

69

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION NO.391/99

DATE OF ORDER : 9-3-2000

Between:-

1. K.Venkateswarlu	2. S.Pulla Chary
3. T.Rama Chary	4. M.Laxman Rao

...Applicants

And

1. The General Manager, Heavy Water Project, Manugur, Khammam District.
2. Chief Administrative of Accounts Officer, Heavy Water Project, Manugur, Khammam Dist.
3. The Administrative Officer, Heavy Water Project, Manugur, Khammam Dist.

...Respondents

COUNSEL FOR THE APPLICANT : Shri G.Ravi Mohan

COUNSEL FOR THE RESPONDENTS:Ms.Shyama, Addl.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)).

R

...2.

D

Mr. Satyanarayana for Mr. G. Ravi Mohan, learned counsel for the applicant and Ms. Shama, learned standing counsel for the respondents. Mr. A. L. N. Rao, General Manager was present along with Mr. Acharya, Administrative Officer.

2. There are four applicants in this OA. They are land losers as their lands were acquired for construction of the Heavy Water Project, Manuguru of Heavy Water Board, Mumbai, a constituent unit of the Department of Atomic Energy, Government of India. All the four applicants submit that their cases are not considered for appointment against land losers' quota.

3. This OA is filed praying for a direction to the respondents to provide ^{to them} suitable employment in the Heavy Water Project, Manuguru, Khammam district as per the circular Rc. No. B1/10212/85, dated 30.9.86 issued by the District Collector, Khammam.

4. The only point for consideration is whether the applicants have been considered for employment in Manuguru plant against land losers' quota. The above point has been answered by the respondents in para-7.1 of the reply. That para is reproduced below :-

It is further submitted that the Applicant No. 1 (Shri K. Venkateswarlu) was interviewed for employment on 13.7.91/14.7.91 and empanelled for the post of Helper/CM in HWP(M). As per the records, the land to the

extent of 1.00 Acre was acquired from him/his family by HWP(M) on 23.3.87. The Selection Committee while empanelling the above land losers (Applicants 1 to 3 included) for appointment has made specific recommendation to the effect that seniority for appointment should be decided on the basis of the date of acquisition of the land and wherever the date of acquisition happened to be the same, it should further be based on the extent of land acquired. There are other land losers who have been empanelled but awaiting appointment, whose land was acquired much earlier to him (Applicant No.1) and the quantum of land acquired from them was more than that of the applicant No.1. The first applicant has, therefore, to wait for his turn to get his employment.

5. As per the above para it is stated that an interview was held on 13.7.91/14.7.91 for empanelment of the land losers for the post of HWP(M). The first 3 applicants have been empanelled and their names stands at Sl.No.53, 27 and 43 respectively in the empanelled list. Persons empanelled upto Sl.No.14 have been already appointed. Hence the respondents submit that the first 3 applicants should wait for their turn as and when vacancies arise in future. In view of the above, we see no reason to pass any order in regard to the applicants 1 to 3 as the reply by the respondents as above is very satisfactory. The first 3 applicants would have themselves checked this fact by meeting an official in Manuguru Plant instead of coming over to the Tribunal for the relief. In any

2

1

.. 4 ..

case if there is any difficulty they should approach the administrative authorities for getting relief first and then only if they ^{do} did not get the proper relief they shall come to this Tribunal.

6. As far as the applicant No.4 is concerned it is stated by the respondents ^{that} the said applicant was interviewed on 13.7.91. But he had not produced the age qualification certificate at that time. Hence his name has not been empanelled. The applicant has not filed any rejoinder to rebut the same. However, it is a fact that the 4th applicant is a land loser. Hence he has a right to ask for the relief vide notification dated 30.9.86 provided he fulfills all the conditions required for appointment in Manuguru Plant. The case of the 4th applicant has been rejected because he has not produced the age qualification certificate. However, another chance is given to produce the same. If the applicant produced the age qualification certificate within a period of 2 months from the date of receipt of this order the same should be perused by the respondents and once the respondents are satisfied ^{that} ~~his~~ authenticity and on that basis he can be appointed against the land losers quota, then his name should be kept in the panel as a land loser man in the panel ^{after seeing him}. which is in force. If the respondents are of the opinion that the certificate is not in order a suitable reply should be given to the applicant No.4

.. 5 ..

after examining the credentials submitted by him ~~then~~
within that stipulated date.

7. The respondent authorities should take a final decision in regard to applicant No.4 within 3 months from the date of receipt of the credentials from the applicant.

8. The OA is ordered accordingly. No costs.


(B.S.JAI PARAMESHWAR)
Member (9/3/00)
Member Judl.)


(R.RANGARAJAN)
Member (Admn.)

Dated : 9th March, 2000

(Dictated in Open Court)

sd