

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 09th day of February, 2004.

Original Application No. 1020 of 2003.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.

Hon'ble Mr. D.R. Tiwari, Member- A.

1. Bhandari Lal Arya S/o Sri Lalloo, Accounts Clerk
R/o Vill. and Post- Chala Nai Basti.
2. Ram Baboo S/o Late Sita Ram, Accounts Clerk,
R/o 798A Lalit Nagar, Allahabad.

.....Applicants

Counsel for the applicants :- Sri Sajnu Ram

V E R S U S

1. Union of India through the Financial Manager and
Chief Accounts Officer, North Central Railway,
Allahabad.
2. Senior Divisional Financial Manager, North Central
Railway, Allahabad.

.....Respondents

Counsel for the respondents :- Sri A.K. Gaur

O R D E R

By Hon'ble Mr. Justice S.R. Singh, VC.

By order dated 24.08.1999 (Annexure- 2) the applicants were promoted to the post of Accounts Clerk in the grade Rs. 3050-4590 on provisional and adhoc basis subject to qualifying the prescribed training test and passing typing test at the speed of 30 words per minute in English and 25 words per minute in Hindi within two years in terms of Railway Board's letter No.SE(NG)/11/92/CD/1 dated 17.07.1992 circulated vide their letter dated 09.12.1998 and 05.01.1999 failing which they would be liable to be reverted. It appears that the applicants were given three opportunities to pass the prescribed typing test but they

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failed whereupon by the impugned order dated 08.08.2003 (Annexure- 1) they came to be reverted to their substantive ^{or} post in Group 'D'. Learned counsel for the applicant has submitted that according to the Railway Board's letter dated 17.07.1992 read with the letter dated 07.04.1994 (Annexure- 4) the applicants were required to acquire typewriting proficiency at the speed of 30 words per minute in English or 25 words per minute in Hindi but the applicants, in the instant case, were compelled to appear both in English and Hindi typing test and this, according to the learned counsel for the applicants, is not permissible in law. We are not impressed by the submission made by the learned counsel. According to the Railway Board's letter dated 17.07.1992 all future direct recruities from open market are required to possess typewriting proficiency at the speed of 30 words per minute in English ^{or} ~~and~~ 25 words per minute in Hindi as Essential qualification besides educational qualification for the category of Clerks/Senior Clerks. The same has been made applicable in case of promotion from Group 'D' to Group 'C' on 07.04.1994 (Annexure- 4). The applicants could not acquired ^{or} the requisite typewriting proficiency either in English or in Hindi. The fact they were required to appear in both English and Hindi typewriting test was, in our opinion, quite ⁱⁿ ~~consonance~~ ^{consonance} with the requirement of Railway Board's letter dated 17.07.1992 read ^{or} ~~with~~ ^{particularly due to the reason that} with letter dated 07.04.1994 ~~concededly~~ ^{concededly} the applicants failed to acquire the typewriting proficiency ⁱⁿ ~~any~~ ⁱⁿ any of two languages and ^{consequently} ~~subsequently~~ they have been reverted to their substantive post in Group 'D' as per condition stipulated in the promotion order. There is no infirmity ^{in the impugned order and none has been} ~~in the impugned order~~ pointed out by the learned counsel for the applicant in the impugned order dated 08.08.2003 (Annexure- 1). The O.A is devoid of merits and is dismissed with no costs.

Anand
Member- A.

Devi
Vice-Chairman.

/Anand/