

Mr. C. R. Nanda
 KK Dash
 S. K. Ghosh
 H. K. Malik
 CAT/J/II
 T. K. Mohapatra

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A./T.A./R.A. No. 608 1996

Sanjay Kumar Pradhan, Applicant(s)

versus
 Union of India & Ors., Respondent(s)

Sr. No	Date	Order with Signature
	9/8/96	<p style="text-align: center;">REGISTER</p> <p style="text-align: center;"><i>GR</i> Registrar</p>
1. 20.3.96		<p>Heard Shri C.R. Nanda, learned Counsel for the applicant. In response to an open advertisement for recruitment to the posts of Divisional Accountants, Auditors, UDCs etc, 1994 Annexure-1, the applicant had applied and appeared in the examination. He claimed to belong to 'OBC' category on the basis of a Notification by the Government of Orissa which treats 'KHANDAYATS' also as belonging to the 'OBC' category. The applicant had attached the caste certificate that he belongs to 'OBC' category as per the state list. There is no dispute that as per the Central list, 'KHANDAYATS' are not treated as 'OBCs'. In the final results of recruitment of Divisional Accountants, Auditors, UDCs, etc, Annexure-4 his candidature bearing</p> <p>9/8/96 for Rs 50/- has been filed.</p> <p>D 19/8/96</p> <p>For Regn pl.</p> <p>D 19/8/96</p> <p>Mark 19/08/96 50/-</p> <p>Regd.</p> <p>For Regn Admin & I.O. pl.</p> <p>D 19/8/96</p> <p>Bench.</p>

(2)

2

(A)

Serial No. of Order	Date of Order	Order with Signature
		<p>Roll No. 5153522 has figured at page 25 of Annexure-4 under the Maharashtra Zone as a successful candidate belonging to 'OBC' category. Now that it is admitted by the applicant himself that he does not belong to 'OBC' category according to the Central list, the Staff Selection Commission, impleaded in this petition as Respondent No. 3, communicated to the applicant as under by Annexure-12;</p> <p>"Since you belong to the 'KHANDAYAT' caste which is not included in the Central list of 'OBC' and since you do not qualify on par with UR candidates, your candidature is hereby treated as cancelled and no further correspondence in the matter will be entertained".</p> <p>The grievance of the applicant is based on an interpretation to the parenthetical clause 'since you do not qualify on par with UR candidates'. The applicant thinks that he was not even considered for ranking with respect to his marks with other UR candidates after de-listing from the OBC group, though another interpretation that such a ranking had been considered is quite possible. What he wants the Respondent No. 3 to inform him is that after de-listing him from OBC list, he is considered for merit ranking as against other UR candidates and if on such consideration he does not qualify on merit, then he has no grievance. To secure such a clarification, he is directed to make a representation to Respondent No. 3, Assistant Director</p>

(A)

Sl. No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
		<p>Staff Selection Commission, Army and Navy Building, 2nd Floor, 148, Mahatma Gandhi Road, Mumbai-400001 within 10 (ten) days from today and Respondent No. 3 shall dispose of the representation on this point alone within a period of four weeks from the date of receipt of a copy of representation. Thus, O.A. is disposed of.</p> <p>Shri U.B. Mohapatra, learned Additional Standing Counsel for the Respondents is present and is heard.</p> <p style="text-align: right;">Kanchan MEMBER (ADMN.) 22/8/96</p>	<p>Free copy of the order dt. 20-8-96 may be given to both counsel- S.D. 22/8/96</p> <p>Received a copy of the order dated 20-8-96.</p> <p>Dark Rdr. b/w 22-8-96 Received copy of the order. ASC 22/8/96</p> <p>A copy of the order No. 1 dt. 20-8-96 may be sent to all regd. & post with application copy.</p> <p>22/8/96</p>