

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1851 of 1993

Allahabad this the 28th day of February, 2000

Hon'ble Mr. S.K.L. Naqvi, Member (J)
Hon'ble Mr. M.P. Singh, Member (A)

Amit Kumar, Steno Grade 'D', Central Administrative
Tribunal, Additional Bench, Lucknow.

Applicant

By Advocate Shri Arvind Kumar

Versus

1. Registrar, Central Administrative Tribunal,
Allahabad Bench, Allahabad, 23-A, Thornhill
Road, Allahabad.
2. Secretary, Staff Selection Commission, C.G.O.
Complex, Block No.12, Lodhi Road, New Delhi.

Respondents

By Advocate Shri Prashant Mathur

ORDER (Oral)

By Hon'ble Mr. M.P. Singh, Member (A)

The applicant has filed this O.A.
challenging the decision of the respondent no.2
for not considering him for regularisation.

2.

Brief facts of the case are that the

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applicant was appointed as L.D.C. on ad hoc basis on 01.6.1992 in the Office of C.A.T. at Lucknow Bench. He was subsequently appointed as Steno Grade 'D' on ad hoc basis by order dated 15.4.1993. The ad hoc appointment to the post of Steno Grade 'D' was regularised vide order dated 19th April, 1993.

3. Thereafter, Ministry of Personnel, Public Grievances and Pensions, introduced a scheme circulated by their letter dated 02.8.1993 for regularising the services of ad hoc employees. According to the applicant, he was neither informed of the aforesaid scheme nor given any application form by respondent no.1 till 01.11.1993, although the last date for submission of application was 04.10.1993 which was subsequently extended to 04.11.1993. ~~He~~ Though he was appointed on regular basis, it was reliably learned that his regular appointment is again being converted into ad hoc appointment. He, therefore, submitted his application to appear in the special Examination being conducted by the respondent no.2 for regularisation. He has alleged that the last date for submission of application was 04.11.93 and ^{he} had submitted the application to respondent no.1⁰ at Allahabad on 03.11.1993. It was due to the fact that the respondent no.1 did not inform the applicant about the scheme in time. According to him, the application was not accepted by the respondent no.1 and returned to respondent no.1 for the reason that it was belated. He has, therefore, filed this

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U.A. to seek relief by praying that the respondent no.2 be directed to entertain the application and permit the applicant to appear in the Special Qualifying Examination scheduled to be held on 26.12.1993 for regularisation.

4. The respondent no.2 filed counter-reply and stated that the Special Qualifying Exam., 1993, which was conducted for regularising the ad hoc employees inter-alia stipulated the following eligibility conditions;

(i) He/she must be working as L.D.C./Stenographer Grade III/D on adhoc basis/daily rated/casual basis against any sanctioned post of L.D.C./Stenographer Grade III/D in any Office under Government of India.

(ii) As on 01.8.1993, he must have rendered at least one year's continuous service in that post.

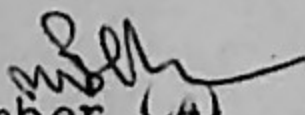
According to the respondents, the applicant did not complete 1 year's continuous service in the grade of L.D.C. nor he had completed 1 year's continuous service in the grade of Steno Grade 'D'. He was, therefore, not eligible for taking the Special Qualifying Examination, 1993. He was, however, allowed provisionally to appear in the Special Qualifying Examination as per the directions of the Tribunal. Since the applicant is not entitled for any relief, the application is liable to be dismissed with cost.

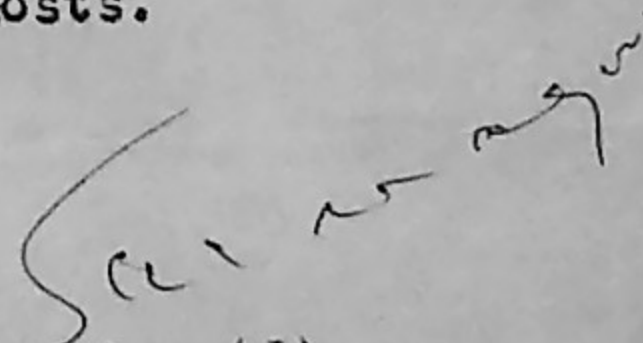
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5. On perusal of documents filed by the applicant, it is abundantly clear that he did not complete 1 year's continuous service either in the grade of L.D.C. or in the grade of Steno 'D'. He was, therefore, not eligible to apply for the Special Qualifying Examination being conducted by S.S.C. under the scheme formulated by D.O.P.T.. Moreover, the applicant was appointed as Steno Grade 'D' on regular basis and was placed for probation for a period of two years. On this count also, he was not eligible to appear in the above said examination. The respondent no.2 has, therefore, rightly not considered his claim for regularisation in the grade of Stenographer Grade 'D'.

6. In the light of the above discussions, the U.A. does not merit any consideration and is, therefore, dismissed. No order as to costs.


Member (A)


Member (J)

/M.M./