

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

(1) M.P.70/97 ends page-1 dtd 14/9/97
(2) M.P.218/96 ends page 1 to 2 dtd 24/6/97
(3) M.P.168/97 ends page-1 dtd 24/6/97

O.A/T.A No. 243/96

R.A/C.P No.

E.P/M.A No. 70/168/92 & 218/96

1. Orders Sheet..... Pg. 1..... to 4.....

2. Judgment/Order dtd 28/9/98..... Pg. 1..... to 8..... *dismissed*

3. Judgment & Order dtd..... Received from H.C/Supreme Court

4. O.A..... 243/96..... Pg. 1..... to 46.....

5. E.P/M.P.218/96..... Pg. 1..... to 7.....
M.P.70/97..... Pg. 1..... to 8.....
M.P.168/97..... Pg. 1..... to 2.....

6. R.A/C.P..... Pg..... to.....

7. W.S..... Pg. 1..... to 39.....

8. Rejoinder..... Pg..... to.....

9. Reply..... Pg..... to.....

10. Any other Papers..... Pg. 1..... to 2.....

11. Memo of Appearance.....

12. Additional Affidavit.....

13. Written Arguments.....

14. Amendment Reply by Respondents.....

15. Amendment Reply filed by the Applicant.....

16. Counter Reply.....

SECTION OFFICER (Judl.)

Kalita
31/1/18

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

CA No. 243/96

Shri J. Dasgupta Applicant(s)

-versus-

Union of India Respondent(s)

Mr. N. Dhar, P.B. Majumdar, B. Sankar Advocates for Applicant(s)

Mr. G. Sarma, Addl. C.G.S.C Advocates for Respondent(s)

Office Notes Date Courts' Orders

This application is in
time but not in time.
Condonation Petition is
not filed. C.P.
or Rs. 50/- deposited
in IPO/BT No 700759
Dated 8.1.96

By Registrar (P)

This CA No. 243/96 was
time barred and no condonation
petition was enclosed when
filed on 15.10.96.

List for written statement
and further orders on 23.1.1997.

O.A. is admitted subject to
consideration of limitation vide

M.P. 218/96.

69
Member

Now a condonation
Petition as A.P. 218/96 has
been filed for condoning
the delay in filing in CA
No. 243/96.

pg

m/
19/12

Both the application are
david f/o m. orders

Two weeks further time

is granted to the respondents to
file written statement as a last
chance.

List it on 24.2.97.

69
Member

Vice-Chairman

20/12/96 5K.
1) Notice issued to the
concerned parties vide
D. No - 4210 to 4212 dt. 23.12.96

nkm
m/
6/12

30/12 List on 5.2.97
M 281

4-2-97

O.A. No. 243 of 1996

1) Notice duly served on Respondent No. 3.
2) written statement has not been submitted.

24.2.97 List on 27.2.1997 for further orders.

19-2-97

Member

Vice-Chairman

W/S filed on 12th trd

2) R. m. 2 & 3.

27.2.97

Mr N.Dhar, learned counsel appearing on behalf of the applicant prays for 3 weeks time on the ground that the affidavit was not properly verified. He wants to verify the affidavit in a proper manner.

Heard Mr G.Sarma, learned Addl. C.G.S.C for the respondents, who has vehemently opposed the prayer.

Considering the submissions of the counsel we allow 3 weeks time to verify the affidavit in the Misc. Petition No.218/96 for condonation of delay.

List on 20.3.97 for further orders.

62
Member

Vice-Chairman

pg
W
10/3

20.3.97

Let this case be listed after a week as the copy of the application has been received by the Addl.C.G.S.C Mr G. Salma. Let this case be listed on 1.4.

62
Member

Vice-Chairman

pg

1.4.97 In view of the order passed in Misc. Petition No.70/97 delay in filing this original application has been condoned. The case is ready for hearing.

List on 14.5.1997 for hearing.

13.5.97
1) Written Statement has been filed on R - 2 and 3.

2) Notice duly served on R - 1.

3) Memo of appearance not yet filed.

st
13/5

Member


Vice-Chairman

pg
trd
13/4

Member


Vice-Chairman

14.5.97

There is no representation on behalf of the applicant. The application is dismissed for default.

11.5.97
Copy of the order has been sent to the D/sec. of court and served to the L/Advocates of the parties.

trd


15/5

Member


Vice-Chairman

24.6.97

In view of the order passed in Miscellaneous Petition No.168/97 the O.A. NO. 243/96 is restored to file.

List it 11.8.97 for hearing.

