

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

OA / TA / TA / CCP No. _____ 19 RA

Dr. A.K. Roy.
APPLICANT (S) COUNSEL

VERSUS
U.O.I.
RESPONDENT (S) COUNSEL

Date	Office Report	Orders
		<p>24.11.93 RA 425/93 OA 888/88</p> <p>RA disposed of by circulation by a bench of Hon'ble members. Mr B.N. Dhondiyal, M(A) and Hon'ble Mr B.S. Hegde, M(S). RA dismissed.</p> <p>MD M. S. Ch C/O C-III</p>

10 (2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

R.A.No.425/93
O.A.No.880/88

New Delhi this the 24th Day of November, 1993.

Hon'ble Sh. B.N. Dhoundiyal, Member(A)
Hon'ble Sh. B.S. Hegde, Member(J)

Dr. A.K. Roy
S/o Late Sh. Manmohan Roy,
R/o D-28, Dev Nagar,
New Delhi-5.

Review Applicant

versus

Union of India
through the Secretary,
U.P.S.C.,
Dholpur House,
Shahjahan Road,
New Delhi.

ORDER (BY CIRCULATION)

Hon'ble Sh. B.N. Dhoundiyal, Member(A)

This review application has been filed by Dr. A.K. Roy praying for recall of the judgement of this Tribunal dated 17.9.1993 dismissing the O.A.No.880/88. The review has been filed on the ground that the applicant was adjudged as short of prescribed requirement of ten years experience for the post of Professor of Economics in the Lal Bahadur Shastri Academy of Administration Mussoorie. The review applicant has contended that this Tribunal has failed to refer to the additional affidavit filed by him on 26.8.1993 wherein he had enclosed documents to show that his research/teaching experience was adequate and that the Hon'ble Minister admitted that this post should not be dereserved and that his period for appointment as Economist under Ministry of Agriculture in Indian Agricultural Research Institute, New Delhi from October, 1975 to November, 1981 i.e. 6 years was not taken into account.

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These submissions have not been made either in the O.A. filed by the applicant or the rejoinder. We do not find from the record any M.P. filed by the applicant seeking permission of the court to file the additional affidavit. There is no provision that such affidavits can be filed suo moto even if the pleadings in the case are complete. In any case, the applicant failed to appear on the date of final hearing to raise these points.

In any case, this has been the consistent view of the Tribunal that an assessment of the qualification of a candidate has to be done by an Expert Body like U.P.S.C. U.P.S.C. had examined his qualifications and had also considered his representation. The U.P.S.C. was of the view that his work experience in DMS and REC was not countable for this purpose. Only his experience as Research Scientist from September, 1975 to December, 1981 was taken into account as this was for only 6 years and 3 months he was adjudged ineligible.

In the counter filed by the respondents it was stated that only the period from September, 1985 to December, 1981 was taken into account whereas in para-5 of the review application the applicant has also stated that the period from October, 1975 to November, 1981 should be taken into account. He has not brought to our notice any other period which could be taken into account by the UPSC. In any case it is for the UPSC to adjudge whether experience in a particular post was relevant for the purpose of eligibility or not.

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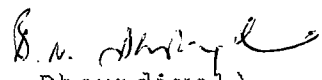
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We find no apparent error on the face of record and the review application is hereby dismissed.


(B.S. Hegde)

Member(J)


(B.N. Dhoundiyal)

Member(A)

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