

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No.OA 1814/93.

Date of decision: 13.9.93

Kripal Singh & ors. ... Petitioners

v s.

Union of India & ors.

For the petitioners .. Shri G.S.Beqrar,
Counsel.

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN
THE HON'BLE MR. B.N. DHOONDIYAL, ADMINISTRATIVE MEMBER

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Mr.
Justice S.K. Dhaon, Vice-Chairman)

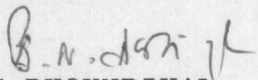
The petitioners are really aggrieved by the communication dated 27.1.1993 issued by the Executive Director, Pay Commission, Railway Board to the General Managers of all Indian Railways. In para 4.2. of the said communication, it is stated that such selections which have not been finalised by 1.3.1993 should be cancelled/abandoned.


2. A written test was held for selection and a date for viva-voce was fixed but viva-voce could not take place. Meanwhile, by a stop-gap arrangement, the petitioners were given officiating chance which they are enjoying even now.

Thereafter, the impugned communication was issued.

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3. The contents of the communication indicated that some policy decision had been taken that future selections should be withheld for the time being. The reason for doing so is contained in para 4 of the communication. A policy of restructuring has been adopted. It is stated that for the purpose of the implementation of the order, if an individual Railway servant becomes due for promotion to a post classified as a selection post, the existing selection procedure will stand modified, in such a case to the extent that the selection will be based only on scrutiny of service records and confidential reports without holding any written or viva - voce test. We do not find any element of arbitrariness in this policy decision. No ground is made out for our interference. The application is dismissed summarily.


(B.N. DHOUNDIYAL
MEMBER(A


(S.K. DHAON
VICE CHAIRMAN

SNS