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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

O.A. NO. 2038/89

New Delhi this the 27th day of April, 1994

COMES ON :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN  
THE HON'BLE MR. P. T. THIRUVENGADAM, MEMBER (A)

1. Lala Babu Gupta S/O R. D. Gupta,  
Senior Translator,  
Ministry of Surface Transport,  
Hindi Section, Room No.526,  
Transport Bhawan,  
Parliament Street,  
New Delhi - 110001.
2. J. L. Bhalla S/O Teka Ram Bhalla,  
Assistant Director (C.L.),  
Department of Education,  
Shastri Bhawan,  
New Delhi - 110001. ... Applicants

By Advocate Shri B. L. Madhok for Shri B. S. Mainee

Versus

1. Union of India through  
Secretary, Department of  
Official Language,  
Min. of Home Affairs,  
New Delhi.
2. Secretary, U.P.S.C.,  
Dholpur House,  
Shahjehan Road,  
New Delhi. ... Respondents

By Advocate Mrs. Raj Kumari Chopra

O R D E R (ORAL)

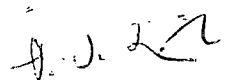
Shri Justice V. S. Malimath -

The petitioners, Shri Lala Babu Gupta and Shri J. L. Bhalla, have approached this Tribunal complaining that they were not called for interview for direct recruitment to the cadre of Assistant Directors Gr.-III even though they did possess prescribed qualifications. The respondents, particularly, the U.P.S.C., have taken the stand that the number of candidates who responded to the advertisement being very large, in accordance

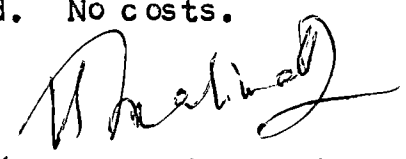
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with the procedure prescribed, they short-listed the number of candidates to be called for interview taking into consideration the qualification and experience of the candidates. They short-listed the candidates with reference to the length of service and called for interview all those candidates who had to their credit five years of service. So far as the two petitioners are concerned, even taking into account the date of their ad hoc promotion as Senior Translators, the years of service to their credit on the relevant date, namely, 1.2.1988, were less than five years. The criteria of calling only those who had to their credit five years of service for short-listing purposes cannot be regarded as unreasonable or arbitrary. As the petitioners did not satisfy the criteria for short-listing they were not called for interview. This action of the U.P.S.C. cannot, therefore, be faulted. The U.P.S.C. cannot go into the question as to whether the petitioners would or could have been promoted as Senior Translators earlier than the dates on which they were actually promoted on ad-hoc basis. That is not the matter in which the U.P.S.C. is required to embark upon. They are required to be satisfied with reference to the actual state of affairs, namely, the total number of years of service which they have taken into consideration.

2. Hence, we see no good grounds to interfere. This application fails and is dismissed. No costs.



( P. T. Thiruvengadam )  
Member (A)



( V. S. Malimath )  
Chairman

/as/.