

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.207/1994

Monday, this the 31st day of July, 1995.

C O R A M

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR.P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

T.V.Raveendran,  
Turner HS I,  
Auxiliary, Machinery and Shafting Shop,  
Naval Ship Repair Yard,  
Southern Naval Command,  
Naval Base, Kochi - 4.

... Applicant

By Advocate Mr.D.V.Radhakrishnan

Vs.

1. Flag Officer Commanding-in-Chief,  
Southern Naval Command,  
Naval Base, Kochi -4.
2. Commodore Superintendent,  
Naval Ship Repair Yard,  
Naval Base, Kochi -4.
3. The Selection Board constituted by the  
1st respondent for selection to Senior  
Chargeman Grade-I, represented by its  
President Lt.Cdr.Maheswari  
Manager, Engineering, Naval Ship Repair Yard,  
Naval Base, Kochi - 4.
4. Union of India represented by its  
Secretary, Ministry of Defence,  
New Delhi.
5. K.Sivapalan, Machinist HS I  
Machine Shop, Naval Ship Repair Yard,  
Southern Naval Command,  
Naval Base, Kochi - 4.
6. Chief Staff Officer (Personnel and Administration)  
Southern Naval Command,  
Naval Base, Kochi - 4.

... Respondents.

By Advocate Mr.C.Kochunni Nair (R 1-4)

Mr.C.K.Pavithran (R-5)

The application having been heard on 31st July, 1995,  
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

Applicant challenges the selection of fifth respondent  
to the post of Senior Chargeman, in preference to him.

2. Applicant started as a semi-skilled worker on 4.1.1984

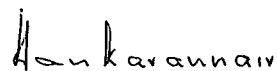
and became a Turner, Highly Skilled Grade I on 17.12.91. For the next higher post, fifth respondent was preferred wrongly, according to applicant. He would say that the Selection Committee did not have a member belonging to the Scheduled Caste/Scheduled Tribe, that the question paper was not properly set and that the marks set apart for the interview were on the high side.

3. He was not able to place before us any rule requiring presence of a member of the Scheduled Caste/Scheduled Tribe on the Committee. As far as setting up of question paper goes, it is not a matter on which the Tribunal will sit in appeal. Interference can be made only if violation of Rules is shown, and none has been shown. As far as marks set apart for the interview are concerned, we do not think the setting apart of forty marks for the interview is unreasonable having regard to the nature of assessment sought to be made. (See Bakshi's case AIR 1993 SC 2374). We find no reason to interfere with the selection and we decline jurisdiction.

4. Application is devoid of merits and is dismissed. No costs.

Dated, 31st July, 1995.

  
P.V.VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR (J)  
VICE CHAIRMAN

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