

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD

(This the 19th Day of March, 2021)

Hon'ble Mrs. Justice Vijay Lakshmi, Member (Judicial)
Hon'ble Mr. Tarun Shridhar, Member (Administrative)

Original Application No.330/00231/2021

Golu Kumar, aged about 21 years, son of Tapeshwar Kumar, Resident of Village – Karanpura Post – Sadisopur, District – Patna, State of Bihar – 801111.

..... **Applicant**

By Advocate: Shri Dharmendra Tiwari

Versus

1. Union of India through Secretary, Department of Personnel and Training, Govt. of India, New Delhi.
2. The Staff Selection Commission, through its Chairman, Block No.12, CGO Complex, Lodhi Road, New Delhi.
3. The Regional Director, Staff Selection Commission (Central Region), Kendriya Sadan, 32-A, Mahatma Gandhi Marg, Allahabad- 211001.
4. The Deputy Director, Staff Selection Commission (Central Region) Kendriya Sadan, 32-A, Mahatma Gandhi Marg, Allahabad – 211001.

..... **Respondents**

By Advocate: Shri M.P. Mishra

O R D E R

Delivered by Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)

Heard Shri Dharmendra Tiwari, learned counsel for the applicant and Shri M.P. Mishra, learned counsel for the respondents on admission. Perused the record.

2. The applicant, in pursuance of an advertisement for selection to the post of Multi Tasking Staff/Medical Attendant, applied for such selection. The examination was conducted and the applicant appeared in the examination. He was declared qualified in the written examination. Thereafter, the respondents issued a list of provisionally rejected candidates, who were not short listed for the next stage of examination due to non fulfillment of certain conditions mentioned in the notification of examination. The applicant's name also appeared at Sl. No.157 in the aforesaid list dated 24.12.2020 (copy whereof has been annexed as Annexure A-3 to the OA).

3. A perusal of Annexure No.3 shows that the words "rejected" and "No first Aid certificate" have been mentioned against the name of the applicant. In the end of the list of provisionally rejected candidates, the candidates have been directed to take further steps as under:-

- "2. However, if any of the above mentioned candidate (Except those whose application form along with documents not received within stipulated time) feels that he is meeting the Essential Qualification, experience, Age-Limit, etc, criteria as per Notice of the Examination and inadvertently his/her candidature has been rejected, he/she may represent to the Office of the Regional Director, SSC (CR), Prayagraj, with all necessary documents in support of his/her claim for consideration of further stage of recruitment within 07 days from the date of publishing of this Notice. It is to be made clear to the candidates that no fresh document in respect of Educational Qualification as well as Experience will be taken at this stage.*
- 3. The representations submitted by the candidates will be scrutinized by this office and if need arises, the candidates may be called in person to explain their case in detail.*

4. *Due to COVID issue, all representations need to be submitted through e-mail only. The candidates are required to submit scanned copy of their duly signed representation along with scanned copy of all supporting documents at mail id. selpostivii.2019@gmil.com .*
 5. *No representation in any other mode will be accepted. Further no representation will be entertained beyond the final date i.e. 31.12.2020. ”*
3. The grievance of the applicant is that despite the fact that he had sent his ‘first Aid certificate’ issued from the competent authority by e-mail on 31.12.2020 (which was the last date for submission) his name did not find place in the list dated 05.01.2021 of provisionally accepted candidates (copy of the list of provisionally accepted candidates dated 05.01.2021 has been annexed as Annexure A-5 to the OA).
4. On the aforesaid ground, it has been prayed that OA may be allowed and the respondents may be directed to call the applicant for competing the further stages of recruitment.
5. Per contra, learned counsel for the respondents has opposed the admission of the OA by contending that the applicant has sent his ‘first Aid certificate’ beyond the last date. The last date was 31.12.2020. In the letter dated 24.12.2020 (quoted above) it was specifically mentioned that no representation in any other mode except, e-mail will be accepted. Further, no representation will be entertained beyond the final date i.e. 31.12.2020. It is contended that the applicant had sent his first e-mail on 31.12.2020 i.e. last

date at 2.16 p.m. that too from the email ID of his father without even mentioning his name without any mention of the subject or any covering letter, he had simply sent a .JPG of his 'first Aid certificate' which could not be read without being downloaded.

6. Our attention has been drawn to Annexure A-4, which is the copy of the e-mail sent by the applicant through mail ID of his father which shows nothing except some document in .JPG format. Photocopy of two receipts of registered post are also annexed with it, which learned counsel for the applicant could not explain as to why the letters were sent by registered post when there was a specific direction that no representation will be accepted by any other mode except e-mail.

7. In the second e-mail sent by the applicant, he has mentioned the subject with his Roll number and has attached the scanned copy of 'first Aid certificate' but this mail has been sent on 26.01.2021 at 1.08 p.m. i.e. beyond the last date. The last date being 31.12.2020.

8. Under these circumstances, it cannot be said that the applicant had sent his representation within time. In the first mail sent at the eleventh hour on the last date at 2.16 p.m., through mail ID of his father, there is no mention of any roll number or even name of the applicant. There is no mention of any subject in it. Hence, without any mention of roll number and even the name of

the candidate, how the department could have known, as to who has sent this mail.

9. In view of the above, the department has rightly rejected the claim of the applicant for selection and did not show his name in the list of provisionally accepted candidates, accordingly.

10. The OA is devoid of merit. It is liable to be dismissed at the admission stage and is accordingly dismissed.

11. There shall be no order as to cost.

(Tarun Shridhar)
Member (A)

(Justice Vijay Lakshmi)
Member (J)

Sushil