

Central Administrative Tribunal
Principal Bench, New Delhi

New Delhi this the 27th day of July 1995. OA No.1319/95

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr R.K.Ahooja, Member (A)

Tirlok Chand
r/o 251-E, Pocket -I
Phase I, Mayur Vihar
Delhi-110 091.

...Applicant.

(By Advocate: Mrs Meera Chhibber)

Versus

Union of India through

1. Secretary
Ministry of Information & Broadcasting
Shastri Bhavan
New Delhi

2. Director General
Directorate of Doordarshan
Mandi House
New Delhi

3. Director
Doordarshan Kendra
Muzaffarpur, Bihar.

...Respondents.

(By Advocate:

O R D E R (Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

The applicant was a candidate for selection to the post of Floor Manager in the Muzaffarpur Doordarshan Kendra. He put forth his application pursuant to a notification, a copy of which is annexed as A-III. The qualification mentioned in the notification is that the person should be matriculate and should have 3 years experience in Floor Management. The applicant who is a member of the Scheduled Caste and who has passed the intermediate secondary after matriculation has worked as Floor Assistant for 3 years in Kala Kunj from 1980 to 1983 and thereafter under Delhi Doordarshan on casual basis from 1983 to 1984. He has produced along with the application copies of educational qualifications, certificates of experience issued by Kala Kunj as well as by Doordarshan. The certificate issued by Kala Kunj reads as follows:

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"This is to certify that Sh.Trilok Chand, S/o Anand Ram has worked with us as Floor Assistant since 1980 to 83.

He is competent in stage productions and floor management.

We wish him all success in his future programmes."

The certificate issued by New Delhi Doordarshan Kendra reads as follows:

"Certified that Shri Trilok Chand, S/o Shri Anand Ram has been working at this kendra on casual basis as Floor Assistant since 1983 till date. His work has been found very satisfactory and he has never given any chance of complaint. He is honest and hard working. He bears a good moral character.

I wish him every success in his life."

On the basis of the certificates, the applicant was called for an interview. After the interview, he was asked to submit information regarding any relative working in Doordarshan. He was also required to submit police verification forms. This was complied with by the applicant. Police verification into his antecedents was made. Thereafter while the applicant was waiting for appointment order, to his dismay, he was served with a letter dated 16.1.95 issued by Doordarshan Kendra, Muzaffarpur wherein he was informed that he does not fulfil the eligibility condition for his selection for appointment to the post of Floor Manager under the Doordarshan and his selection has been cancelled. Aggrieved by that, he made a detailed representation to the Director, Doordarshan Kendra, Muzaffarpur dated 16.1.95 in which he had stated that he had fulfilled all eligibility criteria and wished to know which of the criteria he did not fulfil. In reply to this, a letter dated 18.2.95 was received in which it was stated inter-alia that the certificates issued by Kala Kunj and Doordarshan produced along with his representation have no bearing on his selection. Under the circumstances, aggrieved by the action of the respondents in cancelling his selection and not offering him appointment, the applicant has filed this application for a direction to the respondents to give appointment to the applicant as Floor Manager. It has been alleged in the application that the action on the part

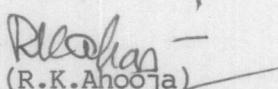
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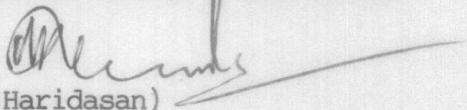
(3)

of the respondents in cancelling the selection is arbitrary and unreasonable.

2. We have perused the application and all the materials annexed thereto. We have heard Mrs Meera Chhibber, counsel for the applicant. Neither the allegations made in the application nor the contents of the annexures appended to the application have persuaded us to come to a finding that there is anything substantial in this for further deliberation. A mere look at the employment notification, a copy of which is annexed along with the OA at page 17 would show that the intending candidate should have experience in Floor Management for 3 years. The two certificates produced by the applicant along with the OA do not show that the applicant had experience in Floor Management for 3 years. The certificate issued by Kala Kunj says that the applicant had been working from 1980 to 1983 as Floor Assistant and he ~~is incompetent~~ ^{is competent} in stage productions and floor management. This does not indicate that the applicant had 3 years experience in floor management. The certificate issued by the Doordarshan only states that the applicant had been working as Floor Assistant from 1983 onwards on casual basis. It does not disclose that the applicant had any experience in floor management. Therefore, there is no material which would show that the applicant had 3 years experience in floor management. Obviously since the applicant had not produced any certificate to prove that he had experience in floor management for 3 years, he did not satisfy the eligibility criteria laid down and published in the employment notice and therefore the action of the respondents in cancelling the selection cannot be faulted for this reason and if at all anybody is to be faulted, it is the selecting authority for failing to consider whether the certificates produced by the applicant proved that he had the requisite experience or not.

3. Under the circumstances, finding that there is no *prima facie* case for admission, the application is rejected under section 19(3) of the AT Act.


(R.K. Ahooja)
Member (A)
aa.


(A.V. Haridasan)
Vice Chairman (J)