

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No. 1515/97

Date of Order : 12.11.97

BETWEEN :

B.K.Sharma

.. Applicant.

AND

1. Union of India, rep. by Secretary,  
Ministry of Defence, New Delhi.
2. Chief of Naval Staff, Naval HQS,  
DHQ PO, New Delhi.
3. Admiral Supdt., Naval Dockyard,  
Visakhapatnam.
4. Chairman, Union Public Service  
Commission, New Delhi.

.. Respondents.

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Counsel for the Applicant

.. Mr.S.Lakshma Reddy

Counsel for the Respondents

.. Mr.V.Vinod Kumar

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CORAM:

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

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

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O R D E R

X As per Hon'ble Shri B.S.Jai Parameshwar, Member (Judl.) X

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Heard Mr.S.Lakshma Reddy, learned counsel for the applicant  
and Mr.V.Vinod Kumar, learned standing counsel for the respondents.

2. The applicant a B.Sc., graduate was recruited as Junior  
Scientific Assistant on 24.2.74. He was promoted as Senior  
Scientific Assistant on 7.5.77 and subsequently promoted as  
Junior Scientific Officer on 28.8.84. Next promotional post  
to him is the Senior Scientific Officer, Gr-I.

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3. It is his case that as per SRO 27 the rules regarding promotion to the post of SSO Gr-I have been formulated and that pursuant to the directions given in OA.1181/94 the respondents initiated process for considering for promotion to certain ASOs to the post of SSO Gr-I. The applicant claims that his name was at Sl.No.3 in the said selection list. His apprehension is that the respondents may not consider his case for promotion on the ground that he does not possess the requisite post-graduate qualification.

4. The applicant has furnished a copy of the SRO 27 dated 31.12.79. As per the said rules the qualification for SSO Gr-I is second class degree in Metallurgy with specialisation in Physical Metallurgy or at least Second Class Master's degree in Material Sciences of a recognised University. Under the note it has been stated that qualification may be relaxable at the discretion<sup>t</sup> of the UPSC in the case of the candidates otherwise well qualified in particular, qualification regarding experience is relaxable in the case of candidates belonging to SC and ST for the post reserved for them.

5. From the above said Note the qualification prescribed for the post of SSO Gr-I is relaxable at the discretion of the UPSC. The applicant claims to have good record of service as ASO and on the job experience in electro plating services and also claims to have earned cash award. In that view of the matter we feel that the respondent authorities may consider his case for relaxation of the qualification in accordance with the note under SRO 27.

6. The applicant submits that he would submit a detailed representation to R-2 & 4 for relaxation of the qualification for the post of SSO Gr-I.


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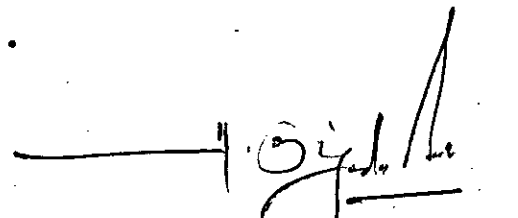
7. The applicant may, if so advised, submit a detailed representation to R-4 explaining all the facts and details eligible for him to claim relaxation in qualifications under Note-1.

8. If such a representation is received then R-2 shall consider his representation and submit his recommendation as per rules to R-4 for considering the case for relaxation.

9. R-4 shall take a suitable decision well in advance before the next promotion to the cadre of SSO Gr-I takes place.

10. With the above observations, the OA is disposed of at the admission stage itself. No costs.

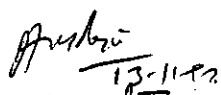
  
( B.S. JAI PARAMESHWAR )  
Member (Judl.)  
12.11.97

  
( H. RAJENDRA PRASAD )  
Member (Admn.)

Dated : 12th November, 1997

(Dictated in Open Court)

sd

  
13.11.97  
Deputy Registrar

-3-

O.A. 1515/97.

To

1. The Secretary, Union of India,  
Ministry of ~~India~~, Defence, New Delhi.
2. The Chief of Naval Staff, Naval HQs,  
DHQ PO, New Delhi.
3. The Admiral Superintendent, Naval Dockyard,  
Visakhapatnam.
4. The Chairman, U.P.S.C. New Delhi.
5. One copy to Mr.S.Lakshma Reddy, Advocate, CAT.Hyd.
6. One copy to Mr.V.Vinod Kumar, Addl.CGSC CAT.Hyd.
7. One copy to HBSJP.M.(J) CAT.Hyd.
8. One copy to D.R.(A) CAT.Hyd.
9. One spare copy.

pvm.

29/11/97  
C.C. today  
13/11

I Court.

TYPED BY:

CHECKED BY:

COMPARED BY:

APPROVED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE.  
VICE-CHAIRMAN

And

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

The Hon'ble Mr. D.S. Jaiparam :M(A)

DATED:- 12/11/97

~~ORDER~~/JUDGMENT.

M.A.,/RA.,/C-A.No...

in

O.A.No. 1515797

T.A.No.

(W.P. )

Admitted and Interim directions issued.

Allowed

Disposed of with Directions.

Dismissed:

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected

No. order as to costs.

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal दिल्ली/DESPATCH 17 NOV 1997 हैदराबाद न्यायपीठ HYDERABAD BENCH
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