

(a)

Central Administrative Tribunal
Principal Bench

O.A. No. 1825 of 2001

New Delhi, dated this the 6th March, 2002.

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Nathu Singh,
Roll No. 220013,
S/o Shri Palto Ram,
R/o Vill & P.O. Hazipur,
Tehsil & Distt. Alwar. Applicant.
(By Advocate: Shri Sachin Chauhan with
Shri Rajiv Kumar)

Versus

1. Union of India,
through its Secretary,
Ministry of Home Affairs,
North Block,
New Delhi.
2. Dy. Commissioner of Police,
2nd Bn, DAP,
New Police Lines,
Kingsway Camp,
Delhi Respondents.
(By Advocate: Mrs. Jasmine Ahmed)

ORDER (Oral)

S.R. ADIGE, VC (A)

Applicant impugns respondents' order dated 19.1.2001 (Annexure A-1) and seeks a direction to respondents to offer appointment to him in Delhi Police as Constable (Exe) with consequential benefits. Alternatively he seeks to set aside the selection process of the respondents for appointment to the post of Constable (Exe) in Phase II of the year, 1998 and a direction to respondents to make fresh selection allowing applicant's participation with relaxation of age limit.

2. Heard both sides.

(P)

3. Pleadings reveal that during the year 1998 (Phase II) an advertisement to fill up 1643 vacancies (General 422, SC 80, ST 700, OBC 441 including 10% of Ex-Servicemen) of Constable (Exe) in Delhi Police was published in Daily News Papers dated 19.9.98 and Employment News dated 26.9.98 and 2.10.98. In response to advertisement, nearly 89,441 application forms were received and after scrutiny of the same, ~~exactly~~ 72,611 candidates were called for physical test held from 24.10.99 to 7.12.99. Out of these 41,890 candidates were declared qualified for written test. The written test of all eligible candidates was held on 27.2.2000 and 2.4.2000. The candidates belonging to Ex-Servicemen category were exempted from written test. The result of the written test was declared on 8.5.2000 and in total 3446 candidates were qualified for personality test. The candidates appeared in interview along with 342 Ex-Servicemen between 25.5.2000 and 2.6.2000 and their results were declared on 3.6.2000 and 1573 candidates (Genl.422, SC 80, ST 630, OBC 441) including applicants were declared qualified for medical examination.

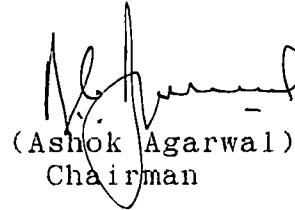
4. Applicant who actually belongs to SC category "Jatav", had in his application form claimed to have belonged to ST category. It is not denied that he secured 56.83 marks in the selection. Prior to the rechecking, the cut off marks for SC category was 58.11 and for ST it was 48.16. Treating applicant to ~~be~~ ^{have} belonged to ST category, he had been



3

selected but subsequently upon rechecking of the interview sheets, the cut off marks for SC changed to 58.15 and for ST 48.15. It was noticed that applicant actually belongs to SC category and not ST category. The marks which he secured i.e. 56.83 fell below to cut off marks i.e. 58.15 and therefore he was not selected.

5. We see no reason to interfere with this OA. The OA is dismissed. No costs.



(Ashok Agarwal)

Chairman



(S.R. Adige)

Vice Chairman (A)

/ug/