

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH.

O.A. NO. 110/91

New Delhi this the 3rd day of January, 1995.

Shri N.V. Krishnan, Vice Chairman(A).

Dr. A. Vedavalli, Member(J).

P.S. Jagarwal,
S/o Shri Budha Ram,
R/o A-40/C, Phase-II,
Mayur Vihar,
Delhi.

... Petitioner.

None present.

Versus

1. Union of India through
its Secretary,
Ministry of Human Resources Development,
Shastri Bhavan,
New Delhi.

2. Director General of Archives,
National Archives of India,
Janpath,
New Delhi.

3. Secretary,
Union Public Service Commission,
Dholpur House,
New Delhi.

4. Shri Sohan Pal Singh,
Assistant Archivist (Grade-II),
National Archives of India,
Janpath,
N. Delhi.

... Respondents.

By Advocate Mrs Raj Kumari Chopra.

ORDER (ORAL)

Shri N.V. Krishnan

This matter came up before us for final hearing today when none for the applicant was present though called twice. However, Mrs Raj Kumari Chopra, learned counsel for the respondents, was present. We have heard her.

2. The applicant while working as Archivist (General) in the National Archives of India, submitted an application

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to the Union Public Service Commission in response to the advertisement which appeared in ^{the} Annexure 'E', Employment News, 28th July to 3rd August, 1990, in regard to one post of Archivist (General) in the National Archives of India which is reserved for SC candidates. He states that he possesses all the educational qualifications and yet he has not been called for interview. On an earlier occasion, i.e. in October, 1990, the applicant was called for interview which was held for selecting three persons in respect of the same post but he could not be selected. He has annexed that interview letter as Annexure D-2.

3. As he did not receive an interview call, he contacted the concerned Under Secretary in the Union Public Service Commission and requested him to call him for interview but this was refused.

4. In the circumstance, the applicant has filed this O.A. for a direction to the third respondent, i.e. Union Public Service Commission, to call the applicant for interview for selection for the post of Archivist (Reserved). (Sic).

5. When the matter came on 15.1.1991, an interim direction was issued that the applicant shall be provisionally interviewed for the post of Archivist (General), but his result shall not be published.

6. The respondents have filed their reply contesting this claim. Among other things, it is stated that the applicant does not have all the essential and desirable qualifications. In pursuance of the interim order, the applicant has been interviewed by the Union Public Service Commission and his result has been withheld.

7. We notice from the Annexure 'E' advertisement that the essential qualifications for this post are as follows:

- (1) Atleast Second Class Master's Degree in History with an Optional paper in Indian History

of Post-1600 period of a recognised University of equivalent;

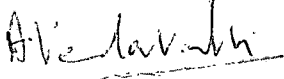
- (ii) 3 years' experience of research in Modern Indian History/Teaching of Modern Indian History in a recognised College/Work in an Archival Office.

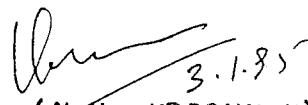
8. The applicant states that he has obtained M.A. Degree Second Class from Rajasthan University in 1977. A copy of the Degree is exhibited at Annexure 'B'. A perusal of the Degree awarded to him makes it clear that he has been awarded degree of M.A. in the subject 'History' and he has passed in Second Class. As mentioned above, the essential qualifications further require that one of the optional subjects in the course should have been in the Indian History of Post-1600 period. Neither the Degree filed by the applicant at Annexure 'B' nor any other document filed by him establishes that he satisfies the second part of the educational qualifications.

9. In the circumstance, it is clear that the applicant does not have the necessary qualification and, therefore, this O.A. deserves to be dismissed.

10. The learned counsel submitted on the basis of certain other decisions that the O.A. has become infructuous. In the view that we have taken as mentioned above, we do not find it necessary to examine this aspect.

11. O.A. is, therefore, dismissed. No costs.


(DR. A. VEDAVALLI)
MEMBER(J)


(N.V. KRISHNAN)
VICE-CHAIRMAN(A)

'SRD'