Member


Vice-Chairman

trd

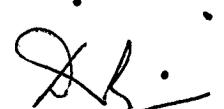
11.8.97

Division Bench is not sitting. List it on 1.12.97 for hearing.

nkm
12/8

1.12.97 On the prayer of the counsel for the parties list for hearing on 20.2.98.

Member


Vice-Chairman

pg 8/12

Notice duly served on R. No. 1.
R. Nos. ~~2 & 3~~ filed.
Notice duly served on R. Nos. 2 & 3.
W/S for filing on R. Nos. 2 & 3.

19/12

20.2.98 Let the case be listed for hearing on 4.6.1998.

6
Member

Vice-Chairman

pg

23/2

4-6-98 Adjourn to 16-7-98.
by order.

16-7-98

On the prayer of Mr.P.B.Mazumdar learned counsel case is adjourned till 22-7-98 for hearing.

6
Member

Vice-Chairman

lm
26
17/7/98

22.7.98

Heard the learned counsel for the parties. Hearing concluded. Judgment reserved.

6
Member

Vice-Chairman

nkm

22.7.98
Copies of the Judgment have been sent to the D/Chair for issuing in due to party's through Regd. with A.P.O.

22.7.98
Served wide A.P.O.
D.Nos. 2908 to 2911
22.9.10.98.

6
Member

Vice-Chairman

lm
26
8/9/98

6
Member

Vice-Chairman

6

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::::GUWAHATI-5.

O.A.No. 243 of 1996

DATE OF DECISION..... 28-8-1998

Shri Jhantu Dasgupta,

(PETITIONER(S))

Mr.N.Dhar, Mr.P.B.Mazumdar

ADVOCATE FOR THE
PETITIONER(S)

VERSUS

Union of India & Ors.

RESPONDENT(S)

Mr.G.Sharma, Addl.C.G.S.C.

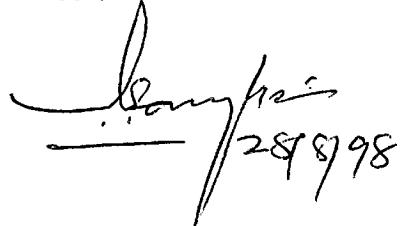
ADVOCATE FOR THE
RESPONDENT(S)

THE HON. MR.JUSTICE D.N.BARUAH, VICE-CHAIRMAN

THE HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble ADMINISTRATIVE MEMBER


28/8/98

X

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 243/ of 1996

Date of Order: This the 28th Day of August, 1998.

HON'BLE MR.JUSTICE D.N.BARUAH, VICE-CHAIRMAN
HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER

Shri Jhantu Dasgupta,
S/o. Late Bimal Dasgupta,
C/o. Smti Dipali Dasgupta,
Road No.8, Arundhutinagar,
Agartala, Police Station-West Agartala,
District : West Tripura. Petitioner

By Advocate Mr.N.Dhar, Mr.P.B.Mazumdar.

-Vs-

1. Union of India,
Represented by the Secretary,
Department of Personnel & Administrative
Reforms, Ministry of Home Affairs,
New Delhi.
2. Staff Selection Commission,
Represented by the Chairman
Block No.12, C.G.O,Block,
Lodhi Road, New Delhi-110003.
3. The Regional Director, NER,
Staff Selection Commission,
Chenni Kuthi, Hill side,
Nabagraha Road,
Gauhati-781003. Respondents.

By Advocate Mr.G.Sarma, learned Addl.C.G.S.C.

O R D E R.

SANGLYINE, MEMBER(A):

By Advertisement No.3/7/93-P&P (Annexure 5) the respondent No.2, Staff Selection Commission, notified for recruitment, among others, to the posts of Inspector of Central Excise and Inspector of Income Tax in different places of the country. This notification was published in the Employment News on 16 July 1993. The competitive Examination for this purpose was to be held on 12-12-93. At the relevant time the applicant was working as Accountant in the office of the Accountant General(A&E) Tripura, Agartala. In the advertisement,

contd/-

there is provision for age relaxation as follows as far as relevant to the applicant :

"Upper age limit is relaxable upto the age of 40 years (45 years for Scheduled Caste/Scheduled Tribe candidates) to the departmental candidates who have rendered not less than 3 years continuous and regular service as on 9-8-1993 provided they are working in posts which are in the same line or allied cadres and where a relationship could be established that the service rendered in the department will be useful for the efficient discharge of duties of posts for which the recruitment is being made by this examination in terms of DP & AR's O.M. No. 4/4/74-Estt(D) dated 20-7-76 & DP & T's O.M. No. 35014/4/79-Estt(D) dated 24-10-1985 O.M. No. 15024/3/87-Estt(D) dated 7-10-1987 and O.M. No. 15012/1/88-Estt(D) dated 20-5-1988.

