

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 11/2003

Tuesday, this the 7th day of January, 2003.

CORAM :

HON'BLE SHRI A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE SHRI T.N.T. NAYAR, ADMINISTRATIVE MEMBER

K.V. Thomas,
Additional Secretary(Finance)
on other duty as Director of Treasuries,
Government of Kerala,
Thiruvananthapuram.

... Applicant

(By Advocate Mr. N.N. Sugunapalan)

Vs

1. State of Kerala rep. by
Chief Secretary,
Government Secretariat,
Thiruvananthapuram.
2. Union of India, rep. by
Secretary to the Government,
Ministry of Personnel and Training,
Government of India,
New Delhi.
3. Union Public Service Commission,
rep. by its Secretary,
Dholpur House,
New Delhi.
4. Mr. A.K. Parameshwaran,
Additional Secretary to Government,
Water Resources Department,
Secretariat, Thiruvananthapuram.
5. Mr. S. Girijathmajan,
Additional Secretary to Government
on other Duty as Secretary,
Institute of Management in Government,
Thiruvananthapuram.
6. Mrs. K.K. Remani, Additional Secretary
to Government, Local Self Government Deptt.,
Secretariat, Thiruvananthapuram.
7. Mr. K.S. Premachandra Kurup,
Additional Secretary to Government,
General Administration Deptt.,
Secretariat,
Thiruvananthapuram.
8. Mr. V.M. Vijayaraghava Menon,
Additional Secretary to Government
on other Duty as Private Secretary to
Minister for Labour, Secretariat,
Thiruvananthapuram.

9. Mr. N. Ayyappan,
Controller of Stationery,
Government of Kerala,
Behind PMG Office,
Thiruvananthapuram.

... Respondents

(By Advocate Mr. Sunil Jose, ACGSC for R2&3)

The application having been heard on 7.1.2003, the Tribunal on the same day delivered the following :

ORDER

HON'BLE SHRI A.V. HARIDASAN, VICE CHAIRMAN

The applicant presently working as Additional Secretary(Finance), Government of Kerala, has filed this application for a direction to the respondents to issue to the applicant a copy of the short list of selectees requested as per Annexure A4 and for a direction to the respondents to keep in abeyance all further proceedings pursuant to the preparation of the select list for selection to the cadre of IAS for 2000-2001 pending disposal of this OA. The applicant claims that he is a meritorious candidate to be selected and appointed to the IAS under the provisions of IAS(Appointment by Selection) Regulations, 1997. . It is alleged in the application that respondents 4 to 9 were considered by the Selection Committee and stated that the applicant reliably understands that the respondents 4 to 9 have been placed in the panel while the applicant has not been placed, and that above placement was made without proper consideration of the merit of the applicant. Therefore, for his placement in the panel, the applicant has filed this application.

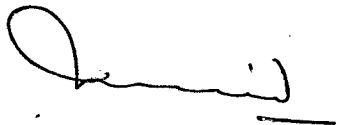
2. We have perused the application and material appended thereto and have heard the learned counsel for the applicant.

3. It is seen from the application that an interview has been held on 13.12.2002 and the applicant was not called for the interview. However, the appointment pursuant to the selection

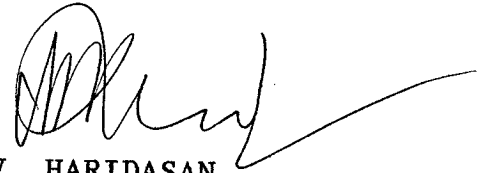
has not been made. We find that the applicant has not shown prima facie that a selection has been made in contravention of the Rules. It has also not been shown that there is any rule or instructions which cast a duty on the respondents to give the applicant a copy of the short list. We find that no cause of action has arisen to the applicant to invoke jurisdiction of the Tribunal and that the application is premature.

4. In the light of what is stated above, the application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985. No costs.

Dated the 7th January, 2003.



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of the Indian Administrative Service (Appointment by Selection) Regulations 1997.
2. A-2: True copy of the judgement dated 21.12.2001, of the Hon'ble High Court of Kerala in OP No.34248/00.
3. A-3: A true copy of the judgement dated 12.12.2002 of the Hon'ble High Court of Kerala in OP No.36919/02.
4. A-4: A true copy of the letter dated 15.12.2002 sent by the applicant addressed to the Chief Secretary, Kerala State.

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16.1.03