

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 31.12.2013

OA No. 837/2013

Mr. C.B. Sharma, counsel for applicant.

Heard learned counsel for the applicant.

O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.

Anil Kumar
(ANIL KUMAR)
ADMINISTRATIVE MEMBER

Kumawat

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR.

ORIGINAL APPLICATION NO. 837/2013

Jaipur, the 31st day of December, 2013

CORAM :

HON'BLE MR.ANIL KUMAR, ADMINISITRATIVE MEMBER

Dr. Bharat Singh Rathore son of Late Shri Sajjan Singh Rathore, aged about 52 years, resident of 247, Paschim Vihar, Vaishali Nagar, Jaipur 302021 and presently posted as Deputy Director (Senior Geologist), Directorate of Petroleum, Government of Rajasthan, Khanij Bhawan, Tilak Marg, C-Scheme, Jaipur.

... Applicant
(By Advocate: Mr. C.B. Sharma)

Versus

1. State of Rajasthan through Chief Secretary, Government of Rajasthan, Secretariat, Jaipur.
2. Principal Secretary, Department of Personnel, Government of Rajasthan, Secretariat, Jaipur.
3. Secretary, Department of Mines & Petroleum, Government of Rajasthan, Secretariat, Jaipur.
4. Director, Directorate of Petroleum, Government of Rajasthan, Khanij Bhawan, Tilak Marg, C-Scheme, Jaipur.
5. Union Public Service Commission through its Secretary, Dholpur House, Shahjahan Road, New Delhi -110069.

... Respondents
(By Advocate: -----)

ORDER (ORAL)

The learned counsel for the applicant submitted that the State Government invited applications from Non-State Civil Services Officers for the purpose of selection to the cadre of Indian Administrative Services (IAS) against Non-State Civil Services quota. The Department of Personnel, Government of Rajasthan, Jaipur, send circulars to the various Additional Principal Secretaries/Principal Secretaries for sending the name

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of meritorious officers belonging to Non-State Civil Services (Annexure A/13).

2. The applicant is working as Deputy Director (Senior Geologist), Directorate of Petroleum, Government of Rajasthan, Jaipur. In pursuance of the advertisement, the Directorate of Petroleum, Government of Rajasthan, Jaipur, recommended the name of the applicant to respondent no. 3 i.e. Secretary, Department of Mines & Petroleum, Government of Rajasthan, Jaipur but respondent no. 3 did not forward the name of the applicant to respondent no. 2 i.e. Principal Secretary, Department of Personnel, Government of Rajasthan, Secretariat, Jaipur. Instead the respondent no. 3 forwarded the names of three other officers, having less meritorious record than the applicant. The record of the applicant has always been outstanding and meritorious. The respondent no. 3 had recommended the name of the applicant for induction into Indian Administrative Service in the year 2011. Since the applicant is more meritorious than three other officers particularly one Shri V.K. Vaishnav, whose name has been recommended by respondent no. 3 to respondent no. 2. Therefore, the learned counsel for the applicant prayed that respondent no. 3 be directed to forward the name of the applicant to respondent no. 2 and further respondent nos. 2 & 1 be directed to consider the case of the applicant for being included in the list of officers whose names are to be forwarded

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to UPSC for consideration for induction into Indian Administrative Service.

3. Heard the learned counsel for the applicant and perused the documents on record. In the interest of justice, respondent no. 3 is directed to reconsider the name of the applicant for being recommended to respondent no. 2 in case the service record of the applicant is better than service record of the three officers who have already been recommended by respondent no. 3 to respondent no. 2. It is made clear that in case respondent no. 3 comes to the conclusion that service record of the applicant is better than the service record of any of the three officers already recommended by him then the name of the applicant be recommended to respondent no. 2 in addition to the three officers already recommended by him. It is made clear that this exercise shall be completed within a period of one week from the date of receipt of a copy of this order by respondent no. 3.

4. Respondents nos. 2 & 1 are directed that in case the name of the applicant is recommended by respondent no. 3 then his name will also be considered alongwith other officers by the Screening Committee for being forwarded to UPSC for induction into IAS for the quota of Non-State Civil Services Officers. It is further directed that the Screening Committee meeting shall not take place before 9th January, 2014, if it has not already held. The Screening Committee can take place

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earlier than 9th January, 2014 in case respondent no. 3 communicates its decision about the applicant to respondent no. 2 before that date.

5. With these directions, the OA is disposed of at admission stage with no order as to costs.


(Anil Kumar)
Member (A)

AHQ