

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

OA No.82/03

Jabalpur, this the 8th day of October, 2004.

C O R A M

Hon'ble Mr.M.P.Singh, Vice Chairman
Hon'ble Mr.Madan Mohan, Judicial Member

Roshan Barman
S/o Shri Rajkumar Barman
R/o H.No.412, Durga Mandir
Near Dr.Nema, Village Suhagi
Post Adhartal, Jabalpur.

Applicant

(By advocate : None)

Versus

1. Union of India through the
Secretary, Ministry of
Defence, New Delhi.
2. The Commandant
506, Army Base Workshop
Post Box No.14, Jabalpur.
3. The Collector
Jabalpur Dist.
Jabalpur.

Respondents

(By advocate Shri P.Shankaran)

O R D E R (oral)

By M.P.Singh, Vice Chairman

None is present for the applicant. None was present on the last date of hearing on 26th July 2004. Since this case is of 2003, we dispose it of by invoking the provision of Rule 15 of the CAT (Procedure) Rules 1987.

2. By filing this OA, the applicant has claimed the following reliefs:

- (i) The impugned order contained in Annexure A-12 be set aside.
- (ii) Direct the respondents to appoint the applicant after verifying properly his caste status from the concerned authorities.

3. The brief facts of the case are that the applicant was selected for appointment for the post of Electrician (MV) under reserved category of ST by respondent No.2.

Before joining, he was asked to produce his caste certificate.

He produced a certificate dated 13 Nov.1989 issued by

MK

Shri G.L.Mishra, Naib Tehsildar and Executive Magistrate, Jabalpur. The caste certificate dated 13 Nov. 89 was sent to the office of District Magistrate, Jabalpur for necessary verification of his caste status. The office of District Magistrate, Jabalpur expressed their inability to verify the caste certificate as ^{the} case of the caste certificate was not registered. They intimated that the ~~caste~~ 'Majhi' is not prevalent in the District of Jabalpur and that this ~~caste is~~ prevalent in other Districts. They further intimated that ~~other~~ ^{the} certificates issued earlier by Shri G.L. Mishra, Naib Tehsildar, Jabalpur, were found not to be in order. In view of this, the applicant was directed to produce his appropriate and permanent caste certificate vide letter dated 24 Apr.2002. The applicant's case was also referred to the District Magistrate, Jabalpur for certain clarifications vide letter dated 13 June 02. The applicant submitted another caste certificate dated 19.4.91 issued by Naib Tehsildar and Executive Magistrate, Jabalpur. This certificate too was forwarded to the office of District Magistrate, Jabalpur for verification vide letter dated 8th Aug. 2002. Despite repeated letters to all concerned, caste verification report has not been received from the civil authorities. The applicant was directed to get his caste status certified by District Magistrate vide letter dated 6.1.03, as the vacancy cannot be kept pending for an indefinite period. Since the applicant has not submitted his proper caste certificate, the respondents have cancelled his candidature.



4. Heard Shri P. Shankaran, learned counsel for respondents.

5. The question to be decided by us is whether the applicant who has been selected for appointment as Electrician (MV) should be given appointment for which he has been duly selected. Instructions issued by Government of India provide that appointment should be given by the Government after completing all the ~~pre-appointment~~ formalities which also include verification of caste certificate and character antecedents. In this case, the applicant has not been able to give a proper caste certificate.

6. In view of the above, we do not find any merit in this case. Accordingly the OA is dismissed.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

पृथक सं ओ/व्या.....जबलपुर, दि.....
व तिलिपि अये खिल -

(1) सधिय, उच्च न्यायालय धार (सोसिहमन, जबलपुर

(2) आवक श्री/श्रीमती/कु.....के काउंसल S. Bhattacharya

(3) प्रथमी श्री/श्रीमती/कु.....के काउंसल P. Shankaran

(4) संतान, केपअ, जबलपुर न्यायाधीश

मुद्रणा एवं आवरक कायें तिलिपि

उप सजिस्टार

28-10-04

Issued
On 28-10-04
BS