

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 28TH DAY OF JANUARY, 2002

Original Application No.1111 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Vishnu narain shukla, s/o late
Shiv Bhajan Singh, R/o 323 Kamla Nehru
Nagar, District Gaziabad.

... Applicant

(By Adv: Shri B.N.Singh)

Versus

1. Union of India through the Secretary, Ministry of Finance, Govt. of India, New Delhi.
2. Chairman, Central Board of Excise and Customs, Deptt. of Revenue North Block New Delhi.
3. Commissioner of Custom & Central Excise, 38, M.G.Marg, Civil Lines, Allahabad.
4. Commissioner (I), Central Excise Commissionerate, Mangal Pandey Nagar, Meerut.

... Respondents

(By Adv: Shri R.C.Joshi)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 applicant has challenged the circular dated 17.9.1982 of Govt. of India, Ministry of Finance by which physical standard/test ^{has been} ~~has been~~ prescribed for Inspectors in Central Excise Department. According to this circular the requirement of height is 157.5cm. the grievance is that earlier the standard prescribed was 155cm height(as per annexure 4) and this has been enhanced to 157.5cm in an arbitrary manner.

We have carefully considered the submission of the learned counsel for the applicant. However, in our opinion the physical standards for a particular service



:: 2 ::

may be prescribed only by the Executive and the courts are
illequiped to have a decision in such matters. The
learned counsel has not been able to point out on which
basis it may be said that the standard of height
prescribed by the impugned circular is arbitrary or
discriminatory. We do not find any merit in this OA. The
OA is accordingly dismissed with no order as to costs.


MEMBER (A)


VICE CHAIRMAN

Dated: 28th Jan: 2002

Uv/