

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO. 829/96

DATE OF ORDER : 24-08-1998.

Between :-

T.Surya Prakash Rao

... Applicant

And

1. The Union Public Service Commission,  
Dholpur House, Shah Jahan Road,  
New Delhi-110011,  
rep. by its Secretary.

... Respondent

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Counsel for the Applicant : Shri N.Ram Mohan Rao

Counsel for the Respondent : Shri V.Vinod Kumar, CGSC

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CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

THE HON'BLE SHRI B.S.JAI PAKAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

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(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri Shiva for Sri N.Ram Mohan Rao, counsel for the applicant and Sri V.Vinod Kumar, standing counsel for the respondents.

2. The applicant in this OA while working as Labour Enforcement Officer (Central), Hyderabad, applied for the posts of Labour Officer/Assistant Labour Commissioner (Central)/Assistant Welfare Commissioner/Assistant Director Grade-V in Central Labour Service in pursuance to advertisement No.19 published in Employment News 8/14-10-1994 (page-9 to the OA). The applicant was not called for the interview.

3. Aggrieved by the above, he has filed this OA to consider him also for the post by allowing him to sit for interview along with other candidates.

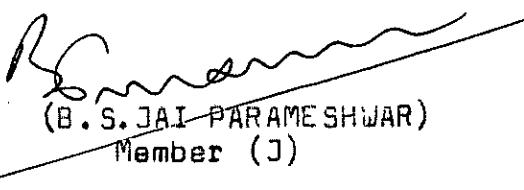
4. The contentions raised in this OA are similar to the contentions raised in OA 828/96 which is disposed of today.

5. The only point for consideration is whether the experience of the applicant as Labour Enforcement Officer for one year and six months as stipulated in the qualifications is sufficient for <sup>him</sup> calling for interview.

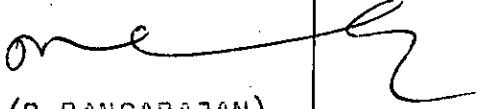
6. The short-listing is no doubt permitted by the UPSC. The Union Public Service Commission decides the minimum requirements on the basis of various reasons in consultation with the Department concerned. The Court or a Tribunal cannot sit on the

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judgement of such stipulations unless it is stated that such a stipulation is malafide or perverse. The applicant has not stated anywhere that the experience fixed is to favour some other candidates. Hence we find that the stipulation of experience is done diligently on the basis of the job to be entrusted to the applicants after selection and to the Grade-V post of Labour Enforcement Officer. Hence the OA is dismissed. No costs.

  
(B.S. JAI PARAMESHWAR)

Member (J)

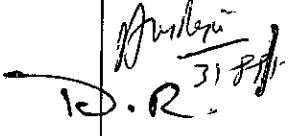
  
(R.RANGARAJAN)

Member (A)

24.8.98

Dated: 24th August, 1998.

Dictated in Open Court.

  
D.R.

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OA. 829/96

Copy to:-

1. The Secretary, Union Public Service Commission, Dhelpur House, New Delhi.
2. One copy to Mr. N.Ram Mohan Rao, Advocate, CAT., Hyd.
3. One copy to Mr. V.Vinod Kumar, Addl.CGSC., CAT., Hyd.
4. One copy to D.R.(A), CAT., Hyd.
5. One duplicate copy.

srr

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II COURT

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :  
M(J)

DATED:

24/8/98

ORDER/JUDGMENT

M.A.R.A/C.P.NO.

in  
C.A.NO. 829/98

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

