

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Original Application No. 852 of 1994

Ashish Kumar & Others ::::::: Applicants

Versus

Union of India and Others ::::::: Respondents

Hon'ble Mr. Maharaj Din, Member 'J'
Hon'ble Mr. K. Muthu Kumar, Member 'A'

(By Hon'ble Mr. Maharaj Din, Member 'J')

The three applicants moved a joint
applicants seeking the relief to issue direction to
the respondents to treat their application form for
appearing in Civil Services(Prel.) Examination, 1994
proper and allow them to appear in the examination
scheduled to be held on 26.6.94.

2. The relevant facts giving rise to this
application are that the applicants submitted the app-
lications to the Union Public Service Commission(herein
after referred to U.P.S.C) on prescribed format to app-
ear in Civil Services(Prel.) Examination, 1994. It is
stated that the applications of the applicant no.1 and
2 were rejected by the U.P.S.C. on the ground that they
failed to sign the declaration column of the applications.
The application of the applicant no.3 was rejected on the
ground that he left blank column no.8 meant for educational
qualification. The applicants claimed that they fulfil
the requisite qualification and are also otherwise

Ans

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eligible to appear in Civil Services(Prel.) Examination, 1994. According to them their application forms cannot be rejected for non signing of declaration column or on the ground that the column meant for educational qualification was left blank as they have not concealed or suppressed any material fact.

3. The respondents have filed the counter-affidavit and resisted the claim of the applicant inter alia on the ground that the U.P.S.C. have been entrusted with the duty of conducting examinations for the purpose of recruitment to the Civil Services of the Union ^{of India} under Article 320 of the Constitution of India and these examination are conducted in accordance with the condition of eligibility prescribed by the Government of India. The rules for this examination contain eligibility conditions including age limit, educational qualification, scheme and syllabus etc. are framed and notified by the Government of India. So far as U.P.S.C. are concerned they notify and conduct the Civil Services Examination in accordance with rules which are statutory in nature. According to respondents if the incomplete application forms are submitted they are liable to be rejected as per rules notified for conducting the examination.

4. We have heard the learned counsel for the parties and perused the record.

5, As regards non-filling of column no.8 regarding educational qualification, the U.P.S.C. have agreed to allow such candidates who left blank the educational qualification column.vide letter dated 09.5.94.

Ans

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Thus the case of applicant no. 3 is covered by such letter issued by the U.P.S.C. and the U.P.S.C. have ^a know no problem to allow the applicant no.3 as well, to appear in the Civil Services(Prel.) Examination, 1994.

6. As regards applicant no.1 and 2 who failed to sign the declaration column, it has been contended on behalf of the applicants that for this mistake their forms cannot be rejected as it is not covered by the ground mentioned in Rule 14 of the notification. Rule 14 of notification particularly deals with concealment or suppression of fact on which the application form can be rejected, but here ^{is} in the case of applicant no.1 and 2 is altogether different as they failed to sign the declaration column. It is also contended on behalf of the applicant that the Commission itself have permitted the candidates who left blank the column of date of birth and educational qualification, so it is discriminatory and violation of Article 14 of Constitution of India to reject the application form of applicant no.1 and 2 who submitted the application unsigned. The contention put forth by learned counsel for the applicant is not acceptable to us because the commission have allowed the applicants who left certain column of the application form blank, but, had submitted the application form duly signed. Since the applicant no.1 and 2 have submitted the application form unsigned, therefore, they cannot be treated to be the candidates to appear in the

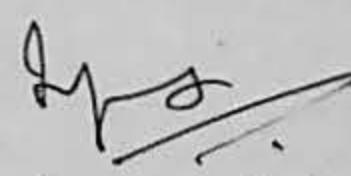
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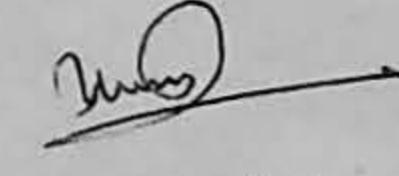
Civil Services(prel.) Examination, 1994 in any manner.

If, the declaration is left blank , the Commission
cannot hold the candidates responsible or guilty for
furnishing the incorrect information ^{as} has been dealt
~~with~~ in Rule 14 of the notification. The rejection
of the application forms of applicant no.1 and2 in
such circumstances cannot be treated as discriminatory,
as such their application forms ^{have} ~~has~~ been rightly reje-
cted by the U.P.S.C.

7. ^{above} In view of the discussion made, the
U.P.S.C. is directed to allow the applicant no.3 to
appear in the Civil Services(Prel.) Examination, 1994
on being satisfied that he possessed the requisite
educational qualification and otherwise ^{also found} eligible to
appear in the examination.

8. The application of applicant no.1 and
2 are hereby dismissed being devoid of merit.


Member (A)


Member (J)

Allahabad, Dated 23rd June, 1994

/M.M./