All Group 'C' non-technical employees with three years continuous and regular service (in any Central Government office or Union Territory) as on 9-8-1993 fulfilling the nexus will be eligible to be considered as departmental employees for grant of age relaxation under this sub-para.

The applicant submitted his application pursuant to the aforesaid advertisement. Though he was over aged he could claim age relaxation on the strength of the aforesaid stipulations in the advertisement. His application was accepted by the respondent No.3, the Regional Director, NER, Staff Selection Commission, Guwahati. He was successful in the written test and was directed to appear for personality test/interview on 27-10-94. The applicant complied with the directions of respondent No.3 and appeared in the personality test/interview on the aforesaid date. He was declared to have passed the Inspector of CE/IT Examination, 1993 provisionally. However, on 13-2-95 the respondent No.3 issued Annexure 8 letter to the applicant to prove with the documents that he was working in a post which is in the same line or allied cadre as that of the

contd/-

Inspector of Central Excise/Income Tax and wherea relationship could be established that the service rendered by the applicant in his own department will be useful for efficient discharge of duties of posts for which the recruitment was being made by the Inspector of Central Excise/Income Tax Examination, 1993. Further, unless such nexus is proved claim of age relaxation under the terms of the aforesaid advertisement will not be available to him and, consequently, his candidature will stand cancelled. The applicant submitted reply saying that his service in Audit and Accounts department will be useful for efficient discharge of duties of the posts for which recruitments were being made by the Inspector of Central Excise/Income Tax Examination on 1993 and requested for relaxation of his age accordingly. However, respondent No.3 informed him that the duties of the applicant as Accountant in the office of the Accountant General, (A&E), Tripura do not have nexus with that of the post applied for by him and the applicant cannot be treated as eligible for the recruitment of Inspector of Central Excise or Income Tax etc. Examination, 1993 in terms of the stipulations in the advertisement above. His candidature was accordingly cancelled.

2. The applicant has submitted this application praying for setting aside and quashing the Annexure 8 letter No. SSCG-A.11011/28/93-95/Non/527 dated 13-2-1995 and the letter No. SSCG-A.11011/28/93-95/Nom/1951 dated 30-5-1995, Annexure 10, declaring his ineligibility and cancelling his candidature.

3. We have heard learned counsel on both sides. The grievance of the applicant is against the cancellation of his candidature. The first contention of Mr. Dhar, learned

counsel for the applicant, is that the cancellation of the candidature of the applicant was not on the basis of the Annexure-5 Advertisement aforesaid but it was based on the Annexure-11 Advertisement which was published in the Employment News of 3-9 June 1995. In this later advertisement it has been stipulated that departmental candidates applying under sub para 4(e), i.e. age relaxation, must submit a list of duties performed by them in the present post, duly certified by their office, as per Appendix VIII alongwith the applications to enable the Commission to decide their eligibility. Mr Dhar submitted that such stipulations were not incorporated in the Annexure-5 advertisement. We find that records however show that Annexure-8 order was issued on 13.2.1995 requesting the applicant to prove with documents that his work in the present post will be useful for the efficient discharge of duties of the posts for which he was to be appointed. The cancellation order was also dated 30.5.1995. Therefore, apparently, there is no reasonable ground to hold that the aforesaid letter dated 13.2.1995 and 30.5.1995 were issued basing on the advertisement dated 3-9 June 1995. Power of cancellation of candidature was available in the earlier advertisement Annexure-5 itself. According to this advertisement relaxation of age of overaged departmental candidates is available provided they (departmental candidates) are working in posts which are in the same line or allied cadres and where a relationship could be established that the service rendered in the department will be useful for the efficient discharge of duties of posts for which the recruitment is being made by the examination concerned in terms of O.Ms. dated 20.7.1976, 24.10.1985, 7.10.1987 and 20.5.1988 mentioned therein.

Further, it is provided that all Group 'C' non technical employees with 3 years continuous and regular service (in any Central Government office or Union Territory) as on 9.8.1993 fulfilling the nexus will be eligible to be considered as departmental employees for grant of age relaxation under the sub para 4(e). This clearly shows that the respondents has a policy and procedure to scrutinise the eligibility for relaxation of age of overaged departmental candidates. In the process such applicants, who are affected persons, are also bound to satisfy the authorities regarding their eligibility for relaxation of age by showing that they fulfil the nexus. Another clause to show that there is power for cancellation is in the note below item 4(f), namely;

"NOTE : Candidature of person who is admitted to the examination under age relaxation as a Departmental candidate and resigns from service, after submission of application, is liable to be cancelled."

