

(Open court)

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 22nd day of October, 2002.

Original Application No. 1196 of 2002.

Hon'ble Mr. S. Dayal, Member- A.  
Hon'ble Mr. A.K. Bhatnagar, Member- J.

Upendra Kumar Singh S/o Sri Bashistha Narain Singh  
C/o Sri Shatrughna Singh, Chacheri More,  
P.O. Chunar, Distt. Mirzapur (UP).

.....Applicant

Counsel for the applicant :- Sri V.K. Singh

V E R S U S

1. Staff Selection Commission  
C.G.O Complex, Block No.- 12, Lodhi Road,  
New Delhi through its Chairman.
2. Regional Director, Staff Selection Commission,  
Central Region, 8-A-B, Beli Road, Allahabad-211002.
3. Assistant Director (Recruitment), Staff Selection  
Commission, Central Region, 8-A-B, Beli Road,  
Allahabad-211002.
4. Union of India through the Secretary,  
M/o Personnel, Public Grievances and Pension,  
New Delhi.

.....Respondents

Counsel for the respondents :- Sri R.C. Joshi

O R D E R (Oral)

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

This application has been filed for setting aside the order dated 13.06.2002 (annexure -1). A direction is also sought to the respondents to grant appointment to the applicant to the post of Junior Hindi Translator in pursuance to the advertisement dated 15.04.2000.

2. The learned counsel for the applicant has placed before us the notice for recruitment of Junior Hindi



Translators issued on 15.04.2000 in which educational qualifications required for the post were as follows :-

" Educational qualifications (as on 01.01.2000)  
Master's Degree in English/Hindi with Hindi/  
English a compulsory and elective subject at  
Degree level

Or

Bachelor's Degree with Hindi and English as main  
subjects which includes the term compulsory and  
elective.

Note :- Those candidates who have passed BA(Hon.)  
in English/Hindi with Hindi/English as  
Subsidiary/MIL. subjects are eligible for  
the post of Junior Hindi Translators."

3. Learned counsel for the applicant has referred to  
the mark-sheet of the applicant in which the applicant is  
shown to have passed in Hindi as a compulsory language and  
English as **Honours** subject. The mark-sheet<sup>proforma &</sup> also shows that  
Hindi Literature can be offered as subsidiary subject. The  
mark-sheet of B.A-III shows that Hindi was not a subject  
either as <sup>the main subject</sup> ~~compulsory Hindi~~ or as subsidiary <sup>subject</sup> ~~Hindi~~. ✓

4. The learned counsel for the applicant contends that  
the order of the respondents which is impugned in this O.A  
is bad in law because the applicant had passed compulsory  
Hindi which was a Modern Indian Language. He has referred  
to annexure A- 11 in which Registrar of Benaras Hindu  
University has specified as follows :-

"Certified that 'Hindi' is national language  
and obviously comes under Modern Indian Languages."

5. The contention of learned counsel for the applicant  
is that the applicant should have passed Hindi either as  
a subsidiary subject or as a Modern Indian Language Subject.  
The learned counsel for the applicant has also contended  
that rejection of candidature of the applicant after two  
years is also bad in law. The learned counsel for the  
applicant also contended that no opportunity was given to

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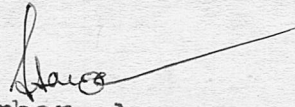
the applicant to show-cause as to why his candidature should not be rejected.

6. We have considered the claim of the applicant as made in the application, <sup>from</sup> the requirement ~~for~~ a Translator <sup>of knowledge of language</sup> is obviously more than requirement from a graduate who has passed language as a compulsory subject. The requirement shown in the advertisement issued in Rozgar Samachar was Hindi/English as subsidiary/MII was obviously to communicate the requirement at the level of the second subject in B.A(Hon.). The second subject <sup>of the applicant</sup> in B.A (Hon.) is Sociology, hence the applicant cannot said to possess the requirement of the other language at the level required doing work of a Translator.

7. As far as the question for giving opportunity is concerned, it is clear from annecure A-7 that the result was published on 05.05.2001. The applicant's Role Number is included at Sl.No.41. Hence, the letter (annexure-8) from the SSC requiring documents of the applicant thereafter. <sup>It appears that ~~there was~~ there was</sup> it appears ~~to be~~ another letter dated 26.11.2001 inresponse to which the reply placed at annexure A-11 has been sent. Thus the order dated 13.06.2002 has been passed after correspondence with the applicant regarding his qualification.

8. The contention of learned counsel for the applicant that no reason has been shown in the impugned order, does not make the order bad in law as the findings reached do not appear to be un-reasonable so far as the qualification of the applicant. We, therefore, dismissed <sup>the</sup> the application at admission stage with no order as to costs.

  
Member- J.

  
Member- A.

/Anand/