

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH, JABALPUR

OA No. 589 of 1998

Jabalpur, this the 08th July 2003

Hon'ble Mr. D.C.Verma, Vice Chairman (J)
Hon'ble Mr. A.K.Bhatt, Member (A)

Habibullah Kalimullah Baig,
aged about 51 years, Occup A.C.T.I
C. Rly. Amla, Ward No.6, P.O Amla,
District Betul (M.P)

..... Applicant
(Advocate : Mr. V.B.Singh)

Versus

1. Union of India,
Through the General Manager
Central Railway, Mumbai,
Chhatrapati Shivaji Terminal
Central Rly. Mumbai (Maharashtra).

2. Divisional Rly. Manager,
Central Rly. Nagpur (M.S)

3. Sr. Divisional Commercial Manager,
Central Rly. Nagpur (M.S)

4. Sr. Divisional Personnel Officer,
Central Rly. Nagpur (M.S)

(Advocate : Mr. H.S.Ruprat) Respondents

ORDER (ORAL)

PER : Hon'ble Mr. D.C.Verma, Vice Chairman (J)
BY this OA, the applicant has claimed promotion
to the post of Cheif Ticket Inspector (C.T.I) in the
scale of Rs.2000-3200.

2. The brief fact of the case is that the respondents vide notification dated 22-4-96 announced for the written test to the post of C.T.I. The list of eligible candidates was also published. The applicant's name is at Sr. No. 28. The applicant appeared in the written test and cleared the same, as per the result declared vide Annexure A-5. Subsequently, the applicant appeared in the viva-voce test held on 20-8-96. The applicant could not secure the required marks in the viva-voce test. Consequently, his name was not in the final panel declared on 27-12-96 (Annexure A-I). Hence, the applicant has come to the Tribunal.

3. The grievance of the applicant is that viva-voce test was not made in accordance with the rules as the applicant was not given chance to express his ability. Challenge is also on the ground that in viva-voce test, marks were not allotted by the individual officer of the committee and marks for services records were also not taken into consideration.

4. The respondent have contested the ground taken in the OA and submitted that the selection was made after following due procedure. The applicant failed to secure qualifying marks in the viva-voce i.e. professional ability so the applicant could not be in the panel.

5. None has appeared for the applicant and as the case is of 1998, we have heard the case on merit under Section 15(1) CAT (Procedure) Rules. We have perused the recital

made in the OA and documents annexed thereto and have also heard the learned counsel for the respondents.

6. From the pleading, it is clear that the post of C.T.I is a selection post. The method of selection consist of a written test and professional ability for which 15% of marks are allotted. The applicant could not secure the qualifying marks in the professional ability. The ground taken in the OA is that each member constituting the committee was required to allot marks on merit. However, as per Railway Board communication (Annexure R-1), dated 1-5-92, it has been provided that there will be a single evaluation sheet, to be signed by all members of the Selection Board. Consequently, the applicants claim that individual member was required to allot the marks, has no basis.

7. Learned counsel for the respondents has produced before us, a copy of the marksheet allotted to the candidates. It shows that marks on seniority was also given to the candidates. The applicant was also allotted marks on the basis of his seniority.

8. It is also noted that the selection was notified on 27-12-96, the applicant filed this OA in August '98 i.e., after more than one and half year. Thus, the OA is also barred by limitation.

9. The post of CTI is being selection post, the applicant can have no grievance if his junior have been selected and promoted.

10. In view of the discussion made above, OA has no merit and it is dismissed. Costs easy.

A.K.Bhatt
(A.K.Bhatt)
Member (A)

nk

D.G.Verma
(D.G.Verma)
Vice Chairman (J)

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....

प्रतिलिपि दायी मिल:-

(1) शहिर, उत्तर व्यापार समिति, दायी, जबलपुर

(2) अ.प.क. नियन्त्रण समिति, देव विजय, कोकण समिति

(3) प्रसादी नियन्त्रण समिति, देव विजय, कोकण समिति

(4) विधान सभा, देव विजय, जबलपुर न्यायालय

दूसरा एवं आवश्यक कार्यवाही हेतु

V.B. Singh, Ch. Chidambaram,
H.S. Rayachoti

उप रजिस्ट्रार

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By B