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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

OA 313/1993

New Delhi this the 16th day of November, 1998.

Hon'ble Smt. Lakshmi Swaminathan, Member (J)
Hon'ble Shri K. Muthukumar, Member (A)

In the matter of

Shri V. Thiruppugazh, IAS
R/O B-16, Govt. Officers,
Jam Towers Road, Rajkot,
Gujarat-360001
Assistant Collector,
Collectorate, Rajkot.

... Applicant

(None for the applicant)

Vs.

1. Union of India,
through its Secretary,
Department of Personnel & Training,
North Block, New Delhi.

2. Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi through Secretary.

... Respondents

(None for the respondents)

ORDER (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

None for the parties, even on the second call. This is a 1993 case and has appeared at Serial No. 6 in today's Cause List of Regular matters. Since neither of the parties are present either in person or through their counsel, we have perused the records available on file.

2. The applicant states that he is a direct recruit of the 1991 Batch of IAS Officers, pursuant to the Civil Services Examination conducted by the U.P.S.C. in the year, 1990 and was placed at Serial No. 25 in the merit list. The applicant has been allotted Gujarat State. In his representation dated 11.3.1992 he has stated that "upon my inquiries I came to know that I have not given my preference for my home State in the Mains Application form". He has further submitted that by oversight he has left the column blank and he has not

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said 'no' to his home State. He, has, therefore, requested that his case may be reconsidered for allotment to his home State i.e. Tamil Nadu cadre. In the reliefs he has prayed that a direction may be given to the respondents to grant the applicant Tamil Nadu cadre of the IAS.

3. In the reply, the respondents have submitted that one of the important considerations in setting up the All India Services including the I.A.S. is that the All-India composition of such services with personnel drawn from different States with some 'insiders' at higher administrative levels in each State is desirable. They have also submitted that this is in order to provide some uniform standards of administration throughout the country and to help national integration. They have also given the details/methodology adopted by the respondents for cadre allocation of ^{officers in} the Civil Services Examination. They have also submitted that the applicant did not opt to be allocated to his home State i.e. Tamil Nadu by not exercising the choice given to him in question No.23 of the Main Application form, which is also confirmed by the facts mentioned in the aforesaid representation of the applicant dated 11.3.1992. They have also submitted that in order to allocate ^{him to} his home State, the candidate should not ^{only} have the high rank but should also have expressed his willingness to be allocated to his home State which in this case is 'Blank.' In the circumstances, they have submitted that the allocation is done strictly in accordance with rank and subject to willingness of the applicant to be allocated to his home State. They have also stated that it is not the case of the applicant that he has been allocated to Gujarat Cadre in violation of the principles of cadre allocation and therefore, they have prayed that the OA may be dismissed.

4. The applicant has filed rejoinder in which he has submitted that he did not exclude his preference for his home State which he was entitled to on the basis of his being — No.1 candidate


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in the State of Tamil Nadu in the Civil Services Examination, 1990. He has, therefore, reiterated that merely because he left the relevant column blank is not to be read in the negative sense to deny him allocation to his home State.

5. We have carefully considered the pleadings and the materials available on record. According to the applicant's own averments and the representation made by him on 11.3.92 it is seen that he had omitted to give his option for allotment to his home State which he states was merely due to oversight. Accordingly, the applicant had been correctly allocated to Gujrat cadre in accordance with the principle of cadre allocation. The fact is that the applicant has himself, whether inadvertently or otherwise, omitted to give his option on the basis of which the respondents have acted, which cannot be held to be arbitrary or unreasonable. Apart from this, we note that the applicant had been allocated to Gujarat cadre in Feb., 1993 and none has been appearing on behalf of the applicant after this case has come on Board and on the last date also. In the facts and circumstances of the case, it appears that the applicant is no longer interested to press his claim for allotment to Tamil Nadu cadre of IAS and has perhaps settled down in Gujarat State in the intervening period. We also find no justification to interfere in this matter as according to the applicant's own admission he has failed to exercise his option at the relevant time in accordance with the Civil Services Examination Rules/instructions.

6. In the above facts and circumstances of the case, we find no merit in this case. The O.A. is accordingly dismissed. No order as to costs.


(K. Muthukumar)
Member (A)


(Smt. Lakshmi Swaminathan)
Member (J)

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