) which carries a remuneration of Rs.1200-2040. The said posts are to be filled up only through promotions. The Compendium which specify and spell out the mode of selection to the said position clearly states that the OCB in scale of Rs.1200-2040 being in the same category of that of UDC in various other Central Government Organisations. In fact, a person who

(119) is experienced and who well versed in the administrative matters in the office will be able to efficiently and effectively carryout the duties of OCB/Assistant. With the said intention and purpose in the establishment the entire post of Assistant-B were filled up through promotions. This was the only method of filling up the said post which was followed by the Respondent establishment. 152

iii) The Compendium of orders issued by the respondent under its special publication clearly sets out the method and mode of recruitment to various administrative posts in the respondent establishment. The relevant extract/Appendix-3 under the head 'PROCEDURE FOR INTERNAL PROMOTIONS'. Relevant extract of the Compendium is marked as ANNEXURE-A₂ and the same is produced herewith.

iv) Office Clerk-A (OCA) is the first cadre in the Department and hierarchy which is to be filled up on the basis of recruitment through Employment Exchange. As mentioned hereinabove the Rules and Procedure followed in the Department is that 10% of the said post is reserved for Group-D administrative staff who have to qualify themselves by fulfilling the recruitment norms prescribed by the respondent. The method by which the next administrative higher position Office Clerk-B is filled up is on the basis of seniority and merit at the ratio of 75:25 i.e. 75% on the basis of seniority and

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25% on the basis of merit. The Compendium refers that the selection is in the ratio of 3:1 From Office Clerk-B the next promotional position in the hierarchy is Assistant-A for which again the criteria is promotion on the basis of seniority and merit at the ratio of 75% and 25%. From Assistant-A the next position in the hierarchy and the respondent establishment is Assistant-B and as far as this position is concerned the method followed and recognised by Rules is promotion through seniority. The Compendium clearly sets out that except filling up the said position through promotion absolutely on the basis of seniority, no other mode of recruitment is recognised or provided for in the establishment of the respondent. The relevant extract of the Compendium which is the authorised publication got published by the respondent clearly sets out the above aspect.

- v) It is necessary and relevant to state here that duties, responsibilities and the work pattern as far as Assistant-A and Assistant-B in the hierarchy are concerned, is similar and identical. It is for this reason that the position of Assistant-B in the hierarchy is to be filled up only through 100 per cent promotion and that too on the basis of the seniority. It is submitted that if through any other method if a person is to be directly appointed for the position of Assistant-B, he would not be able to effectively

(121) discharge his duties with any experience in the Department and on the administrative side it would not be possible to effectively carry out the duties, responsibilities and work required to be discharged by the Assistant-B in the hierarchy.

vi) It is submitted that by taking away and refusing an opportunity of becoming Assistant-B in the hierarchy which is the last promotional avenue in the administrative cadre, if an employee is denied to reach the said position through promotion, it would demoralise the working force. It is also relevant to state here that a person who has joined the service would have put in at least a minimum service of 15 years to reach the position of Assistant-A after having qualified and had become OCB. If the promotional avenues in the cadre of Assistant-B is to be denied, that would totally nullify and take away the morale of a person and also right of the lower level staff who has put in 15-20 years of service in the Department working and serving the Department sincerely and regularly.

vii) It is submitted that since the establishment of the respondent organisation the post of Assistant-B was all through filled up through promotions. It is submitted that the respondent without there being any basis has now all of a sudden and without amending the relevant rules governing recruitment decided to advertise through Annexure-A directly calling for the applications for the

