

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00692/2017

DATED THIS THE 20th DAY OF JULY 2018

HON'BLE DR. K.B. SURESH, MEMBER(J)

HON'BLE SHRI DINESH SHARMA, MEMBER (A)

N.Jothiappa,
S/o Late Natarajan,
Aged about 520 years,
Working as Section Officer,
National Institute of Rock Mechanics,
Outer Ring Road, Eshwar Nagar,
Banashakari 2nd stage,
Bengaluru 560 070.
And Residing at No.1, Lakshmi Krupa,
House No.09, 2nd Floor,
Opp to JP.Park,
12th A Main, Brindavan Nagar,
Mattikere 560 054.Applicant

(By M/S Subba Rao & Co)

Vs.

1.Union of India,
represented by its Secretary,
Ministry of Mines,
Shastri Bhavan,
New Delhi - 110 001 .

2.The Director,
National Institute for Miners Health,
National Institute of Rock Mechanics,
Outer Ring Road, Eshwar Nagar,
Banashakari 2nd stage,
Bengaluru 560 070.Respondents

(By Shri.M.V.Rao, Senior Panel Counsel)

O R D E R (ORAL)

HON'BLE DR. K.B. SURESH, MEMBER(J)

1. Heard. The matter is in a very short compass. In accordance with Annexure A-1, Draft Recruitment Rules for the post of Administrative Officer, under clause 10, it is clearly answered that it is a promotional post failing which direct recruitment or transfer on deputation or short term contract appointment. Apparently, the applicant is eligible for promotion and therefore, he could not have been overlooked and a notification for direct recruitment issued. Therefore, Annexure A-2 notification is hereby quashed. A mandate is issued to the respondents to consider the applicant for the post of Administrative Officer within 2 months next.

2. OA is allowed . No order as to costs.

(DINESH SHARMA)
MEMBER(A)

(DR. K.B. SURESH)
MEMBER (J)

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Annexures referred to by the applicant in OA No.692/2017

Annexure A1: True Copy of the relevant portion of the Recruitment Rule.

Annexure A2: True Copy of the advertisement dated 3.7.2017

Annexure A3: True Copy of the application dated 26.7.2017

Annexure A4: True Copy of the notification dated 22.10.2010

Annexure A5: True Copy of the representation dated 9.11.2017

Annexures with reply statement by respondents

Annexure R-1: Copy of Recruitment and Promotion Rules, 1990

Annexure R-2: Copy of procedure for promotion

Annexure R-3: Copy of general instructions.