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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A.No. 610/97

New Delhi; this the 31st day of March, 1997.

HON'BLE M.R.S.R.ADIGE, MEMBER(A).

HON'BLE DR.A.VEDAVALLI, MEMBER(J).

Sri Rajeev Kumar,
S/o Shri Sohanvir Singh,
C/o Sh. Manoj Vishnoi,
R/o House No.5/309, Sanjoura,
Gali No.6, Govindpuri,
Modi Nagar,
Distt. Ghaziabad (UP)

(By Advocate: Shri D.A.Mann).

Versus

1. Union of India
through

The Secretary,
Dept. of Personnel & Training,
Ministry of Personnel, Public Grievances &
Pensions,
North Block-I,
New Delhi.

2. The Regional Director (N.R)
Staff Selection Commission,
Block-12,
Kendriya Karyalay Parivar,
Lodi Road,
New Delhi - 110 003.

3. Deputy Regional Director (N.R)
Staff Selection Commission,
Block No.12,
Kendriya Karyalay Parivar,
Lodi Road,
New Delhi - 110 003.

4. Asstt. Director (ENR)
Staff Selection Commission,
Block No.12,
Kendriya Karyalay Parivar,
Lodi Road,
New Delhi - 110003

..... Respondents.

JUDGMENT

BY HON'BLE M.R.S.R.ADIGE, MEMBER(A).

Applicant seeks quashing of Respondents' order
dated 17.2.97 cancelling his candidature for recruitment
to the post of Inspector, of Central Excise, Income Tax

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Re-examination, 1995 and for a direction to declare his result and for appointment in case he is selected.

2. The applicant has himself admitted in para 4.1 of the OA that in response to the advertisement for holding of the said exam., he filed three application forms from different regions. We notice that in the application form (Annexure-A5), each applicant has ~~has~~ declared that he has not submitted any other application for recruitment, and if he contravenes this rule, his application is liable to be rejected by the Commission summarily. Furthermore the instructions contained in para 10(v) of the Exam. notice state explicitly that furnishing of false declaration is liable to cancellation of candidature and similarly para 10 (vi) states that recourse to illegal/wrong means in the exam is similarly liable to cancellation of candidature. Despite that the applicant has himself admitted that he had submitted as many as three application forms from different regions. He contends that he did this due to bona fide mistake but manifestly this plea cannot be accepted in the face of the declaration that he has signed.

3. The fact of applicant having submitted more than one application for the said exam., was detected after the interview was held, does not preclude the respondents from cancelling the applicant's candidature for having given a false declaration in terms of the instructions governing the conduct of the Exam. referred to above.

4. Applicant has cited many rulings including AIR 1976 SC 376; AIR 1982 Patna 122; AIR 1979 Delhi 87; AIR 1981 Raj. 8 and AIR 1966 AP 59, but in the face of the instructions governing the conduct of the exam., referred to above, and the applicant's own declaration

which he signed, that his candidature was liable to be cancelled if he filed more than one application and his own admission that he filed as many as 3 applications for the same exam. the respondents' action in cancelling ~~the~~ ^{1 application} candidature is fully in order and none of the judgments cited by him can be of any assistance in the facts and circumstances of this particular case.

5. In the result, the application is dismissed in limine.

A.Vedavalli
(DR.A.VEDAVALI)
MEMBER(J).

S.R.Adige
(S.R.ADIGE)
MEMBER(A).

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