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No. 2927/SSO-I/DGAQA/Admin-I

भारत सरकार /Government of India

वैमानिक गुणवत्ता महानिदेशालय

Directorate General of
Aeronautical Quality Assurance

रक्षा मंत्रालय ,एच ब्लॉक

Ministry of Defence 'H' Block

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11 Oct 2021

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**DISPOSAL OF REPRESENTATION AGAINST DRAFT SENIORITY ROLL OF
SENIOR SCIENTIFIC OFFICER GRADE-I {INCLUDING PScO
(FUNCTIONAL/NFSG)} IN DGAQA ORGANISATION**

1. Reference this HQ letter of even no. dated 16.08.2021.
2. The Draft Seniority roll of officers in the grade of Senior Scientific Officer Grade-I {Including PScO (Functional/NFSG)} in DGAQA was issued vide above referred letter with a request to check the particulars indicated against their name for accuracy and intimate the discrepancies within 30 days, if any. If no discrepancies are intimated within 30 days from date of issue of this letter, this draft seniority roll will be treated as final seniority roll.
3. A no. of observations/ representations have been received on the draft Seniority List. After examining all the representations, replies have been prepared and placed at **Annexure to this letter**, which may be forward to the concerned applicants.
4. The final seniority roll will be issued in due course.

(Nirmal Kumar)
Deputy Director (HR/P)
for DG, AQA

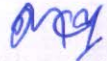
MoD/ D(HAL) : for info

Internal copy to:

- IT Group (dirit-dgaqa@gov.in) : For uploading on DGAQA Website.
- All technical groups at HQ.

Representation for some minor correction/ alteration				
Sl No.	Name of Officer	Matter of representation	After Necessary Amendment	Remarks/ Comments
01	Bhaskar Satya Pulyapudi	Details of service:- SSO –II 27.04.11 SSO-I 11.09.17	SSO –II 27.04.11 SSO-I 02.05.17	Correction to be reflected in final seniority roll
02	Rajnish Kumar	Educational qualification:- BE in Mechanical Engg.	BE in Mechanical Engg. M.Tech (Thermal Science & Engg)	Correction to be reflected in final seniority roll
03	CS Kothandaram	Educational qualification:- AMIE (Mech)	AMIE (Mech) M.Tech (Product Design & Manufacturing)	Correction to be reflected in final seniority roll
04	Moogi Srinivasa Rao	Educational qualification :- Diploma in Mechanical Engg., BE in Mechanical Engg.	Diploma in Mechanical Engg., BE in Mechanical Engg, M.E. (Turbo Machinery)	Correction to be reflected in final seniority roll
Representation against order of seniority :				
05	S Shafiyullah	<p>Matter of representation :-</p> <p>The draft sr roll is not in accordance with the prevailing DOPT orders from S.No.99 onwards, since UPSC earlier selection/ recommendation candidates are placed below the subsequent selection/ recommendation in the seniority roll. As per the date of UPSC recommendation, Sh Bhasker Satya Pulyapui (SI No. 102) and S Shafiyullah (SI No. 110) candidates needs to be placed immediately below Sh Nagendra Singh Poniya. Therefore the individual has requested to review and resolve all the discrepancies as brought out by complying all prevailing DoP&T OM's/ UPSC guidelines and thereby restoring his actual seniority position at SI No. 100 (i.e. second below from Sh Nagendra Singh Poniya- S No. 98).</p> <p>Remarks/ Comments :-</p> <p>a) The seniority of the incumbents in the grade of SSO-I is in the same order as reflected in the select panels for promotion to this posts drawn by the DPC. This select panel is based on seniority roll of SSO-II.</p> <p>b) Hon'ble CAT Bengaluru in its Order dated 19.09.2017 in O.A. No. 170/971/2016 – Smt. Umesh Kuwar Vs. UOI & others has passed direction, inter alia, for determining inter-se seniority of direct recruits of different disciplines of a particular year on the basis of marks secured by them, as intimated by the UPSC. In compliance of the aforesaid Order in consultation with the DoP&T and Legal Advisor(Defence), the seniority roll of incumbents in the grade of SSO-II in DGAQA was determined on 24.04.2018.</p> <p>c) Subsequently, Hon'ble Tribunal passed another two Order both dated 30.12.2019 in O.A. No. 1434/2018-Smt. M Meenakshi Vs. UOI & others and O.A. No. 1507/2018-Smt. Nithya Jayachandran Vs. UOI & others whereby following direction was given :</p> <p><i>"Therefore the cardinal issue is covered by Hon'ble Apex Court Judgement. Therefore, we hold that the first seniority list of 2015 will now prevail and as far as the applicant is concerned, we will set aside the effect of the 2nd seniority list of 2018. Whether this setting aside is applicable to other persons, who may be in the list, have to be looked into by the respondents in relation to the Hon'ble Apex Court Judgement, as we are not very sure of the factual applicability of the Judgement to others as well. So we have not given any opinion on this in relation to others. But so far as the applicant is concerned, she will be now relegated to the earlier position as in 2015 seniority list and the benefits may flow accordingly. OA allowed the limited extent."</i></p>		

	<p>d) In these matters, Review Applications have been filed before the Hon'ble Tribunal to clarify the status of its earlier direction given in the case of Umesh Kuwar, so far it related to fixing inter-se seniority of direct recruits of different disciplines of a particular year on the basis of marks secured by them. Some other CAT/Court cases are also filed on this matter.</p> <p>e) Therefore inter-se-seniority based on chronology of date of recommendation by UPSC (as requested by the officer) is not relevant in present case. While issue of draft seniority roll, following was already stated at Para 2 :</p> <p>f) The seniority of officers at SI No. 74 (Sh G Siva Prasad Rao) and onwards, included in the seniority roll on the basis of the revised panels of Senior Scientific Officer Gde-I for the year 2014-15, 2015-16, 2016-17, 2017-18 and regular panel for the year 2018, 2019 & 2020, will be subject to final outcome of the following court/CAT cases :-</p> <p>(i) Implementation of Orders dated 30.12.2019 passed by Hon'ble CAT Bangalore in O.A. No. 170/1434/2018-Smt. Meenakshi M Vs. UOI & others & 170/1507/2018-Smt. Nithya Jayachandran Vs. UOI & others;</p> <p>(ii) Writ Petition No. 27822/2018 (S-CAT) filed by Shri Komal Padmakar Barhate Vs. Umesh Kuwar, UOI & others.</p> <p>(iii) O.A. No. 576/2019 filed by Smt. Umesh Kuwar Vs. UOI & others.</p> <p>g) No outcome has come till date in respect of above court/ CAT cases. Hence, any alteration in order of seniority is not appropriate at present.</p>
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(Nirmal Kumar)
Deputy Director(HR/P)