

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.
....

Diary No. 6274 of 2001

In

Original Application No. 1622 of 2001.

this the 16th day of January'2002.

HON'BLE MR. S. DAYAL, MEMBER(A)

HON'BLE MR. RAFIQ UDDIN, MEMBER(J)

1. Paras Nath Chakrawati, S/o late Shri Masoori Ram,
R/o 46-A Sohabitya Bagh, District Allahabad.
2. Shashi Kant, S/o Sri Hira Ram R/o 46-A Sohabatiya
Bagh, District Allahabad.

Applicants.

By Advocate : Sri O.P. Khare.

Versus.

1. Union of India through the Secretary Staff Selection
Commission, Department of Personnel & Training,
Ministry of Personnel Public Grievances Pension,
Block No. 12, Kendriya Karjhalaya Parisar, Lodi Road,
New Delhi.
2. Deputy Director (R&A), Staff Selection Commission,
Lodi Road, New Delhi.
3. Regional Director (C.R.), Government of India,
Staff Selection Commission, 8-A, Beli Road, Allahabad.

Respondents.

By Advocate : Sri S.B. Singh brief holder for Sri R. Sharma.

ORDER (ORAL)

BY HON'BLE MR. S. DAYAL, MEMBER(A)

This application has been filed for setting aside
the impugned punishment order dated 14.8.2001 and a
direction to the respondent no.3 to declare the result
of the applicants in respect of the post of Inspector

Central Excise/Income Tax examination held on 13.6.99 for the vacancies published vide advertisement in 1996.

2. The case of the applicants is that they appeared in the written examination held on 13.6.99 and succeeded in the said examination, and thereafter they were called for interview. However, their result was not declared and they received memorandums dated 17.8. 2000 and 25.8.2000 and were asked to appear before the Secretary, Staff Selection Commission at New Delhi. They were asked to write nearly 10-15 blank sheets of papers and were asked to put their initials in Hindi as well as in English 15-20 times. The cause for taking hand-writing was not disclosed to them. The applicants were given memorandums dated 19.7.2000 communicating the findings of the Government Examiner of Questioned Documents, Bureau of Police Research & Development, Government of India, to the effect that their signatures and hand writing as available in the application forms and as provided by them did not tally with the script of the written examination. The applicants were allowed 7 days time to show as to why their candidature should not be cancelled.

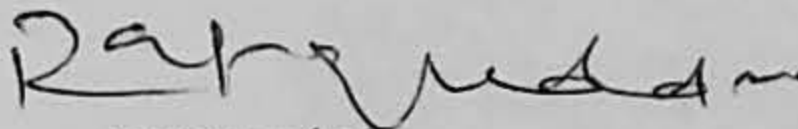
3. We find that the applicants sent their reply dated 30.7.2001 stating that they had appeared in the examination and praying that the script of answer sheets with the specimen provided by them should be verified by referring to any other authorised hand writing ~~and~~ expert. The respondent no.3 did not find the reply of the applicants to be satisfactory and cancelled the candidature and debarred from appearing in all future examination of the Commission for a period of three years w.e.f. 13th June'99.

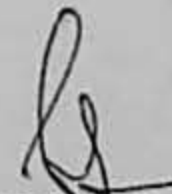
4. The applicants have challenged the order on the ground that the order did not ^{comply} ~~apply~~ with the principles of natural justice as the report of Government Examiner of

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Questioned Documents was not supplied to them. It is also alleged that the report of the Government Examiner was not impartial. The applicants have claimed that their absence in the Hall should have been established by ~~an~~ independent evidence. The Invigilator or Examination Supdt should have found the applicants not to have remained present at the time of examination.

5. We find that the respondents had taken care, obtained the hand writing of the applicants and to compare the same with the script of the written examination through the Government Examiner of Questioned Documents. The said authority is competent and there is no bias established by the applicants against the said authority. Under the circumstances, we find that the memorandum dated 14.8.2001 with regard to the applicants does not suffer from any infirmity ^{requiring judicial interference} and O.A. is dismissed in limine. No order as to costs.


MEMBER (J)


MEMBER (A)

GIRISH/-