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Court No.1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A. No.128 of 1987

Ramji Mishra Applicant

Versus

Railway Recruitment Board Allahabad
and Others Respondents

Hon. Mr. Justice Kamleshwar Nath, V.C.

Hon. Mr. I.K. Rasgotra, Member (A)

(By Hon. Mr. I.K. Rasgotra, A.M.)

Shri Ramji Mishra, the applicant has challenged the result of the selection held by the Railway Recruitment Board for category No.24 to the post of Fireman 'A' Diesel Assistant for which the result was published on 5.12.86, Annexure-5. The contention of the applicant is that he was successful in the written test and thereafter he was called for interview on 7.10.86. As part of the interview, he was also subjected to a written psychology test. In the final result published of the written examination in which the applicant had qualified, it was pointed out to the successful candidates that the final select list will be prepared only on the basis of their being declared successful in the interview including the Psychology test. The applicant's name however was missing in the final list of the successful candidates. His surmise is that he did not make the grade as he failed in the written Psychology test. It is also his contention that relaxed standard was adopted for certain Scheduled Caste candidates in respect of written

Psychology test. The respondents in their written statement vide para 4 have stated that the category No.24 for which selection was held is a Safety category and a Psychological test is obligatory for the Safety categories like Fireman 'A' Diesel Assistant and Assistant Electrical Driver. Further it was clearly indicated in the result of the written examination declared on 22.6.86 that the candidates will be required to appear in viva voce test and Psychological test. In the call letter dated 25.8.86, the petitioner was again advised that he would be subjected to interview and Psychological test on 7.10.86. It is further averred by the respondents that the applicant failed in the Psychological test and therefore his name could not be placed in the merit list. The Psychological test is conducted by a specialist who is generally drawn from Railway Research Design and Standard Organisation, Lucknow which is an office independent of the Railway Recruitment Board. Further there is no relaxation in the standards applied for selection in the case of general candidates. For Scheduled Caste and Scheduled Tribe candidates, the Railway Board has laid down the relaxation of 5% to the Scheduled Castes and 15% to the Scheduled Tribes in the Psychological test. The relaxation given to the Scheduled Caste and Scheduled Tribe candidates is a policy decision of the Government and is restricted only to them. Such relaxation cannot be extended to the general candidates. Although the written statement by the respondents was filed on 20.3.87, there has been no replication from the applicant.

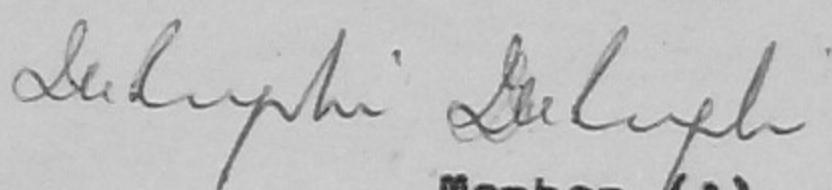
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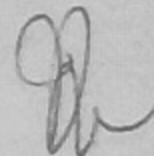
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2. We have heard the learned counsel for the respondents Shri A.K. Gaur and perused the record before us. We are of the view that the relief claimed for by the applicant by way of quashing the selection held by the Railway Recruitment Board, Allahabad for category No. 24 and for which the final result of the written test was published on 5.12.86 and to direct the respondents to apply a relaxed standard in the written Psychology test for him as in the case of Scheduled Caste and Scheduled Tribe candidates are not covered by any statutory rule or executive instructions. We therefore do not see any merit in the application deserving our interference. The application is dismissed with no order as to costs.



Member (A)



Vice Chairman

Dated the 7th December, 1990.

RKM