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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 818/97

New Delhi this the 20th day of JULY, 2000

HON'BLE SH. S.R. ADIGE, VICE CHAIRMAN(A)
HON'BLE SH. KULDIP SINGH, MEMBER(J)

Sh. Jagdish Chander
Hindi Assistant Gr. I
in the office of the
Divisional Railway Manager
Northern Railway
State Entry Road
New Delhi

....Applicant

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

Versus

1. The General Manager
Northern Railway
Baroda House
New Delhi
2. The Chief Hindi Officer
-cum- Chief Personnel Officer-II
Northern Railway
Baroda House
New Delhi
3. The Divisional Railway Manager
Northern Railway, State Entry Road
New Delhi

....Respondents

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

ORDER

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

Applicant impugns respondents' order dated 13.11.96 (Annexure-A1) and seeks consideration for promotion as Hindi Superintendent against a post reserved for a SC employee.

2. Heard both sides.

3. While Shri Mainee aver that the cadre consists of 19 posts, Shri Dhawan's contends that it consists of 20 posts. Both are however agreed that on the basis of Post Based Roster, 3 posts are to be reserved for SC employees.

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2 for ST employees.

4. As per applicant's own averments in the OA respondents initiated selection for promotion to 9 vacancies of Hindi Superintendant (Rs. 2000-3200) on 20.3.96. While applicant, who belongs to SC community, contends that the 9 vacancies should have consisted of 6 General, 1 SC and 2 ST vacancies and he should have been promoted against the SC vacancy by adopting relaxed standards, respondents aver that as there were already 4 SC employees in the cadre, ^{the} and 9 vacancies for which selections were held consisted of 7 General vacancies; and 2 ST vacancies.

5. We have perused the relevant selection records, which bear out respondents' contention.

6. In so far as the position of the 4 SC employees is concerned, both sides admit that one of them, Shri Jitenderpal Singh, was promoted by virtue of his general seniority on merit. As regards the remaining 3 SC candidates, Shri Maines contends that one Shri Virender Singh had been promoted to Group 'B' which had released an SC vacancy against which applicant could have been promoted, but he affirms in para 1 of his rejoinder the specific contention of respondents in paras 4.10, and 4.12 of their reply that Shri Virender Singh was promoted to Group 'B' only on 9.9.96. Under the circumstance when the selection were initiated on 20.3.96 and indeed on the date of the interview on 2.7.96, even after excluding Shri Jitenderpal Singh there were still 3 SC employees in the cadre which bear out respondents' contention that applicant's claim that one of the 9 vacancies should have been reserved for SC, against which he could have been promoted by adopting relaxed standards, lacks merit.

7. Under the circumstances, the CAT PB's ruling in

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OA No. 596/98 by Shri Maines does not advance
applicant's case. The OA is dismissed. No costs.


(KULDIP SINGH)
MEMBER(J)


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

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