

Central Administrative Tribunal  
Principal Bench

O.A. No. 2015 of 1998

New Delhi, dated this the 16<sup>th</sup> March, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri R.K. Raman,  
S/o Shri B. Prashad,  
Jr. Engineer (Mechanical) Grade I,  
Diesel Shed,  
Northern Railway,  
Tughlakabad, New Delhi  
R/o Flat No. 352, DDA Janta Flats,  
Pulprahladpur, Badarpur,  
New Delhi-110044. .. Applicant

(By Advocate: Shri G.D. Bhandari)

Versus

1. Union of India through  
the General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. Divisional Railway Manager,  
Northern Railway,  
New Delhi.
3. Sr. Divisional Mechanical Engineer,  
Northern Railway,  
Diesel Shed, Tughlakabad,  
New Delhi. .. Respondents

(By Advocate: Shri R.L. Dhawan with  
Shri R.C. Malhotra)

ORDER

S.R. ADIGE, VC (A)

Applicant impugns respondents' letter dated 10.3.98 (Annexure A-2) announcing a panel based on selection for the post of Sr. Section Engineer/DSL/Mechanical Grade Rs.2000-3200 (RPS), in which his name does not find mention. He prays that fresh selection be held and applicant's case be considered after applying relaxed standards.

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2. Heard both sides.

3. Admittedly applicant, who belongs to SC community appeared in the selection for the post of Sr. Section Engineer, consisting of written test and viva voce test. As a result of the result of the written test declared on 12.1.99 (Annexure A-1) applicant qualified to be called for the viva-voce test.

4. The result sheet of the written test and viva-voce test have been shown to us and we find that applicant was able to secure only 44.2%. In the selection, three vacancies were reserved for SC candidates, and three SC candidates were empanelled, who secured 66%, <sup>69.9%</sup> ~~69%~~ and 72% respectively. The result sheet shown to us also makes clear that there were other SC candidates who secured better percentage than applicant, and yet could not be empanelled.

5. During hearing Shri Bhandari questioned the rationale of the marks given to applicant under different heads. He also complained that applicant had not been given any preselection training. He also contended that such a large number of SC candidates should not have been called for the selection.

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6. The Tribunal cannot sit as an appellate authority over the marks granted by the DPC under individual heads. If pre-selection training was not provided, all the candidates, and not applicant alone were similarly affected. Respondents invited candidates to participate in the selection as per rules and instructions on the subject.

7. No illegality or infirmity has been established by the applicant in the conduct of the selection. The O.A. warrants no interference. It is dismissed. No costs.

*A. K. Vedavalli*

(Dr. A. Vedavalli)  
Member (J)

*S. R. Adige*

(S.R. Adige)  
Vice Chairman (A)

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