

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No.700 of 1998

Jabalpur, this the 10th day of July, 2003

Hon'ble Shri D.C.Verma-Vice Chairman(Judicial)  
Hon'ble Shri Anand Kumar Bhatt-Administrative Member

Mattulal Rathod, S/o Late Sewak Ram Rathod,  
aged about 53 years, R/o Naya Para, Jhopda  
Para, Near Santoshi Mandir, Bilaspur(M.P.) - APPLICANT

(By Advocate - Shri V.Tripathi)

Versus

1. Union of India through its Secretary,  
Ministry of Railways (Railway Board  
New Delhi).
2. General Manager, S.E.Railway, Garden  
Reach, Calcutta.
3. Divisional Railway Manager, S.E.Railway,  
Bilaspur.
4. Senior Divisional Personnel Officer.

- RESPONDENTS

(By Advocate - Shri M.N.Banerjee)

ORDER (Oral)

By Anand Kumar Bhatt, Administrative Member -

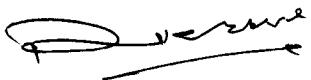
In this O.A. the applicant's claim is that for selection to the post of Office Superintendent Grade-II in the pay scale of Rs.1600-2660, a written test was held and the applicant was regularly selected as O.S. Grade-II and was accordingly appointed with effect from 28.7.1995. However, the select panel was cancelled in pursuance to an order of this Tribunal and a re-selection was directed to be conducted by the order dated 29.9.1997 (Annexure-A-2). A panel for selection was declared, after the written examination which was held on 21.2.1998 and 7.3.1998. A total of 39 vacancies were there - 35 unreserved, 2 SC and 2 ST. As per rules 3 times of number of vacancies were to be called. However, in the panel a total of 11 ST and 17 SC candidates were called and, therefore, there was an over-representation of the reserved categories of employees in the impugned preparation of the select list. By this,

the applicant was deprived of a place in the panel as the reserved category candidates were given the benefit of relaxed standard. This was against the rules.

2. The learned counsel of the respondents stated that there is no bar for SC/ST candidates appearing against the general category and if they come in the merit list of the general candidates they are included in the panel. So far as relaxed standard for SC/ST candidate is concerned, it was given only to six candidates each in SC and ST as the vacancies were 2 in each category. Mr. Banerjee, learned counsel of the respondents also showed us the result of the written examination for selection to the post which was held on 21.2.1998 and 7.3.1998 in which the applicant finds place at serial No. 49 and the total marks secured by him are 48/100 whereas the minimum pass marks are 60%.

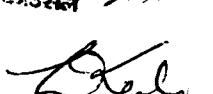
3. We have heard the both counsel at length. We find that the selection made is as per procedure and not violative of any rules. There is no bar to SC/ST candidates competing against unreserved posts. The number of SC/ST candidates called for viva voce for 2+2 vacancy was only 6+6. Besides this the applicant failed to secure the minimum pass marks so he was rightly not called for viva. The O.A. has no merit and is accordingly dismissed.

  
(Anand Kumar Bhatt)  
Administrative Member

  
(D.C. Verma)  
Vice Chairman (Judicial)

rkv.

प्राप्तिक्रम से ओ/व्या..... जलपुर, हि.....  
प्रतिनिधि अधीक्षक लिखा.....  
(1) राधेश, उच्च व्यापारी, जलपुर  
(2) अमोद्धर श्री/पर्णी, जलपुर  
(3) परवती श्री/धर्मली, जलपुर  
(4) वंशपता, केशव, जलपुर द्वारा  
सूचना एवं आवश्यक वापरकारी हैं



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