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post of Assistant-B in the respondent organisation. It is respectfully submitted that the respondent has not amended the rules pertaining to the filling up of either Office Clerk-A (OCA), Office Clerk-B (OCB), or Assistant-A or Assistant-B. The grievance of the Applicants in this case pertains to the attempt to fill-up the Assistant-B post in the respondent without amending the relevant rule. It is submitted that if the said advertisement is carried through and if the post of Assistant-B in the Department is filled up through direct recruitment as proposed by the respondent it would deny the promotional opportunities to the persons working as OCA, OCB, Assistant-A. As mentioned hereinabove this would totally deny the promotional opportunities and avenues to the said cadre and also demoralise the working force in the Department and also It is submitted that as a chain of reaction it would affect the interest of the persons working in the cadre. In these circumstances, the applicants are aggrieved by the proposed action on the part of the respondent proposing to fill up the post of Assistant-B through direct recruitment denying opportunities to the staff in the cadre of OCA, OCB and Assistant-A to reach the said position through promotion.

viii) The first Applicant immediately on coming to know of the proposed illegal method on the part of the respondent has given a representation which has not been considered

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or taken note of by the Respondent. A true copy of the representation is produced and marked as ANNEXURE-3. Hence the Applicants are compelled to approach this Hon'ble Tribunal for kind intervention and grant of the prayers.

5. Grounds for relief with legal provisions:

The applicants urge the following main ground in support of their prayer for grant of reliefs sought in para 8 of this application.

Grounds

- i) The proposed move on the part of the respondent to fill up the post of Assistant-B directly is wholly illegal and contrary to law.
- ii) The said proposal also violates the rules and convention which was hitherto followed in the Department.
- iii) It is submitted that if the said proposal is given effect to it would totally deny the promotional opportunities to the persons working in cadres OCA, OCB and Assistant-A. It is submitted that apart from the said method demoralising the working of the said work force, it would also deny them to reach the position which they are entitled to legally reach.
- iv) It has been with a definite intention of improving the excellence in the working of the Department it was all through followed that the position of Assistant-B in the

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Department was filled up through promotions and not by direct recruitment. There is absolutely no reason or justification to violate the said method and to introduce the filling up of the vacancies through direct recruitment. The proposal to fill up the vacancies through direct recruitment is not supported or backed by any valid decision based on recent deliberations with the first respondent or by making necessary changes in the selection process of the first respondent.

- v) The proposed action will adversely affect the service conditions of the persons working as OCA, OCB and Assistant-A and therefore the same is wholly incorrect and without authority of law.
- vi) It is respectfully submitted that in law it is not open to the respondent to change the method of filling up of the post in Assistant-B without effecting relevant changes in the rules pertaining to the filling up of the posts in Assistant-B. It is respectfully submitted that the respondent's attempt to fillup 1/3 of the said vacancies through direct appointment without amending the relevant rule which is wholly illegal, without jurisdiction and without authority of law and therefore the same is liable to be struck down.
- vii) The proposed action is otherwise contrary to law and therefore liable to be set aside.

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6. Details of the remedies exhausted:

The Applicants further declare that they have availed all other remedies available to them under relevant service rules etc.

7. Matter not previously filed or pending with any other Court

The Applicants submit that the Applicants have not filed any other case on the same cause of action either before this Tribunal or before any other Court.

8. Relief sought:

In view of the facts mentioned in para 4 and the grounds adduced in paragraph 5 above, the Applicants humbly pray that the Hon'ble Tribunal may be pleased:

i) Quashing the impugned order/advertisement issued by Respondent No.1 proposing to fill up the post of Assistant-B through direct recruitment in terms of Advertisement No.HQ.ADMN.4.26(7)/96 dated 16.1.1997 produced as Annexure-A]

ii) To direct that the respondent shall not fill up the positions of Assistant-B in the hierarchy through open recruitment and to ensure that the said positions available in the cadre of Assistant-B shall be filled up only through promotions from OCA to Assistant-A.

iii) Direct the respondent not to alter or change the service regulations in regard to filling up of positions of Assistant-B in the Department of first respondent.

iv) Pass any other order the Hon'ble Tribunal deems fit and appropriate in the circumstances of the case.

