

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A./T.A. NO. 1670 of /1994 Decided on : 22.11.95

B.S. Thakur

... Applicant(s)

(By Shri V.K. Rao

Advocate)

versus

Delhi Admn. & Ors.

... Respondent(s)

(By Shri Raj Singh

Advocate)

CORAM

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

THE HON'BLE ~~SHRI~~ DR. A. VEDAVALI, MEMBER (J)

1. To be referred to the Reporter or not ? Y
2. Whether to be circulated to other Benches of the Tribunal ? Y

(DR. A. VEDAVALI)
Member (J)

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(S.R. ADIGE)
Member (A)

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**CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.**

O.A.No.1670/94

New Delhi: November 21, 1994

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

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

B.S.Thakur,
s/o Shri Haridas Thakur,
A-95, Duggal Colony,
Khanpur,
New Delhi -110 062

.....Applicant.

By Advocate Shri V.K.Rao.

Versus

1. Department of Labour,
NCT Delhi, through
its Secretary,
15 Rajpur Road,
Delhi-54.
2. The Chairman,
Union Public Service Commission,
Shahjahan Road,
New Delhi -110 001.

3. Shri M.K.Gour,
15-J Central Govt. Houses
Complex,
Vasant Vihar,
New Delhi-67.

.....Respondents.

By Advocate Shri Raj Singh for Respondent No.1
(Delhi Administration); Shri B.Lall for Respondent
No.2(UPSC) and Shri B.B.Rawal for Respondent No.3
(Private Respondent).

JUDGMENT

Hon'ble Mr. S.R.Adige, Member(A).

The applicant Shri B.S.Thakur, Inspecting Officer Labour Department, Delhi Administration is aggrieved by his not being called for the interview for the post of Labour Officer, Delhi Administration which was held on 11.8.94.

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2. The recruitment rules for the post of Labour Officer (Annexure-I) prescribe that 50% of the posts are to be filled by promotion failing which by transfer on deputation, failing which by direct recruitment, while the remaining 50% is by direct recruitment. The post is to be filled by selection, and the educational and other qualifications required for direct recruits are as follows:

*Essential: 1) Degree of a recognised University or equivalent.

- 2) Post-Graduate degree/diploma in social-work or Labour Welfare or Industrial Relations or Personnel Management or in any other allied subject of a recognised University/Institution or equivalent.
- 3) 3 years' experience in a responsible capacity of Labour Welfare Work, Industrial relations or personnel management in an organisation employing substantial labour force.

Note: 1. Qualifications are relaxable at the discretion of the UPSC in case of candidates otherwise well qualified.

2. The qualification(s) regarding experience is/are relaxable at the discretion of the UPSC in the case of candidates belonging to SC and ST if at any stage of selection, the UPSC is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

Desirable:

1. Degree in Law of a recognised University or equivalent.
2. Working knowledge of Hindi."

3. Admittedly the applicant possesses Essential Qualifications 1 and 3. As regards

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Essential qualification 2, he possesses a 1 year Diploma in Labour Law from the Indian Law Institute. According to the applicant, this Diploma obtained after his graduation, is sufficient compliance of essential qualification 2 and he states it is for this reason that he was called for direct recruitment interview ^{1 by the U.P.S.C.} for this very post in 1993 in which he participated but could not be selected, but was unreasonably not called even for the interview when vacancies of Labour Officer were again to be filled up in 1994.

4. We have heard Shri V.K.Rao for the applicant, Shri Raj Singh for the respondent No.1 (Delhi Administration); Shri B.Lall for Respondent No.2 (UPSC) and Shri Rawal for Respondent No.3 (private respondent). We have also perused the materials on record.

5. The applicant in his rejoinder to the reply of Respondent No.1 has very fairly admitted that his case does not come within the qualifications like Post Graduate, Degree/diploma in Social work or Labour Welfare or Industrial Relations or Personnel Management, but his case is fully covered within the phrase "allied subject." From the reply filed by Respondent No.3 to which no denial by way of rejoinder has been filed by the applicant, it appears that as many as 144 applications were received for the single post of Labour Officer, and 17 candidates who fulfilled the essential qualifications ^{1 by the U.P.S.C.} were called for the interview of whom Respondent No.3

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was selected on merits. It is well settled that where the applications are very numerous in relation to the number of vacancies, it is perfectly permissible for the UPSC to short list the candidates who will be called for the interview, and under the circumstances if against the single vacancy they called 17 candidates who directly fulfilled the core qualifications, and did not consider it necessary to call those candidates for interview whose case was covered by the phrase "allied subject", their action cannot be faulted. It would further appear from the reply of Respondent No.3 that the applicant was called for interview in 1993 because in that year there were 2 vacancies, and the UPSC called approximately 40 candidates including the applicant.

6. Under the circumstances, we see no good grounds to interfere in this matter. The O.A. fails and is dismissed. No costs.

A. Vedavalli

(DR. A. VEDAVALLI)
MEMBER (J)

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

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