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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 102/98

New Delhi, this the 20th day of October, 2000

Hon'ble Mr. Justice V.Rajagopala Reddy, VC (J)
Hon'ble Sh. Govindan S. Tampi, Member (Admn)

Shri S.C.Arya
Junior Engineer-I, (Elec.)
under Sr. Sectional Engineer (PSI)
Grid Sub Station
Northern Railway
Diwana

(By Advocate : Sh. B.S.Mainee)

...Applicant.

V E R S U S

Union of India : through

1. The General Manager
Northern Railway
Baroda House
New Delhi
2. The Divisional Railway Manager
Northern Railway
State Entry Road
New Delhi.
3. The Sr. Divisional Electrical Engineer
Northern Railway
DRM Office
New Delhi

(By Advocate : Sh. R.L.Dhawan)

...Respondents

O R D E R (ORAL)

By Hon'ble Mr. Justice V.Rajagopala Reddy, VC (J)~

This application is filed aggrieved by the order dated 31-12-97 passed by the Sr. Divisional Personnel Officer, Northern Railway, New Delhi.

2. The applicant who was appointed as Apprentice Chargeman (Electrical) on 7-6-1982, on completion of six months training, was given the charge of Chargeman Electrical on 2-2-83 in the grade of Rs. 1400-2300. He became the Junior Engineer Gr.I in the scale of Rs. 1600-2660 w.e.f. 29-11-94. Thus he became eligible for promotion to the next higher post of Sr. Section Engineer in the grade of Rs.



2000-3200 on normal selection upto the extent of 80% by Limited Departmental Comparative Examination. The respondents having initiated the selection for the post of Section Engineer Gr.I, issued a list of 18 candidates in the order of seniority to appear in the written examination scheduled to be held on 28-6-97. The applicant was one among them and was placed at serial No.3 in the examination held on 28-7-97, he was found successful and was placed at serial no. 3 out of the 12 successful candidates. For the purpose of promotion, the marks were indicated as 50% for professional ability, 15% for seniority, 15% for service record and 20% for personality, etc. It was, however, required to secure 60% of marks for professional ability are called for viva voce test. The applicant had good service record and also professional ability, but he did not make the grade and was denied the promotion. Hence the OA.

3. Heard the learned counsel for the applicant and for the respondents . Sh. B.S.Mainee, learned counsel for the applicant submits that keeping in mind the fine service record of the individual and the fact that he was placed on sl. no. 3 in the list of 12 candidates who were empanelled for selection, there is no reason, why he could not make the grade in the selection.

4. Contesting the plea, raised on behalf of the applicant, Sh. R.L.Dhawan, learned counsel for the respondents indicates that the selection process was gone through correctly and applicant did not make the grade. He also placed relevant records before us.

5. It is also pointed out by him that a person could be selected only if he gets 60% marks in

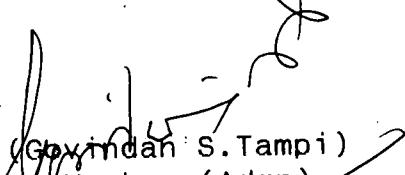
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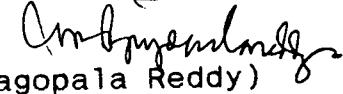
professional ability and 60% in the aggregate.

6. Sh. Dhawan placed the necessary records for selection for our perusal. The perusal of the records indicates that the applicant Sh. S.C.Arya placed on Sl.no. 3 did not get the requisite marks of 60% in the category of professional ability, ^{✓ or in the aggregate.} That having been the case, he was not found fit by the Selection Committee and the same cannot be faulted.

7. The application, therefore, fails and is accordingly dismissed. In the circumstances of the case, no order as to cost.


Govindan S. Tampi
Member (Admn)

/vD/


(V.Rajagopala Reddy)
Vice-Chairman (J)