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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI  
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O.A.No. 1365/89.

Date of decision 23.5.94

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

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Ms. Kamlesh,  
d/o Shri Kishan Lal,  
r/o F-107, New Ranjeet Nagar,  
DDA Quarters,  
New Delhi.

... Applicant

(By Advocate Shri Mahesh Srivastava)

versus:

1. Union of India,  
through General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.

2. Divisional Personal Officer,  
Northern Railway, Pahar Ganj;  
New Delhi. Respondents.

(By Advocate Shri B.K. Aggarwal)

O\_R\_D\_E\_R

[Hon'ble Smt. Lakshmi Swaminathan, Member (J)] 7

This application has been filed under Section 19 of the Administrative Tribunals Act, 1985 because the applicant feels aggrieved that her name does not appear in the selection list of selected candidates for the post of Typist issued by the Respondents on 6.6.1989 and 23.6.1989 respectively (Annexures 'A' & 'B'). These lists included the names of those candidates from amongst Class IV Staff who had qualified in the

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typing and written tests who were then declared as being eligible to be qualified for the viva voce to be held on 28.6.1989.

2. The admitted facts are that the applicant was appointed as a Khalasi on 29.4.1986. There were 10 vacancies in the grade of Typists out of which 1 post was meant for Hindi Typist. Out of these 10 vacancies, 2 vacancies were reserved for scheduled caste and one for scheduled tribe candidates. The applicant was asked to appear in the written test for the selection to the post of typist grade Rs. 950-1500. The selection was confined only to departmental candidates. Since none of the scheduled caste candidates qualified in the written test they were not brought on the list of candidates for viva voce test.

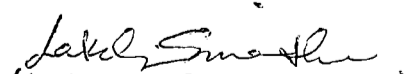
3. The grievance of the applicant is that in terms of the Government policy and special drive for filling up the vacancies under direct recruitment by candidates in the reserved category, the Respondents should not have ignored the applicant and that she was entitled to the benefit in marking for the written test. According to her, since she was not given the benefit of concessional marking which was allowed for scheduled caste candidates, hence she was declared failed in the written test.

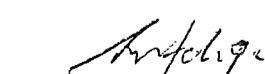
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4. The Respondents have stated in their reply that this assumption of the applicant that she has not been given the concessional marks for scheduled caste candidate is incorrect. In pursuance of this Tribunal's direction, the learned counsel for the Respondents has produced the relevant records pertaining to the written test. On perusal of these records it appears that the apprehension of the applicant that she has not been given the benefit of the 10% concessional marks for the typing test is correct. From the reply of the Respondents, they have not denied that the scheduled caste candidates are entitled to the concessional marks. In view of this, this O.A. is disposed of with the following directions:-

ORDER

The Respondents shall revalue the written test marks of the applicant in accordance with Government policy of allowing concessional marks to scheduled caste candidates. If she qualifies on such marking in the written test, she may be interviewed and thereafter appointed, if declared qualified, to the post of typist. The Respondents are directed to take necessary action in this regard within a period of 2 months from the date of receipt of a copy of this order. There will be no order as to costs.

  
(Lakshmi Swaminathan)  
Member (J)

  
(S.R. Adige)  
Member (A)