9. **Grounds for Interim Relief:**

It is respectfully submitted that in view of what is stated above in the brief facts of the case and grounds urged, it is respectfully submitted that the proposal to fill up positions of Assistant-B in the first respondent is wholly contrary to law and therefore the respondent are not entitled to directly recruit the persons to the positions of Assistant-B in the hierarchy. It is submitted that the first respondent has already advertised to fill up the posts of Assistant-B as mentioned in Annexure-A and as can be seen from the advertisement the respondent is in a great hurry to fill up the posts of Assistant-B to ensure that the said illegal move is quickly accomplished. It is submitted that if the respondent is permitted to proceed with scrutiny of applications and to finalise the selection on the basis of the advertisement, it is submitted that the very purpose of this application gets frustrated and it would lead to further complications in the matter. Hence prayer for interim relief.

10. **Interim Relief:** It is submitted that the Hon'ble Tribunal may be pleased to issue an interim order directing:

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- i) the respondent not to fill up the vacancies of Assistant-B in the respondent organisation on the basis of the publication Annexure-A dated 16.1.1997 to the posts of Assistant-B pending hearing of the above application.
- ii) Grant any other and further interim reliefs as is deemed just and appropriate in the circumstances of the case.

11. Particulars of Postal Order:

- i) I.P.O. No. 08-04856
- ii) Name of the PO Bangalore District Office Building
- iii) Name of the PO at which payable The Registrar C.A.T. B'lore
- iv) Date of issue of Postal Order 08/3/97

12. List of Enclosures:

- i) Annexure-A
- ii) Annexure-B
- iii) Annexure-C

VERIFICATION

We, P. N. Nandakumar, General Secretary, ISAC Staff Association, ISRO Satellite Centre, Airport Road, Bangalore 560 017 and first Applicant, V Sathyanarayana Babu, Applicant No.2, A Shankarappa, Applicant No.3, G K Srinath, Applicant No.4 do hereby verify that the contents of paras 1 to 4, 6 & 7 are true to the best of our knowledge, and statements made

in paragraphs 5, 8, 9 & 10 are believed to be true on legal
advise and that we have not suppressed any material facts.

BANGALORE

DATE: 1/2/97

APPLICANT No. 1

APPLICANT No. 2

APPLICANT No. 3

APPLICANT No. 4

COUNSEL FOR APPLICANTS

To:

The Registrar
CAT, Bangalore

Address for service
M/s. G S Bhat
C Sadashiva and
N K Kantharaju
Advocates
117, Seshadripuram
I Main Road
Bangalore-560 020

True Copy
Attested by:

S. V. KRISHNA RAO
Asst. Administrative off.
L & D Sec., P & GA Div.
Govt. of India, Dept. of
ISRO : SHAR CENTRE
Sriharikota-524 124 (A.P.)

~~more of App. to be filed~~

~~7/10/98~~

In the C.A.T.
Hyd Bench

QA 1425/97

Reply Statement



Filed by
N. R. Dargy
m

may be filed.
7/10/98

(20) 6-

OA.No.158/S.

EXHIBIT R-25

Office Notes

Orders of Tribunal

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SV(VC)/TVR(MA)
20.2.98

None appears for the applicant. The learned counsel for the respondents submits that the same notification calling for applications for direct recruitment in respect of 18 posts of Assistant B had been challenged before the Ernakulam Bench in O.A.No.1179/97 - D. Soman Pillai and another v. Union of India and Others and that the Ernakulam Bench has rejected that application after considering the same on merits. He has produced a copy of the order in that case. We find that in that case the applicants therein had challenged the same decision of the respondents to have direct recruitment in respect of 18 posts of Assistant B and that that Bench has upheld the act of the respondents and has rejected the application. In view of this, it would appear that the applicants have lost interest in prosecuting this application and are, therefore, absent. In the circumstances, we reject this application following the order passed by the Ernakulam Bench.

True Copy

Attested by

S. V. KRISHNA RAO
Asst. Administrative Officer (N.A.)
L & D Sec., P & GA Divn.
Govt. of India, Dept of Space
ISRO SHAR CENTRE
Sriharikota-524 124 (A.P.)

