

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH**

OA 1320/96

Present : Hon'ble Mr.B.N. Som, Vice-Chairman  
Hon'ble Mr.B.V. Rao, Member(J)

Sharda Prasad, S/o Lalji Prasad, working as Trained Graduate Teacher, Grade II (Commerce) in Eastern Rly Inter College, Mughalsarai under the Principal of that College, residing in Railway Quarters No.981/CD, European Colloney, Mughalsarai

-Vs-

- 1) Union of India, through the GM, Eastern Rly, 17 Netaji Subhas Road, Calcutta-1
- 2) Chief Personnel Officer, -do-
- 3) Dy.Chief Personnel Officer, Eastern Rly, Calcutta-1
- 4) Sr. Personnel Officer(W), Eastern Rly, 17 Netaji Subhas Road, Calcutta - 1
- 5) The Principal, Inter College, Eastern Rly, Mughalsarai
- 6) DRM, Eastern Rly, Mughalsarai
- 7) Sr. Dvl.Personnel Officer, Eastern Rly, Mughalsarai
- 8) Shri Amarendra Kumar, Trained Graduate Teacher (Provisional), Mughalsarai

For the applicant : Mr.S.K. Dutta, Counsel

For the respondents : Dr.S. Sinha, Counsel

Date of Order :

ORDER

31/5/02

Per Mr.B.N. Som, V.C.

Shri Sharda Prasad, working as Trained Graduate Teacher, Grade II, Eastern Rly, Inter College, Bughulsarai. The application has been filed challenging the following orders.

2

- i) Office order No.13/1996 being Memo No.E.1001/49/Selection dated October 4, 1996 issued by Senior Personnel Officer (W), Eastern Rly, Calcutta, respondent No.4 (Annexure A/8).
- ii) Memo No.E1001/49/Selection/s dated 13-9-96, (second item under the heading Lecturer/Teacher Gr.I (Pol.Sc.) - 1 post) issued by the CPO, E. Rly, Calcutta, respondent No.2 (Annexure A/7)
- iii) Office Order No.16/93 dated 20-7-93 issued by Deputy Chief Personnel Officer, Calcutta, respondent No.3 (Annexure A/12) Sl.9 thereof.

2. The applicant's grievance is that by his letter dated 11-12-1995 he had approached the competent authority to post him as Lecturer in Commerce in the Inter College, Mughalsarai (in the scale of Rs1640-2900/-). Thereafter in April, 1996 in order to form a panel of Lecturer/Teacher, Grade I in the scale of Rs1640-2900/- (RP) in Economics, Political Science, Hindi and Commerce for Eastern Rly Inter College/H.S. School from amongst the existing Trained Graduate Teachers (TGT) a circular was issued by Chief Personnel Officer (CPO) Calcutta to all concerned. The claim of the applicant is that he is the seniormost T.G.T. Commerce Teacher and that the selection committee had interviewed him only for the Commerce Teacher's vacancy. However, when the results were announced, the applicant's name appeared in the Sl.No.2 in the category of TGT Political Science instead of Commerce. Being aggrieved that he never appeared in any interview for a post in Political Science discipline and that he was only interviewed for appointment in the Commerce discipline, the selection process was vitiated and deserves to be set aside.

3. The respondents have resisted the applicant's claim in all respects. They have emphatically submitted that the applicant had applied for being considered for the post of PGT in Political Science as well as Commerce. They have further

disclosed that the applicant has been teaching in Political Science from 1986 whereas he obtained Master Degree in Commerce only in the year 1995. The other candidate available for selection in the Commerce Department was one, Shri Amarendra Kumar, who was recruited for TGT Commerce with Master Degree in Commerce in July 1993. They have further disclosed that the applicant has submitted willingness separately for PGT (Political Science) and PGT(Commerce) , on account of which he was called for interview for both the posts. By producing a copy of his option, (Annexure R2) and Attendant Sheet, (Annexure R3) they have submitted that the averments made by the applicant in the matter of filing option as well as in the matter of attending the interview are factually incorrect. They have also submitted that in the Selection Board out of the 4 members nominated, two were J.A. Grade officers including one from the other department and one senior scale officer from the Personnel Department and the Principal, Inter College Mughalsari was nominated as an educationist. The selection board was impartial and the proceeding of the Board was both fair and transparent.

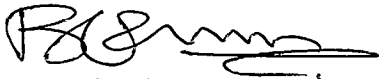
4. We have heard the learned counsel for the rival parties and perused the records placed before us.

5. The allegation leveled by the applicant being factual in nature we had directed the respondents to produce the proceedings of the selection board for our perusal. From perusal of Annexures R2 and R3 one is left with no doubt that the applicant had actually <sup>given</sup> ~~gave~~ his option for being considered for the post of PGT (Political Science) and PGT (Commerce). On a perusal of the proceedings of the selection board we find that the applicant was considered for both the posts and he was present before the Interview Board for both the posts. On the basis of

4

the merit he was found suitable for the post of PGT (Political Science) but unsuitable for the post of PGT (Commerce) as he failed to secure the cut off mark of 60. From perusal of the record it is thus clear that the allegation brought up by the applicant is not sustainable being without basis and therefore this OA deserves to be dismissed being without merit.

6. Accordingly the OA is dismissed. No costs.



Member(I)



Vice-Chairman