

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 23rd day of May, 2011

ORIGINAL APPLICATION NO. 411/2008

CORAM

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

Laxman Ram Bairawa son of Ramdhan Bairawa, aged about 22 years, resident of Village Bhagat Ka Bas, Post Babeli, Tehsil Rajgarh, District Alwar.

.....Applicant

(By Advocate: Mr. Narendra Singh Proxy counsel to Mr. C.L. Saini)

VERSUS

1. Union of India through General Manager, North Western Railway, Jaipur.
2. The Railway Recruitment Cell, North Western Railway through Assistant Personnel Manager (Recruitment).

.....Respondents

(By Advocate: Ms. Shabina Bano proxy counsel to Mr. V.S. Gurjar)

ORDER (ORAL)

The very short controversy involved in this OA is that the application of the applicant has been rejected after allowing him to appear in the written examination conducted by the respondents on the ground that the thumb impression of the applicant is not clear in the application form and the date of filing of the application form has not been mentioned. It is not disputed that the applicant applied for direct recruitment on the post of Group 'D' in pursuance of the advertisement issued by the respondents. The applicant being a SC candidate applied for the said post and was allotted Roll No. 23080070 and was permitted provisional to appear in the written examination which was held on 04.05.2008 but since the application form was



rejected by the respondents, therefore, the permission letter has been cancelled by the respondents.

2. We have perused Annexure A/1, condition No. 3 for rejecting the application of the applicant is as under:-

"3. Unsigned/undated applications/ applications without clear and un-smudged thumb impression and/or without marks of identification/less than 2 specimen signatures/ signature in English Capital letters."

3. As per condition no. 3, the application of the applicant has been rejected as it was found undated. We have also perused the application form submitted by the applicant, which was produced by the respondents alongwith the reply as Annexure R/1. In the column of date of submission of application, no date is mentioned by the applicant. Learned counsel for the respondents also drew our attention towards notification (Annexure R/2) by which certain important instructions to the candidates regarding the written examination are issued, instruction no. 15 of which reads as under:-

"15. This call letter is only a permission to appear in the written examination. Issuing this call-letter does not in anyway indicate that RRC, Jaipur is otherwise satisfied with details and documents of candidate or entitle the candidate to any appointment whatsoever on the Railways."

4. Thus as per condition no. 15 reveals that issuing of call letter is only a permission to appear in the examination. This permission was conditional subject to verification of educational and other documents. Railway Recruitment Cell also issued detailed notification dated 28.07.2007 wherein Clause 8.12 deals with 'Invalid Applications',



Clause (iii) of which speaks about unsigned/undated applications/ applications without clear and un-smudged thumb impression and/ or without Marks of Identification. The applicant before filling up the application form should thoroughly go through the conditions stipulated in the advertisement. There were as many as 16 conditions for rejecting the candidature of a candidate. Admittedly, the application form submitted by the applicant was undated and the same was rejected in accordance with the terms & conditions stipulated in Notification dated 28.07.2007. Thus we find no illegality in the impugned order (Annexure A/1) rejecting the candidature of the applicant. Consequently, the OA stands dismissed being bereft of merit.

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

J.C. S. Rathore
(JUSTICE K.S. RATHORE)
MEMBER (J)

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