

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Original Application No. 60 of 1992

A.N. Singh and others Applicants
Versus
Union of India and Others Respondents

CORAM:

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

Hon. Mr. V.K. Seth, Member (A)

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

As the pleadings are complete, the case is being heard and disposed of finally after hearing the counsel for the parties. The applicant after passing the departmental selection was appointed as Clerk Gr.II on 8.12.76 and subsequently he was promoted as Clerk Gr.I on 30.1.85. There being no future prospects of promotion in the Clerical cadre (Ministerial cadre), the C.P.O Eastern Railway Calcutta circulated a letter dated 21.7.89 to form a panel for filling up the vacancies of Ticket collectors inviting among ministerial staff in lowest two grades i.e. 950-1500 and 1200-2040(RP). The applicant who was fully qualified and was placed in the scale of Rs.1200-2039 also applied for the same. As required in the said circular, the applicant also appeared in the written test and viva-voce test and he was qualified but his name

was not included in the panel. The ^{non} inclusion of his name in the panel of ~~the~~ successful candidates and he will now be promoted as Ticket collector and if promoted then after ^{proceeding} departmental appeal against non ^{empanelment} explanation the applicant ^{has} landed before this Tribunal making complaint against the selections.

2. The grievance of the applicant is that his seniority has been ignored and he has not been empanelled that is why he has prayed that the respondents be directed to empanel the applicant ~~and~~ in the panel dated 7.12.89 for the post of Ticket collector.

3. From the counter affidavit filed by the respondents, it appears that every qualified candidate is not to be empanelled and the panel is to be prepared in accordance with the merit. The applicant's merit was much lower to the persons included in the panel and that is why his name was not included and merely ^{because} he qualified in the written examination it was not a ground for including his name in the panel. The panel has been formed keeping in view the guide lines given in the said circular. It would be clear that the ^{are} vacancies to be filled by the Railway Recruitment Board. After written test the list of successful candidates was prepared which is entirely in accordance with the provisions of Rules. Thus the seniority list submitted by the applicant has got no validity in the matter and the applicant's merit was much below, as ~~such~~ the

question of length of service does not arise in the case of the applicant.

4. Accordingly, this application is dismissed with no order as to costs.


Member(A)


Vice Chairman

Dated: 8.4.1993

(Uv)