Again in clause 19 of the advertisement shows that success in the examination confers no right to appointment unless Govt. are satisfied after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the post. In the facts and circumstances the contention of the applicant has no force. In the course of scrutiny, letter dated 13.2.1996 Annexure-8 was issued requiring the applicant to prove with documents that he was eligible for age relaxation. We find nothing unreasonable in the letter giving the applicant opportunity to show that he fulfils the nexus as required under item 4(e) of the advertisement, Annexure-5. The respondents have come to a conclusion by Annexure-10 letter dated 30.5.1995 that on examination of the evidence produced

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by the applicant, the applicant was not eligible. This Tribunal cannot go into the merit of the decision taken by the respondents as indicated in the aforesaid letter dated 30.5.1994.

4. The next contention of Mr Dhar is that the candidature of the applicant cannot be cancelled as he has already been allowed to appear in the Personality Test/Interview and thereafter had come out successful in the examination. He referred to item 23 of the advertisement, Annexure-5 and submitted that there is no scope for scrutiny of candidature after written examination was over. We however find that according to the advertisement nowhere it was stated that the scrutiny should be done before the personality test or interview. The advertisement simply says that the Commission do not undertake any scrutiny of the application before the written examination but will scrutinise after the result of the written examination. No limitation was placed that it should be done before the interview/personality test. Item 23 of the advertisement reads as follows :

"Admission to the Examination : Before submitting his application, the candidate must carefully read the eligibility conditions for the examination and satisfy himself that he fulfils all the eligibility conditions. The Commission do not undertake any scrutiny of the applications before the Written Examination and all applicants are allowed to appear at the examination on a purely provisional basis subject to their eligibility being verified after the result of the Written Part of the Examination. Accordingly, merely because a candidate has been allowed to appear at the examination will not be considered as a ground for his being admitted finally to the examination."

Moreover para 2 of Annexure 7 letter calling for interview makes it clear that further scrutiny was contemplated and may result in cancellation of candidature. In the light of the above we do not find any force in the contention

of the applicant in this regard.

5. Then Mr Dhar submitted that there is a discrimination against the applicant as departmental candidates who applied within age limits were not required to show the nexus of service rendered by them in their own departments with that of the posts applied for and in their case there is no question of proving the relationship between the two services. In the case of departmental candidates like the applicant who claim age relaxation however they were required to prove such nexus. According to him, this is not sustainable. We find no force in the contention of Mr Dhar. These are two different types of candidates. Those who are overaged were to get admission by availing concession. This concession can be availed of only after fulfilling certain conditions prescribed. The other departmental candidates, on the other hand, are not availing any concession. Therefore, it is reasonable that they do not have to support their case by any other means. Moreover, the applicant cannot agitate the issue now as he has already submitted himself to the jurisdiction of the examination and the advertisement simply because he failed to satisfy the authorities that he fulfills the required nexus. Similar is the case with the last contention of Mr Dhar that the cancellation of his candidature has put the applicant in financial difficulties as he had incurred expenses for attending the interview. The terms of the Call letter Annexure -7 are very clear in this regard. In para 2 of the said letter of the Staff Selection Commission it stated thus :

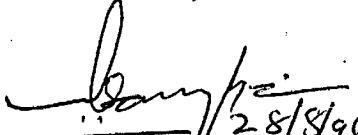
"Please note that your candidature is purely provisional. If it is found later at any stage that you do not fulfil any of the conditions of eligibility laid down in the notice of the above Examination, your candidature will be cancelled and no appeal against such cancellation will be entertained. To avoid inconvenience later on, you are again advised to

check carefully before coming for the personality test and satisfy yourself that you fulfil all the conditions of eligibility such as caste, age and educational qualifications, etc."

Further, in para 5 it is clearly spelled out that travelling expenses were to be borne by the candidates themselves except in some categories in which the applicant did not fall. Thus any attending financial hardship was consciously borne by the applicant at the relevant time and he cannot make any grievance in the matter later after his candidature was cancelled.

