

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 568 of 2001

Allahabad this the 02nd day of April, 2002

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.  
Hon'ble Mr. C.S. Chadha, Member(A)

Suresh Chand Jha, Son of Sri Tulsi Ram Jha, resident  
of 7, Indra Nagar, Shahjahanpur.

By Advocate Shri B.D. Mandhyan Applicants

Versus

1. Union of India through Secretary, Ministry of  
Defence, New Delhi.
2. Director General Ordnance Factory Board, 10-A  
Shahid Khudi Ram Bose Road, Kolkata-700001.
3. General Manager, ~~Ordnance~~ Ordnance Clothing Factory,  
Shahjahanpur, U.P.
4. Santpal, Store Keeper (Bearing Personal No.9403)  
Ordnance Clothing Factory, Shahjahanpur.

Respondents

By Advocate Shri R. Chaudhary

ORDER ( Oral )

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A. the applicant has challenged  
the order dated 26.04.2001 by which the respondents  
declared the panel including the names of those who  
were selected in Limited Departmental Competitive Exam.  
The applicant also appeared in the selection for being

selected as Chargeman Grade II Non Technical(Stores)  
The applicant could not be successful and for the  
above mentioned post, the respondent no.4-Sant Pal  
has been selected. The aforesaid selection has been  
challenged on two grounds. First submission is that  
the manner of allotment of marks regarding A.C.R.  
gradings and disciplinary history was illegal and  
arbitrary, and on account of which the applicant could  
not be selected. It is submitted that though A.C.Rs  
are considered for last 5 years, the disciplinary  
history is considered in respect of <sup>entire</sup> ~~another~~ service  
<sup>if</sup> ~~record~~. In short the submission is that <sup>are</sup> the A.C.R.  
gradings of 5 years ~~is~~ considered, service record of  
5 years should also have been considered. The submission  
is that the applicant was awarded minor punishment on  
two occasions, first in the year 1991 and then in the  
year 1995. They have taken into consideration under  
the aforesaid condition, and the applicant could not  
have been selected. We have seriously considered the  
submission of learned counsel for the applicant, however,  
we do not find any merit in the same. For a selection,  
norms and conditions are prescribed by the authorities  
as a policy matter. The application of the condition<sup>u</sup>  
and the norms is uniform to all the applicants. The  
selection cannot be challenged on the ground that the  
service record of <sup>entire</sup> ~~another~~ service has been taken into  
consideration. In promotional matters while granting  
promotions the respondents are entitled to select <sup>u</sup> ~~Those~~  
who were best amongst the eligible persons and the  
~~past~~ service record is the best to indicate <sup>u</sup> who is  
the best amongst the candidates. We do not find any

illegality in the <sup>ce</sup> ~~prescribed~~ <sup>u</sup> aforesaid conditions.

2. Second ~~submit~~ submission of the applicant is that there was a mistake in <sup>calculation</sup> ~~consideration~~ of vacancies. It is submitted that if the vacancies upto 31.03.2000 are taken into account, there can be one more vacancy and the applicant could be accommodated against the same. It is <sup>about</sup> mentioned that for the aforesaid vacancy a fresh notice was issued, <sup>if 2004</sup> ~~and~~ the applicant can raise the claim and participate in the fresh selection.

3. On over all consideration, we do not find any good ground for interference with the selection process. The O.A. is accordingly dismissed. No order as to costs.

  
Member (A)

  
Vice Chairman

/M.M./