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SC/ST panel has no powers to decide dispute, says HC

TIMES NEWS NETWORK

Bengaluru: The Karnataka Commission for Scheduled Castes and Scheduled Tribes cannot be construed to be a tribunal or a forum discharging the functions of a judicial character or court and hence, has no jurisdiction to decide inter-se rights of the parties.

SENIORITY ROW

The high court has made this observation while setting aside the order passed by the panel, directing the government to grant retrospective seniority and all consequential benefits to an employee working in the pre-university education department.

"Article 338 of the Constitution does not entrust the commission with the power to take up the role of a court or an adjudicatory tribunal and

determine the rights of parties inter se. It has procedural powers of the civil court for inquiring into matters," Justice M Nagaprasanna said.

MB Siddalingaswamy had challenged the November 11, 2016 order of the commission with regard to a petition filed by KR Muralidhar. Both work as superintendents in the office of the director, department of pre-university education, and belong to the SC category.

While Siddalingaswamy had joined the service as second division assistant in 1999 and got promoted on September 17, 2012, Muralidhar was transferred from the department of public instructions and promoted as superintendent on October 14, 2015. The seniority list was prepared based on their entry to the service in the cadre of superintendent.