TRUE COPY VC

ADD

Pt. arrange to forward a copy of this to Des / ADD II so as to enable them to prepare para-wise comments on a summary case for SHAR Centre.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.No.1425 OF 1997.

DATE OF ORDER:22-3-1999.

BETWEEN:

1. M.Satyanarayana Singh.
2. Ch.Sitaram.
3. K.Nageswara Rao.
4. G.Prasad.
5. S.P.Udaya Kumar.Applicants

a n d

1. Union of India, Rep. by Secretary to Government, Department of Space, Anthariksha Bhavan, New BEL Road, Bangalore-560 094.
2. The Indian Space Research Organisation, Rep. by Member(Personnel), Dept. of Space, Govt. of India, Anthariksha Bhavan, New BEL Road, Bangalore-560 094.
3. The Director, SHAR Centre, Department of Space, Govt. of India, Sriharikota, Nellore District.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.P.Naveen Rao

COUNSEL FOR THE RESPONDENTS :: Mr.B.Narasimha Sharma

CORAM:

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

A N D

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

: O R D E R :

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

Heard Mr.Phaniraj for Mr.P.Naveen Rao, learned Counsel for the Applicants and Mr.Jacob for Mr.B.Narasimha Sharma, learned Standing Counsel for the Respondents.



.....2



-2-

2. There are five applicants in this OA. The first applicant is working as Purchase Assistant-'B' (Adhoc), second applicant as Purchase Assistant-'A' (Adhoc), third applicant as Administrative Assistant-'A', fourth applicant as OC-'B' (Adhoc), and the last applicant as OC-'A'. By impugned Order No.HQ:ADMN:A.20(2), dated: 17-5-1995 (Annexure.IV, page.23 to the OA), the 1/3rd ~~posts~~ of the vacancies of Assistant-'B' is to be filled by direct recruitment through open competition on all India basis and 2/3rd by promotion following the existing procedures for promotion. The impugned letter further gives the roster for filling up the posts by direct recruitment and promotion and also the other details for filling up the posts against 2/3rd quota of the vacancies.

3. A notification No.HQ:ADMN:4.26(7)/96, dated:13th December,1996 (Annexure.A-IX, page.31 to the OA) was issued for filling up 18 posts of Assistant-'B' by direct recruitment.

4. Earlier the applicants filed OA.No.272 of 1997, challenging the direct recruitment to the post of Assistant-'B'. That OA was disposed of with a direction to the applicant to submit a representation to the respondents. Accordingly, the applicant, submitted a representation on 29-4-1997, which was disposed of by the impugned Office Memorandum No.SCF:PGA:ESTT:II:5.1, dated:3-7-1997, whereby the respondents categorically



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stated that dispensing with the direct recruitment of Assistant-'B' at this juncture cannot be agreed to.

5. Aggrieved by the above, this OA is filed to set aside the Office Memorandum No.SCF:PGA:ESTT:II:5.1, dated:3-7-1997, Office Memorandum No.2/13(10)/85-I(Vol.IV), dated:17-5-1995, and the consequential Notification No. Admn:4.26(7)/96, dated:13-12-1996 of the respondents by holding the same as illegal and arbitrary, and for a consequential direction to the respondents to reserve 1/3rd posts of Assistant-'B' borne on the establishment of Indian Space Research Organisation and its Subordinate Offices and to fill up the posts meant for direct recruitment by promotion with all consequential benefits.

6. The respondents have filed their reply. The respondents submit that similar OA was filed on the Bench of the Ernakulam and that OA bearing No.1179 of 1997 was dismissed on 12-11-1997 (Annexure R-23, page.94 to the Reply). As this OA is also similar to that of the OA.No.1179 of 1997, this OA is also liable to be dismissed.

