

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 2564/89
T.A. No.

199

DATE OF DECISION 21.12.1990.Shri Anil ParanjapePetitioner ApplicantShri Ramji SrinivasanAdvocate for the ~~Petitioner(s)~~ Applicant

Versus
 Union of India & Ors.

Respondent

Shri P. H. Ramchandani

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. P.K. Kartha, Vice-Chairman (Judl.)

The Hon'ble Mr. D.K. Chakravorty, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. Whether it needs to be circulated to other Benches of the Tribunal?

(Judgement of the Bench delivered by Hon'ble
 Mr. D.K. Chakravorty, Administrative Member)

The applicant filed this application under Section 19 of the Administrative Tribunal's Act, 1985 praying for a declaration that he is entitled to be appointed to the Indian Information Service as per the list of preferences expressed by him and the merit ranking obtained by him and for a direction to them to appoint him to Group 'A' Civil Service (Indian Information Service) with immediate effect and for treating him as being in regular service in the I.I.S. from the date when the appointments were first made.

2. The applicant appeared in the 1988 Civil Services Examination conducted by the U.P.S.C. He was declared successful and became eligible for appointment to the Civil Services by obtaining a rank of 629. At the time of submission of application, he was called upon to submit a list of preferences of the services he would like to join, in case he was selected. In the said list of preferences, he mentioned the Indian Foreign Service, the Indian Administrative Service, the Indian Police Service, and the Indian Information Service. After the results were published in June, 1988, the respondents asked the successful candidates to submit revised list of preferences, and that it would be considered while allotting/allocating/appointing them to the Service. Pursuant to this, the applicant submitted a list of preferences for the I.F.S., IAS, IPS and IIS and did not mention any other Service.

3. The respondents informed the applicant on 10.8.1989 that he was being tentatively considered for appointment to the Central Service Group 'A' C.I.S.F. (Central Industrial Security Force). He was further informed that this was only a tentative allocation and that it may undergo change within his preference and that after the final allocation was made, the formal

offer of appointment would be sent to him by the concerned cadre controlling authority of the Service to which he was finally allotted.

4. The applicant has stated that he had never preferred C.I.S.F. By letter dated 10.8.1989, the applicant was also directed to proceed to Nagpur and report to the Director, National Academy of Direct Taxes, Nagpur for Foundation Course Training. He proceeded to Nagpur and joined the training, hoping that his list of preferences would be taken into account in finally allocating him to his Service.

5. On 31.8.1989, the applicant informed the respondents that he had indicated his choice for the Indian Information Service only and prayed that he be allotted to the said Service. When the final list after reallocation to the I.I.S. was published, it had names of candidates who had obtained ranks upto 628. The applicant, who had the rank of 629, claims that he is eligible in view of the vacancies available.

6. The respondents have stated in their counter-affidavit that there were 13 vacancies in the Indian Information Service to be filled up by candidates belonging to general category on the basis of the results of the 1988 Examination. 13 candidates belonging

to General Category, had been allocated to the said Service strictly on the basis of the rank obtained by them and preferences of Service exercised by them. The rank of the last General candidate to be allocated to I.I.S. was 613. The respondents have produced as Annexure to the counter-affidavit the allocation of candidates to the Indian Information Service which substantiates the assertions made by them. The applicant could not be allocated to the Indian Information Service because of his lower ranking. In view of this, he was treated as a candidate with equal preference for the remaining Services and was allocated to the C.I.S.F., where a vacancy was available.

7. After going through the records of the case and hearing the learned counsel for the respondents, we feel that there is no merit in the present application. At the hearing held on 5.9.1990, the learned counsel for the applicant stated that he had not received any instructions from his client. The case was listed for further directions on 12.12.1990, when the learned counsel for the applicant did not appear in the Court. The applicant was given the liberty to file written submissions, if any, within one week. This has also not been done.

8. In the facts and circumstances of the case, we see no merit in the present application and the same is dismissed at the admission stage itself. The interim order passed on 4.1.1990 is hereby vacated.

There will be no order as to costs.

D. K. Chakravorty -
(D. K. Chakravorty)
Administrative Member
21/12/90

P. K. Kartha ~~21/12/90~~
(P. K. Kartha)
Vice-Chairman (Judl.)