

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 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 ~~compulsory Hindi~~ ^{the main subject} or as subsidiary ~~Hindi~~ ^{subject}.

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

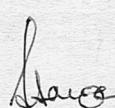
the applicant to show-cause as to why his candidature should not be rejected.

6. We have considered the claim of the applicant as made in the application, the requirement ~~for~~ ^{from} a Translator of knowledge of language & 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 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 annexure 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. ^{that} ~~that~~ ^{there was} ~~there was~~ It appears ~~to be~~ another letter dated 26.11.2001 in response 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 ~~the~~ the application at admission stage with no order as to costs.


Member- J.


Member- A.

/Anand/