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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

DA No. 2456/97

New Delhi: this the 20th day of September, 2000

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

HON'BLE MR. KULDIP SINGH, MEMBER (J)

Bachi Singh,Applicant.s

Transmission Assistant,
O/o SDE, VFT Station,

M/o Communications,
Kidwai Bhawan,

New Delhi

2. Chandra Pal,

TTA (Telecom. Tech. Asstt.),

O/o SDE (E-10) D-1, Dilshad Garden,
Telephone Exchange,
Shahdara,,

Delhi-32

(By Advocate: Shri H.K. Gangwani)

Versus

Union of India
through

1. The Secretary,
M/o Communications,
Deptt. of Telecom.,
Sanchar Bhawan,
New Delhi-1

2. The Chairman,
Telecom.,
Govt. of India,
Sanchar Bhawan,
New Delhi-1

3. The Asstt. General Manager (R & E),
Department of Telecommunications,
(Northern Region, Room No. 266),
Kidwai Bhawan,
New Delhi -1

.....Respondents.

(By Advocate: Shri R.P. Agarwal)

ORDER

Mr. S.R. Adige, VC (A):

Applicants impugn action of respondents in relaxing the standards required for being sent on JTO training and seek a direction to respondents to consider sending them for training along with other candidates.

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2. Heard both sides.

3. As per JTO RRs, 1990 posts of JTO are to be filled in accordance with prescribed quota which is

i) 50% by direct recruitment.

ii) 35% by Deptt. Screening Exam.

iii) 15% by departmental competitive exam.

4. In 1993, 292 vacancies and in 1994, 254 vacancies i.e. 546 vacancies in all, fell to D.R. quota. The D.R. exam. for these 546 vacancies was held on 13/14.7.96. Since only 55 candidates secured the minimum percentage marks, the competent authority decided to relax the same, but according to respondents even after relaxation, only 33 candidates could qualify.

5. Similarly in 1993, 88 vacancies and in 1994 76 vacancies, i.e. 164 vacancies fell in 15% in Departmental Competitive Exam. quota. The Departmental Comp. Exam. for filling up these 164 vacancies was held on 10/11.2.96 in which none could qualify as per prescribed minimum percentage. Accordingly respondents relaxed the minimum prescribed percentage in their case also.

6. Similarly in 1993, 204 vacancies and in 1994, 178 vacancies i.e. 382 vacancies in all fell in 35% Departmental Screening Exam. quota. Applicants belong to the category, who were eligible under this quota. Qualifying test was held for filling these 382 vacancies on 29.1.95. Against these 382 vacancies, 407 candidates qualified.

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7. Applicants can have a legitimate grievance only if respondents relaxed the prescribed standards in the 35% Deptal. Screening Exam. Quota to which applicants belong, by giving the benefit to others in that quota, to applicants' own exclusion. That however is not applicants' case. Applicants cannot have any legitimate grievance if respondents relaxed the prescribed standards, which they are empowered to do under rules, in respect of classes or groups falling within 50% D.R. Quota or the 15% Deptal. Exam. quota with a view to seeing that vacancies in the aforesaid two quotas were filled up to the extent possible.

8. Hence the OA warrants no interference.

9. During hearing Shri Gangwani averred that certain categories who were not eligible to appear in the 35% Deptal. Screening Exam. quota, had been allowed to appear, and thus the number of vacancies available to the category to which applicant belongs had been reduced illegally, but applicants have not sought any specific relief in respect of such categories who according to them were illegally allowed to appear in the 35% Deptal. Screening Exam. quota, in the relief, ~~section~~ ^{paragraph} of the OA.

10. The OA is therefore dismissed. No costs.


(KULDIP SINGH)
MEMBER (J)


(S.R. ADIGE)
VICE CHAIRMAN (A)

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