

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

W.P.No. 21232 OF 2016

DATED 30TH JUNE, 2016

Between:

Rama Krishna Nelli

... Petitioner

AND

Union of India,
Rep. by its Cabinet Secretary,
Cabinet Secretariat, Rashtrapati Bhavan,
New Delhi – 110 004, and others

... Respondents

Counsel for the petitioner : Sri J.Sudheer

Counsel for respondent Nos. 1 to 4 : Assistant Solicitor General

Counsel for the 5th respondent : --

THE COURT MADE THE FOLLOWING

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Writ Petition is filed not being satisfied with the *interim* direction granted by the Central Administrative Tribunal, Hyderabad Bench at Hyderabad (for short, 'the Tribunal'), *vide* its order dated 24-06-2016 in O.A.No. 021/00587/2016.

2. The main grievance of the petitioner, an I.T.S. Officer included in Group A Service, is that Union of India and its functionaries of Department of Personnel and Training have not been scrupulously following paragraph No. 7 of the Central Staffing Scheme formulated by the Government of India which reads as under:

"It has been the practice to draw a suitability list (known as panel) of eligible officers from the All-India Services and Group 'A' Services participating in the Central Staffing Scheme. This exercise is normally conducted on an annual basis, considering officers with the same year of allotment together as one group."

The petitioner has also relied on the seventh pay commission report, wherein the honnourable chairman of the commission has made the following observations:

"The concluding view of the Chairman is "that the main cause for resentment among services is that over a period of time IAS has arrogated to itself all power of governance and relegated all other services to secondary position. All posts covering majority of domains are today manned by IAS, be it a technical or administrative which is the main cause of grievance. It is time that government take a call that subject domain should be the criteria to man the posts and not a generalist. If fair and equitable treatment is not given to all Services, then the gap between IAS and other services will widen and it may lead to a chaotic situation and it will not be good for the governance and country."

3. The Tribunal, by the aforementioned order dated 24-06-2016, directed respondent No. 3 to consider the petitioner's representation dated 10-05-2016 and pass appropriate orders within four weeks from the date of receipt of a copy of the order. The petitioner's serious grievance is that while considering filling up of various Senior Administrative Posts at center, the respondents have been neglecting Group A Service Officers and showing undue importance to Indian Administrative Service Officers.

4. Having regard to the aforementioned grievance and in the light of the direction already issued by the Tribunal, we are of the opinion that while considering the representation of the petitioner, respondent No. 3 shall keep in view paragraph No. 7 of the Central Staffing Scheme and also the observations made by the honourable chairman of the 7th pay commission as extracted above and pass appropriate order and communicate the same to the petitioner within six weeks from the date of receipt of a copy of this order.

5. Subject to the above direction, the Writ Petition is disposed of.

6. As a sequel to disposal of the Writ Petition, W.P.M.P.Nos. 26042 and 26043 of 2016 shall stand closed as infructuous.

C.V.NAGARJUNA REDDY, J.

**G.SHYAM
PRASAD, J.**

Date: 30-06-2016.

JSK