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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

.....

(Registration D.A. No. 852 of 1990 )

Abdul Jabbar.....Applicant

vs .

Union of India & Others.....Respondents

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. A.B. Gorthi, Member (A)

(By Jon. Mr. Justice U.C. Srivastava, V.C.)

The applicant who states that he is a member of Schedule Tribes claims his promotion from Group D to Group C category of the Ticket Collector. First time he was considered for the post of Ticket Collector in the year 1983 alongwith other candidates. Although, the applicant states that he passed the test successfully, but he was not sent for training on the ground that his file was missing. Even thereafter, the applicant was not promoted. The applicant claims that he must be benefitted, being a member of Schedule Tribes. He approached the respondents and made representation before them but failed to get any response. He had approached the Tribunal. The applicant also filed a Certificate issued by the District Magistrate, Bina (M.P.) dated 14.8.1986 indicating that "Behnas are members of Schedule Caste, Schedule Tribes or Backward classes".

2. Although a written statement has been filed by the respondents, but the statement is not based on due enquiry. Still the Department <sup>did not</sup> disposed of the applicant's representations. The respondents are directed to examine the issues raised in respect of the representations of the applicant dated 14.7.1986, 14.8.1986 and 26.10.1986 (copies of which have been annexed to this application),

particularly taking into consideration the relevant G.O. issued by the Government in this behalf regarding recognition of a particular member of a Caste amongst Muslims as Schedule Caste, Schedule Tribe or Backward class and in case the applicant is found to be a member of Schedule Tribe in accordance with the G.O. issued by the Government, the desired relief may be given to him.

3. The application stands disposed of finally with these observations.

*Amarsi*  
Member (A)

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Vice-Chairman.

9th September, 1991.

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