7. We have perused the Judgment in that OA. In that OA also the Office Memorandum dated:17-5-1995, providing for direct recruitment through open competition to the extent of 1/3rd of the posts of Assistant in Grade-'B', which is the promotional post for Assistant grade-'A', and also the notification bearing No.VSSC/PGA/CDS/22(243), dated:30-12-1996, calling for applications from candidates

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filling up
from in the open market for 18 posts of Assistant-'B' falling under the 1/3rd quota meant for direct recruitment was challenged. That OA was dismissed with the following observations:-

"We do not find any material to convince ourselves that the respondent Department has actually failed to comply with the provisions of the policy regarding the operation of JCM or that the impugned communications adversely affect any legal right of the second applicant in a manner which is not valid. In the light of the discussions recorded above and based on the pleadings and material placed before us and the arguments advanced by the learned Counsel on either side, we are unable to accept the case of the applicants."

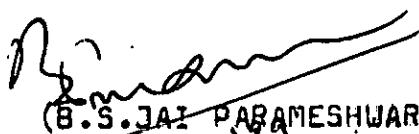
8. The learned Counsel for the Respondents has also brought to our notice that similar OA.No.158 of 1997 filed on the Bangalore Bench of this Tribunal was also dismissed following the Judgment of the Ernakulam Bench of this Tribunal referred to above. This Judgment of the Bangalore Bench of this Tribunal is a short one and is enclosed as Annexure.R-25 to this OA). A perusal of *Bangalore* ~~that Ernakulam~~ Bench Judgment indicates that the Bangalore Bench of this Tribunal agreed with the Ernakulam Bench and hence, dismissed that OA.

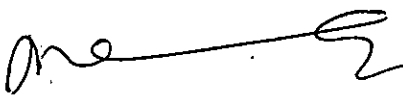
9. Having gone through the Judgment of the Ernakulam Bench of this Tribunal and the Bangalore Bench of this Tribunal, where also the said notifications were challenged, we see no reason to differ from the Judgment of the above

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two Benches. For the reasons stated by the Ernakulam Bench of this Tribunal, this OA is also liable only to be dismissed, and accordingly, it is dismissed as this OA also challenges the same notifications which were challenged in the Ernakulam Bench of this Tribunal.

10. In the result the OA is dismissed. No costs.


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


(R. RANGARAJAN)
MEMBER (ADMIN)

DATED: this the 22nd day of March, 1999

Dictated to steno in the Open Court

DSN

Copy to:

1. HDHND
2. HHRP M(A)
3. HBSOP M(J)
4. D.R. (A)
5. SPARE

1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

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: 22/3/59

ORDER/ JUDGEMENT

MA./RA./CP.No.

IN

O.A. NO.

1425787
ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

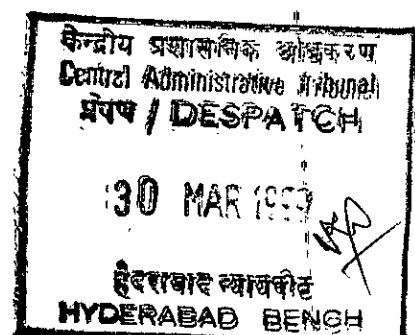
DISMISSED

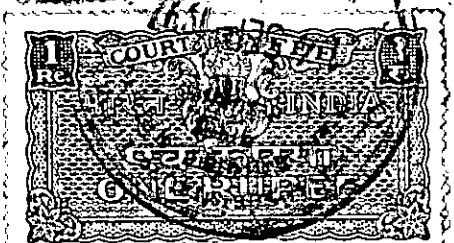
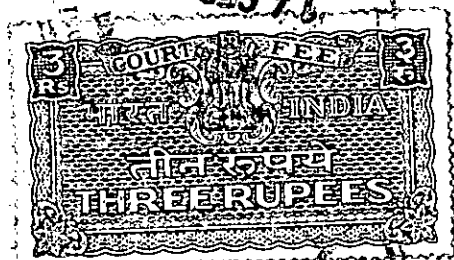
DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR





S.R. No.

