

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH.

Dated: this the 13th day of June, 1995.

ORIGINAL APPLICATION NO: 556 OF 1995.

Hon'ble Mr. S. Dayal, Member(A).

Raghubeer son of Sri R.K. Yadava, resident of village Khojanpur, Post Of ice Rani Bazaar, District Faizabad at present residing at 75/ Sir Sunder Lal Hostel, Allahabad.

... APPLICANT.

By Sri Chandra Prakash and V.D. Yadava, Advocates.

Versus

1. The Union of India, through the Chief Secretary, New Delhi,
2. The Secretary, Union Public Service Commission, Dhaultpur House, New Delhi.
3. The Ministry of Personnel, Public Grievances and Pension Department of Personnel and Training, North Block, New Delhi, through its Secretary.

.... RESPONDENTS.

ORDER.

By Hon'ble Mr. S. Dayal, Member(A).

The applicant has come to this Tribunal seeking the direction to the respondents to permit the petitioner to give reply to to put questions to the applicant by the Interview Board in written form and the petitioner be permitted to give reply to these questions verbally.

2. The counsel for the applicant has averred that the Civil Services Examinations 1994 (Hindi Gazetted version) mentions on page 8 under caption 'General' that handicapped persons having total or partial loss of vision will be allowed to have a Scribe in the examination while no other candidate will be allowed such facility and will be required to reply the questions personally. He has admitted that there is no mention regarding the case of hearing-impaired for the question relating to interview. However, he says that objective of interview is to assess the personality of the candidate with a view to his suitability for public services. The Interview Board will assess the mental ability, the interest of the candidate in social affairs, his mental alertness for

clear and cogent expression, ability to take balanced decision, varied interests and qualities of leadership as well as capacity for organisation and integrity. The applicant counsel's averment is that the interview Board can judge the hearing impaired also by putting questions in writing and the candidate can reply verbally. The counsel has also made a prayer for interim relief in the application by way of a direction that questions in interview may be put in written form and the candidate be permitted to reply verbally. In effect, the interim relief and the final relief are the same.

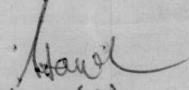
3. The counsel for the applicant has mentioned that handicapped candidates are also inducted into services. He has mentioned that the candidate himself is working as an Accountant in the office of the Accountant General at Allahabad. However, he has not been able to show whether there is any reservation in jobs for which the Civil Services Examinations are conducted for the physically handicapped candidates. He has also not been able to show as to whether the medical examination to assess the suitability of the candidates from his physical point of view would make the candidate eligible to be appointed into any of the services even if the Interview Board selected such a candidate. He has stated that such a medical examination comes later and if the candidate can not reach that stage, he will be frustrated in his attempt to find a suitable career for himself in view of his brilliant academic record.

4. I am of the opinion that the medical examination is a part of the process of selection of appropriate candidates for various executive jobs in the services and it cannot be ignored merely because interview comes earlier than the medical examination.

5. The counsel for the applicant has referred to the reply of the Union Public Service Commission (Annexure -1) dated 1.6.1995, which rejects the request made by the candidate. It has been stated in the reply of the Union Public Service Commission (Annexure - 1) that since the request made by the applicant was not in conformity with the requirements of the aforesaid rules, the Commission could not agree to the request of the candidate that the questions be put in writing by the Interview Board.

6. The interview is an ^{dynamic} ~~static~~ process in which there is an intense and quick inter-action between the Board and the candidate through the medium of speech. It is not merely a process of putting a specific number of questions to which the Members of the Board may seek replies, but it is a dialogue between the members of the Board and the candidate in which a number of questions, explanations, sub-questions etc., have to be exchanged in order to assess the suitability of the candidate as required in the rules. Therefore, the method of putting written questions and assessing the suitability could not be a proper method for judging suitability. Even from this point of view the relief asked for by the applicant cannot be granted.

7. In effect, the application is rejected in limine. A copy of the order can be given to the counsel for the applicant today.


Member (A).