

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.NO. 70/2006

Monday, this the 24th day of April, 2006.

CORAM:

HON'BLE MR N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR GEORGE PARACKEN, JUDICIAL MEMBER

K.G.Luke,
Inspector of Central Excise,
Kundra I Range,
Kundra, Quilon District.

Applicant

By Advocate Mr CSG Nair

v.

1. The Commissioner of Central Excise & Customs,
Central Revenue Buildings,
IS Press Road, Cochin-18.
2. The Chief Commissioner of Central Excise & Customs,
Central Revenue Buildings,
IS Press Road, Cochin-18.
3. Union of India represented by
the Secretary,
Department of Revenue,
Ministry of Finance,
North Block, New Delhi-110 001. - Respondents

By Advocate Mr TPM Ibrahimkhan, SCGSC

The application having been heard on 24.4.2006, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

In this application, the applicant seeks the relief of being considered in the interview for deputation to Anna International Airport, Chennai as Air Customs Officer. One post is available for allotment to the Central Excise Commissionerate from Kerala subject to selection of a suitable candidate. Vide



A-2(B) document issued by the Ministry of Finance, Department of Revenue on 21.10.93, the method of selection has been prescribed. Five times the number of posts allotted would be selected in the first stage subject to other criteria like CCRs, integrity followed by an interview. Vide R-1 document issued by the Ministry of Finance, Department of Revenue on 21.10.93 on 6th September, 1996, this has been reduced to three times the number of vacancies. According to the averment of the respondents, as per the direction of the Chairman, only those seniormost candidates who have not yet worked in any Airport were called for the interview. In none of the documents forming part of the material papers, the factor of nil experience in Airports has been projected as a pre-condition for calling for the interview. This factor must have been introduced after collecting the bio-data. It is pertinent to note that the orders available relating to the guidelines were all issued by the Ministry of Finance, Government of India whereas the crucial determinant was issued by the Chairman. It is not clear to us as to how a new determinant can be so introduced by the Chairman after the selection process has been started in terms of the guidelines made by the Government of India.

2. Under this circumstances, we allow the O.A with the direction that the selection should take place only in terms of the A-2 series guidelines as modified by Annexure R-1.

3. No order as to costs.

Dated, the 24th April, 2006.


GEORGE PARACKEN
JUDICIAL MEMBER


N. RAMAKRISHNAN
ADMINISTRATIVE MEMBER

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