DISTRICT

In the High Court of Judicature
A.P./C.A.T./AP AT : Hyderabad

O.A.
No.

of 199

7

VAKALAT

ACCEPTED

[Signature]

[Signature]

Advocate for Applicant
Respondent
Petitioner
Applicant

M/s. P. NAVEEN RAO
P. KISHORE RAO
ADVOCATES

Advocate for Applicant
Respondent
Petitioner
Applicant

Address for Service:

Phones : 7619068
7607333

H.No. 1-1-729, Gandhi Nagar,
HYDERABAD - 500 080.

OR

The Advocate's Association
High Court Buildings,
Hyderabad - 500 002.

/C.A.T./A.P.A.T. : at Hyderabad

1425

of 199 2

01. Satyanarayana Singh
8 June 2015

VERSUS

VERSUS
Union of India, rep by Secretary to Govt.
Dept. of Space and Aeronautics, Respondent
New BEL Road, Bangalore - 560 094
two only

Respondent

1/We

~~appellant-Petitioner-Applicant~~

In the above Appeal/Petition do hereby appoint and retain

Respondent

ADVOCATES

Advocate's of the High Court to appear for me/us in the above appeal/petition/application and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including all application for return of documents or the receipt of any moneys that may be payable to me/us in the said Appeal/Petition/Application and also to appear in all application under Clause XV of the Letters Patent and in all applications for review and for leave to the Supreme Court of India and in all applications for review of Judgement.

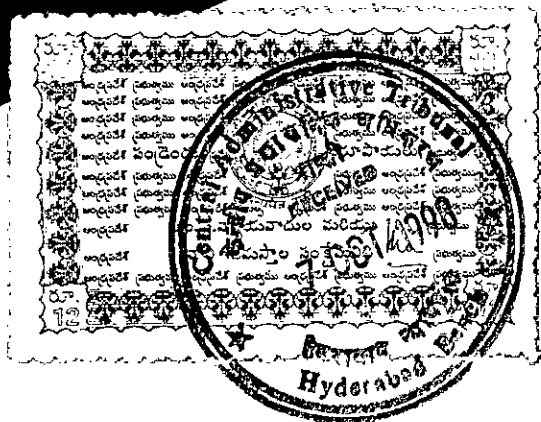


① π -styrene
 ② Phenol
 ③ ~~Phenol~~
 ④ Gasol
 ⑤ Sp. Vag. 1000

I Certify that the contents of this VAKALAT were readout and explained in (.....Eyal.....) in my presence to the executants who appeared perfectly to understand the same and made his/her/their signature of mark in my presence.

Executed before me this 24 day of August 1998

ADVOCATE'S HYDERABAD.



Central Administrative Tribunal
Hyderabad Bench, Hyderabad.

O.A/B No. 14257 of 1997

MEMO OF APPEARANCE

N.R. DEVARAJ
ADVOCATE

Standing Counsel for Railways
Senior Standing Counsel for Central Govt.

Counsel for *The Respondent*

Address for Service :

Phone : 7610600

Plot No. 8, Lalithanagar
Jamai Osmania,
Hyderabad - 500 044.

Central Administrative Tribunal, Hyderabad
HYDERABAD.

O.A. / B.A. No.

1425

of 199

7

BETWEEN

M. Satyanarayana Singh & others

Applicant (s)

Vs.

UDR. rep. by the Secretary
to Govt. Dept. of Space,
New Delhi & 2

Respondent (s)

MEMO OF APPEARANCE

To,



Devaraj, Advocate, having been authorised

(here furnish the particulars of authority)

Central/State Government/Government-Servant/ authority/corporation/society notified under Sec. 14 of the Administrative Tribunals Act, 1985. Hereby appear for applicant No. Respondent No. 1 to 3 and undertake to plead and act for them in all matters in the said case.

Place : Hyderabad.

Date : 6.10.98

Address of the Counsel for Service

Plot No.8, Lalithanagar
Jamai Osmania
Hyderabad - 500 044.

Signature & Designation of the
Counsel

N.R. DEVARAJ

Standing Counsel for Railways
Senior Standing Counsel for Central Govt.

Form No.9.
(See Rule 29)

BY.R.P.A.D.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.
1st Floor, HACH Bhavan, Opp:Public Garden, Hyderabad.500004.A.P.

