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RESERVED

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

Registration (O.A.) No.718 of 1987

Syed Mohd. Raza Applicant.

Versus

Union of India & others Respondents.

Hon'ble Ajay Johri, A.M.
Hon'ble G.S. Sharma, J.M.

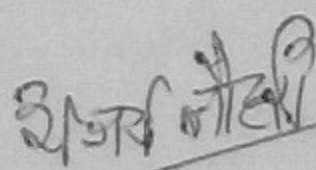
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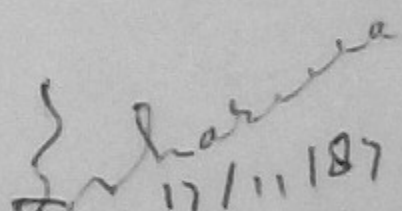
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The applicant was an Upper Division Clerk (UDC) in the office of the Commissioner of Income Tax at Allahabad. He has challenged the orders dated 9.1.1979 and 7.2.1979 in connection with a departmental examination held in 1978 where he was conveyed about his non-selection as he was awarded zero marks in all papers and thus was disqualified and declared ^{as} failed. The applicant has retired from service in 1983. He made ^{March} representation against his non-selection in/1979 followed by a reminder in August, 1981 and thereafter he retired. It was in 1985 that during the visit of the Member of the Central Board of Direct Taxes (CBDT), who visited Allahabad on 26.4.1985, he sought an interview with the visiting Member, who directed him to submit a fresh representation through the Income Tax Officer, Allahabad on the subject of his non-selection in 1979. The applicant has said that in accordance with this interview he submitted a representation on 28.11.1985, but he got no reply to his representation that he submitted as a result of the interview that was given

to him by the Member, CBDT. He also sent a reminder. He has now come to this Tribunal with a request that the order awarding him zero marks in all papers in the examination for Inspectors of Income Tax held in July/September, 1978 and declaring him failed be declared null and void and the Chairman, CBDT, be directed to ^{or by compute or} ~~compute~~ his result and declare the same in the normal course. The basis of his request is that he sought an interview with the Member, CBDT, in November, 1986 and he sent a reminder on 8.12.1986 and both of them had remained unreplied and, therefore, he had a cause of action.

2. The matter pertains to an examination held in 1978 and results declared in 1979. The applicant had utilised his normal channels of representation and had ultimately retired in 1983. We are not convinced that his interview with a Member, CBDT, gives him any respite from the limitation that started running when his representations made in 1981 remained unreplied. We are, therefore, not inclined to interfere in what has happened in 1978 or 1979 or to issue any direction to the Chairman, CBDT. It is, however, left to the applicant to approach the Member with whom he had sought an interview and who had asked him to put up a representation in November, 1985 for redressal of his grievances directly.


Member (A).


17/11/87
Member (J).

Dated: November 17th, 1987.

PG.