

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 428/2002
M.A. NO. 2381/2002

(M)

This the 16th day of January, 2003.

HON'BLE SHRI V.K.MAJOTRA, MEMBER (A)

HON'BLE SHRI KULDIP SINGH, MEMBER (J)

K.N.Singh,
Sr. Catering Inspector,
Railway Station,
New Delhi.

... Applicant

(By Shri B.S.Mainee, Advocate)

-versus-

1. Union of India through
General Manager, Northern Railway,
Baroda House, New Delhi.
 2. Chief Commercial Manager (Catering),
Northern Railway, Baroda House,
New Delhi.
 3. Chief Personnel Officer,
Northern Railway, Baroda House,
New Delhi.
- ... Respondents

(By Shri Rajinder Khatter, Advocate)

O R D E R (ORAL)

Hon'ble Shri V.K.Majotra, Member (A) :

Applicant has been working as Senior Catering Inspector since 1998. As per Annexure A-7 dated 19.5.2000 respondents initiated process of selection for three posts of Chief Catering Inspector grade Rs.6500-10500 (RSRP) (two unreserved and one reserved for ST). Initially applicant's name was excluded from appearance in the selection. He filed OA No.2571/2000. Vide an interim order dated 22.12.2000 in that OA, respondents were directed to permit applicant to appear in the selection on provisional basis and to keep the result in a sealed cover. Later on, on finalization of the disciplinary proceedings against one Shri Jayant

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Degore, the zone of consideration having been enlarged, applicant became eligible in his own right for inclusion in the zone of consideration for selection as per the prescribed formula. That OA, as such, was allowed to be withdrawn, applicant's grievance for consideration in selection having been redressed.

2. Presently the learned counsel of applicant contended that grievance of applicant is on the limited point that he has not been selected because respondents have not taken into account the marks for cash awards won by him. In this regard, the learned counsel relied on the provisions contained in paragraph 219 of the Indian Railway Establishment Manual Volume-I contending that he should have been awarded extra marks for the awards given to him for outstanding work.

3. On the other hand, the learned counsel of respondents stated that applicant had been granted extra marks for the awards obtained by him. Yet, he did not make the grade.

4. We have perused the records relating to the selection produced by respondents.

5. Both sides agreed that PS No.11862/99 dated 21.10.1999 (Annexure R-V) are the relevant instructions regarding compilation of selection procedure for non-gazetted selections. In these instructions, under the head "Method of Allotment of Marks for Record of Service" it has been provided that CRs for the last three

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years have to be taken into account. It is also stated in respect of cash awards merit that one mark for each cash award/merit, subject to a maximum of five marks, should be given. The selection having been initiated on 19.5.2000, the relevant years for consideration of ACRs and cash awards are 1997-98 to 1999-2000. In the selection records, respondents have awarded two marks to applicant in respect of cash awards. As a matter of fact, no candidate has been awarded more than two marks under the heading "Award". Awards of Rs.350/- and Rs.500/- obtained by applicant in 1997 and 1998 have been taken into consideration. We find that in paragraph 4.8 of the OA also applicant has claimed to have received one award in 1998 and another in 1997. It has been mentioned in the OA that he had obtained awards in the year 2001, 1995, 1994, 1993 and 1998. However, these years are not relevant for purposes of the instant selection. It has also been stated that applicant had received two awards in the year 2000. He has not attached any proof of such awards having been granted to him in the year 2000 before 31.3.2000. In the records of selection, respondents have stated that applicant was granted cash awards in June, 2000 and September, 2000. Respondents have been in the right not to have taken into consideration these awards because these awards were obtained by applicant after the cut-off date of 31.3.2000.

6. In the facts and circumstances of the case, it is established that respondents have taken into consideration awards obtained by applicant during the relevant period related to the selection. No

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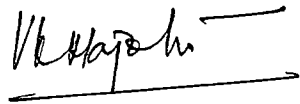
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discrimination has been meted out to applicant in this regard. He did not make the grade on merit. We do not find any infirmity in the selection in question.

7. In the result, applicant has failed to establish his claim and as such, the OA must fail. Accordingly, the same is dismissed. No costs.

8. M.A. No.2381/2002 seeking production of records also stands disposed of as respondents had produced the records which were perused.


(Kuldip Singh)
Member (J)


(V. K. Majotra)
Member (A)

/as/