ORIGINAL APPLICATION NO. 1425 OF 1997.

Applicant(s) M. Satyenarayana & Ors v/s

Respondent(s)

By Advocate Shri:

P. Naveen Rao

Secy. Dept of Space, New Bel road, Bangalore & Ors.

(By/Central Govt. Standing Counsel)

To.

Sri. N.R. Devaraj, Sr. CSEC.

- ✓ R-1. Union of India, rep. by Secretary to Government, Dept. of Space, Anthariksha Bhavan, New Bel road, Bangalore.
- ✓ R-2. The Indian Space Research Organisation, Rep. by Member (Personnel), Dept. of Space, Govt. of India, Anthariksha Bhavan, New BEL road, Bangalore.
- ✓ R-3. The Director, SWAR Centre, Dept. of Space, Govt. of India, Sriharikota, Nellore District.

Whereas an application filed by the above named applicant under Section 15 of the Administrative Tribunal Act, 1985 as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has admitted the application.

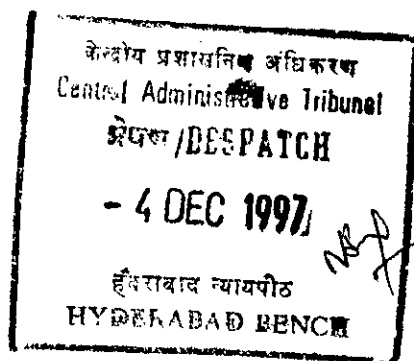
Notice is hereby given to you that if you wish to contest the application, you may file your reply along with the document in support thereof and after serving copy of the same on the applicant or his legal practitioner within 30 days of receipt of the notice before this Tribunal, either in person or through a legal practitioner/ Presenting Officer appointed by you in this behalf. In default, the said application may be heard and decided in your absence or or after that date without any further Notice.

Issued under my hand and the seal of the Tribunal
this the ~~second~~ second day of December, 1997.

//BY ORDER OF THE TRIBUNAL//

B: 2-12-1997.

FOR REGISTRAR.



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

M.A.N o. OF 1997

IN

O.A.No. OF 1997

Between:-

- (1) M.Satyanarayana Singh,
S/o.M.Balaji Singh, Aged 48 years,
Purchase Assistant 'B' (Adhoc),
SHAR Centre, Sriharikota,
Nellore Dist.
- (2) Ch.Sitaram,
S/o.Ch.Kodanda Ramaiah, Aged 46 years,
Purchase Assistant 'A' (Adhoc),
SHAR Centre, Sriharikota,
Nellore Dist.
- (3) K.Nageswara Rao,
S/o.K.Subba Rao, Aged 44 years,
Admn.Assistant 'A',
SHAR Centre, Sriharikota,
Nellore Dist.
- (4) G.Prasad,
S/o.G.Ratnaiah, Aged 35 years,
OC 'B' (Adhoc),
SHAR Centre, Sriharikota,
Nellore Dist.
- (5) S.P.Udaya Kumar,
S/o.S.M.Padmanabhan, Aged 40 years,
OC 'A', SHAR Centre,
Sriharikota,
Nellore Dist.

.... Applicants/
Applicants

A N D

- (1) Union of India,
Rep. by Secretary to Government,
Department of Space,
Anthariksha Bhavan, New EEL Road,
Bangalore-560 094.
- (2) The Indian Space Research Organisation,
Rep. by Member (Personnel), Dept. of Space,
Govt. of India, Anthariksha Bhavan,
New EEL Road,
Bangalore- 560 094.
- (3) The Director,
SHAR Centre, Dept. of Space,
Govt. of India,
Sriharikota,
Nellore Dist.

