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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A. No.476 of 1989

This 28th day of February, 1994

Hon'ble Mr. J.P. Sharma, Member (J)  
Hon'ble Mr. B.K. Singh, Member (A)

V.A. Kohli,  
S/o Late Shri N.D. Kohli  
31/35, Old Rajinder Nagar,  
New Delhi-110060

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Applicant

By Advocate: None present.

VERSUS

1. Union of India, through  
Department of Official Language,  
Ministry of Home Affairs,  
North Block,  
New Delhi.
2. Union Public Service Commission,  
(Through Secretary),  
Dholpur House, Shahjahan Road,  
New Delhi.
3. The Establishment Officer,  
Ministry of Personnel, Public Grievances & Pensions,  
North Block, New Delhi.
4. Smt. Nisha Chaturvedi,  
D-1/120, Vinay Marg,  
New Delhi.
5. Shri S. Dayal,  
Joint Secretary,  
Department of Official Language,  
Lok Nayak Bhavan,  
New Delhi.

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Respondents

By Advocate: Shri M.L. Verma

O R D E R (Oral)

(By Hon'ble Mr. J.P. Sharma, M(J))

The applicant while working as Deputy Secretary, Department of Official Language, Ministry of Home Affairs, was a candidate for the post of Director, Central Translation Bureau, a subordinate office of the Deptt. of Official Language, for which the applications were invited by O.M. dated 14.6.88. As per the recruitment rules the post is to be filled up by promotion/transfer on deputation from amongst the officers of All India Service with 9 years

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service or officers of the Central Services, Group 'A' including CSS in the scale of Rs.1500-2000 or officers under the Central Government holding analogous posts in the scale of Rs.1500-1800/2000 or equivalent and must have adequate knowledge of Hindi. The departmental Joint Director with three years regular service in the grade is also to be considered and if selected, the post shall be deemed to have been filled up by promotion. The RRs also stipulated that the period of deputation shall ordinarily not exceed four years.

2. The grievance of the applicant is that the respondents have arbitrarily finalised the selection process. The applicant has sought amendment of the O.A. as on 29th March 1989 the respondent No.4, Smt. Nisha Chaturvedi, was selected and appointed to the post of Director in the Central Translation Bureau. The applicant has therefore prayed for quashing of the proceedings of the selection committee recommending appointment of respondent No.4 and with a direction to consider the applicant along with others and that fresh selection process be initiated for the purpose in which the respondent No.5, Shri S. Dayal, Joint Director, Official Language Deptt. should not be a member.

3. A notice was issued to the respondents who contested the application and in the reply opposed the grant of reliefs on the ground that the applicant was not eligible as he was not having adequate workable knowledge of Hindi Language. The case was considered on merits but he was not recommended by the UPSC though his name was forwarded along with other contestants for the post. The applicant has also filed rejoinder.

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4. This is an old matter. None appeared for the applicant. Shri M.L..Verma appeared for the respondents who helped us in going through the pleadings and argued the case. The applicant according to recruitment rules may come out to be eligible but on merit he hasnot been found fit. In para 4.6 of the counter the respondents have taken the stand that the name of the applicant was also sent to the UPSC and in view of which he should have no grievance. The selection committee was chaired by a Member of UPSC on 23.1.89. After considering the qualifications and merits of the candidates, including the applicant, UPSC recommended on 30.1.89 the name of respondent No.4 for appointment to the post of Director and the recommendations were accepted by the government.


5. We have also seen the letter written by the applicant himself to the Establishment Officer, Department of Personnel and Training, New Delhi dated 13.1.88 and a perusal of this letter goes to show that the applicant experienced lot of difficulty in writing and reading on the office files in Hindi. He did not study Hindi Language either in school or in the college or thereafter. The various averments made in the application therefore are contrary to his own contention made in the aforesaid letter of January 1988 (annexure II). Merely because the applicant has passed Pragma Examination in Hindi would not make him come to the mark of having sufficient working knowledge of Hindi Language. The duties assigned to the Director are of such a nature where the Bureau is responsible for Hindi translation of non-statutory procedural<sup>literature</sup> of Ministries/ Departments and offices of Govt. of India, evaluation of the work of Hindi translation done by translators working in Ministries/Departments etc., training of translators in the technique of Hindi translation and preparation of literature for the purpose. The Director has also to guide


and supervise the whole exercise of functioning of the Central Translation Bureau with regard to Official Language Policy of the Government, use of Hindi for official purpose and translation of official literature into Hindi. The Bureau coordinates the work relating to publication of all Ministries/departments of priority of translation work and printing them in bilingual form. The Bureau maintains contact for coordination with such State Governments as have adopted Hindi as Official Language for Hindi translation of official literature and bringing about uniformity in the use of Hindi for translation and also for ensuring exchange of translated material. (Annexure IV).

6. In view of the facts and circumstances, it is evident that the applicant has been duly considered on merit and he has only a right to be considered and cannot enforce the supposed right of selection and appointment on his own assessment and capability.

7. Further, the contention of the applicant that the respondent No.5, Shri S. Dayal, be not associated with the selection process, is not open to challenge after the selection process has already ended. If he had any grievance with any of the Members of the Selection Committee, he should have apprised the same while applying for the post.

8. The applicant while filing this application was 56 years of age and now he must have ~~x~~ superannuated <sup>not</sup> 10<sup>th</sup> ago and therefore he did <sup>not</sup> appear to pursue this application. The application is devoid of merit and substance and accordingly is dismissed leaving the parties to bear their own costs.

  
( B.K. Singh )  
Member (A)

  
( J.P. Sharma )  
Member (J)