

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ADDL. BENCH

ALIAHABAD

DATED: THIS THE 20TH OF FEBRUARY, 1997

Hon'ble Mr. S. Das Gupta AM
CORAM : Hon'ble Mr. T. L. Verma JM

ORIGINAL APPLICATION NO. 1511/93-

C/A Sri S. K. ~~Shaxena~~ ^{Takri}

VERSUS

1. The Scientific Advisor to the Govt. of India, Ministry of Defence, R & D Orgn. (RS-SC-Cell), DHQ P. O. New Delhi-11.
2. The Director General, Dte, of Research & Development Orgn. (RD-SCT/Cell) Govt. of India, Ministry of Defence, DHQ. P.O. New Delhi-11.
3. The Director, Govt. of India, Ministry of Defence, Aerial Survey Delivery Research & Development Establishment, Post Box No.51, Station Road, Agra Cantt-1

4. Union of India through its Secretary,
Ministry of Defence, New Delhi.

----- Respondents

C/R Sri Amit Sthalkar.

ORDER (ORAL)

By Hon'ble Mr. S. Das Gupta AM

In this O.A. filed under section 19 of the Administrative Tribunals Act, 1985, applicant is aggrieved by the action of the respondents in not considering his candidature as Scheduled caste although he belongs to Scheduled caste category. Respondents refused to enter his caste in the service record and denied him the benefit of belonging to scheduled caste community.

2. We have heard the learned counsel for both the parties and carefully perused the pleadings on record.

3. The respondents have stated that at the time of entry into service, applicant had recorded 'NO' in the column meant for indicating whether he belongs to SC/ST community and also indicated in parenthesis 'CHIK'. Applicant's case is that initially he was not aware of the benefits which are available to scheduled caste community and therefore he had not indicated his caste properly. However his case is that he belongs to CHIK community which is a sub-caste of Khatik and according to the notification issued by the State government, Khatik is in the list of Scheduled castes.

4. We have seen various communications received from the District Magistrate on the question as to whether applicant belongs to scheduled caste

WL.

2. annexed
We have also seen the copy of the certificate to the O.A.. It is clear from this annexure that while the applicant may or may not have been aware of the benefits but he himself added word Chik after the word Khatik.

5- Since his initial recruitment in 1963, a long 24 years have elapsed and therefore, granting him the benefit of schedule caste retrospectively would be totally unjustified- We therefore, direct the respondents to record the caste of the applicant in the service book and and to grant him the benefit ~~possibly~~ from the date of this order.

O.A. is disposed accordingly. Parties to bear their own costs.

Sharma
Member (J)

W.C
Member (A)

SQI