.... Respondents/
Respondents

Contd... 2

BRIEF FACTS LEADING TO THE APPLICATION:

The applicants are working in the Office of the Director, SHAR Centre, Sriharikota. By Office Memorandum No.2/13(10)/85-I(Vol.IV) dt.17.5.1995 the existing procedure for recruitment to the post of Assistant 'B' is amended and 1/3 of the posts are reserved to be filled-up by the method of direct recruitment. Consequently a Notification is issued by the Indian Space Research Organisation on 13.12.1996 calling for applications from eligible candidates to fill-up the direct recruitment quota. Aggrieved by the orders contained in the above O.M. and the consequential Notification, the applicants are involved the jurisdiction of this Hon'ble Tribunal by filing the O.A.No.272/97 which is disposed off on 28.2.97 directing the applicants to submit a representation to the respondent for their grievance. Consequent to the direction of this Hon'ble Tribunal the applicants submitted individual representations to the respondents which is rejected vide Memo.dt.3.7.1997. Aggrieved by the said Memo dt.3.7.1997 the applicants are seeking the present O.A. The applicants are inservice candidates aspiring to secure promotion to higher category and due to the introduction of of the reservation in favour of direct recruitment to the post of Assistant 'B', the service prospects of the applicants are adversely affected as it would result stagnation in the lower cadre. Therefore, the applicants have common cause of action and common interest in the subject matter of the O.A. and are seeking for common relief. Therefore, the applicants are seeking to prefer a single O.A. for redressal of their grievances.

P R A Y E R:-

It is therefore prayed that this Hon'ble Tribunal in the interest of justice be pleased to permit the applicants to join together and file a single O.A. for the redressal of their grievances and pass such other order or orders as may be deemed fit and proper in the circumstances of the case.

Contd... 3

VERIFICATION

We, the above named applicants, S/Sri.M.Satyanarayana Singh(Purchase Asst. 'B'(Adhoc), Ch.Sitaram(Purchase Assistant 'A' (Adhoc), K.Nageswara Rao(Admn.Asst. 'A'), G.Prasad(OC'B'Adhoc) and S.P.Udaya Kumar(OC'A') working at SHAR Centre, Sriharikota, Nellore District(A.), do hereby verify that the contents of this M.A. are true to our personal knowledge and belief and on the advice rendered by the Counsel and we have not suppressed any material facts.

1 S. Satyanarayana
2 Ch. Sitaram
3 K. Nageswara Rao
4 G. Prasad
5 S. P. Udaya Kumar

G.P.
(COUNSEL FOR APPLICANTS).

(SIGNATURE OF THE APPLICANTS).

Hyderabad,

Dated: 26.8.1997.

To

The Registrar,
Central Administrative Tribunal,
Hyderabad Bench,
H Y D E R A B A D.

Reg! - Seeking permission to
file single O.A applications

NELLORE DISTRICT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.

M.A.No.

OF 1997

IN

O.A.No.

OF 1997



"PERMISSION TO FILE A SINGLE O.A"

*Received
18/9/97*

Filed on:- 26.8.1997

Filed by:-

Sri.P.Naveen Rao,
Advocate,
H.No.1-1-729,
Gandhinagar,
Hyderabad-500 08 0.

(COUNSEL FOR THE APPLICANTS).

*may be filed
on
12/9/97*

25/9/97

At the request of
the applicant's counsel,
list it on 14.10.97.

Jg
HBSTP
H (S)

Jg
HARN
H (A)

14.10.97

list it on 22.10.97
at request for the
applicant's counsel.

Jg
HBSTP
H (S)

Jg
HARN
H (A)

24.10.97

Mr. Phani Raj for Mr. P.
Laveen Rao, for the
applicant and Mr. N.R. Denny
the respondent.

opposed. Under
deemed to

ORIGINAL

साधारण/GENERAL

बेच केस/BENCH

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD.

M.A. NO. 927 OF 1997.

IN

O.A. NO. 2894 OF 1997

Reg. Seeking Permission
to add Sr. O.A.

Mr. P. Nalkeen Rao
COUNSEL FOR THE APPLICANTS.

AND

Mr. N.R. Denny
Sr. ADDL. STANDING COUNSEL FOR
C.G. Rlys.