5. In conclusion, we find no merit in this application and accordingly it is hereby dismissed. No costs.


(D.N.BARUAH)
VICE CHAIRMAN


28/8/98
(G.L.SANGLAYINE)
ADMINISTRATIVE MEMBER

Filed by the
 Appellant through
 Biswadev Saha
 14/10/96
 Advocate (c)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GAUHATI BENCH

ORIGINAL APPLICATION NO. 243 OF 1996

I N D E X

<u>SL. NO.</u>	<u>DESCRIPTION OF DOCUMENTS</u>	<u>PAGE NO.</u>
1.	Application	1 - 25
2.	Annexure-1: Order dated 8.7.96 passed by the Hon'ble High Court in Civil Rule No. 41 of 1996 with the observation that the Hon'ble High Court has no jurisdiction to entertain the writ application giving liberty to the petitioner to approach the appropriate authority for appropriate remedy	- 26-27
3.	Annexure-2: Letter No. 218 dated 16.11.1988 appointing the petitioner in the post of clerk/typist in the office of the Accountant General (A & E), Tripura	- 28.
4.	Annexure-3: Establishment order No. 38 dated 29.4.1992 promoting the petitioner to the post of Accountant	- 29.
5.	Annexure-4: Establishment Order No. 29 dated 20.6.1995 issued by the Senior Accounts Officer, promoting the petitioner to the post of Senior Accountant.	- 30.
6.	Annexure-5: Copy of the notification published in the employment news dated 16-7-1993	- 31-34
7.	Annexure-6: Copy of the application in prescribed form dated 5-8-1993 made by the petitioner for appointment to the post of Central Excise/income tax	- 35-37

Recd copy
 Lawrence
 10/10/96
 16/10/96
 16/10/96

8. Annexure-7:Copy of the letter dated 20-9-94 requesting the petitioner by the Respondent No. 3 to appear for the personality test/interview at Gauhati - 38-
- 38-A

9. Annexure-8:Copy of the letter dated 13-2-1995 issued by the Respondent No. 3 requesting the petitioner to prove with documents that he is working in a post which is in the same line or allied cadre - 39

10. Annexure-9(series):Copy of the letter of forwarding with certificate dated 23-2-95 furnishing certificate of the Senior Accounts Officer(Administration) as to the proof of same line or allied cadre - 40-41

11. Annexure-10:Copy of the letter dated 30-5-95 cancelling the candidature of the petitioner for the post of Inspector of CE/IT Exam'93 - 42

12. Annexure-11:Copy of the newspaper 'The Employment News' dated 9.6.95 - 43-46

For use in Tribunal's office

Signature of the applicant

Shanti Dasgupta

Date of filing 14.10.96

OR

Date of receipt by post

Registration No.: 07243/96

07.10.96

Signature

for Registrar.

Jhantu Dasgupta
Filed by the
Applicant through
Biswader Singh
14/10/2006
Advoval-
X

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GAUHATI BENCH

ORIGINAL APPLICATION NO. 243 OF 1996

IN THE MATTER OF:

An application under Section 19 of the Administrative Tribunals Act, 1985, for quashing the letter No. SSCG-A-110011/28/93-95/NOM/1951 dated 30th May, 1995 issued by the Respondent No. 3 in ANNEXURE-10:

A N D

IN THE MATTER OF:

Shri Jhantu Dasgupta,
S/o. late Bimal Dasgupta,
C/o. Smti. Dipali Dasgupta,
Road No. 8, Arurdhutinagar,
Agartala, Police Station-West Agartala,
District: West Tripura.

.....PETITIONER

--: Versus:-

1. Union of India,
Represented by the Secretary,
Department of Personnel & Administrative
Reforms, Ministry of Home Affairs,
New Delhi.

Contd....P/2

Shri Dangupta

18

-: 2 :-

2. Staff Selection Commission,
Represented by the Chairman,
Block NO. 12, C.G.O. Block,
Lodhi Road, New Delhi-110003.
3. The Regional Director, N.E.R.
Staff Selection Commission,
Chenni Kutti, Hill Side,
Nabagraha Road,
Gauhati-781003.

.....RESPONDENTS

The petitioner most humbly and respectfully begs
to state as follows:-

1. That the petitioner was declared to have been passed by the Respondent No. 3 in the Staff Selection Examination for the post of Inspector of Central Excise/Income Tax and the petitioner received letter No. SSCG-A. 11011/28/93-95/NOM/527 dated 13th February, 1995 from the Respondent No. 3 directing him to prove with documents that he had been working in a post which was in the same line or allied cadre as that of Inspector of Central Excise/Income tax and where relationship could be established

19
Dhruv Dasgupta

-: 3 :-

that the service rendered in the parent department of the petitioner would be useful for the efficient discharge of duties for which the recruitment was being made and the petitioner submitted sufficient documents before the respondent No. 3 to prove his eligibility for the post applied for, but the respondent No. 3 without considering the documents cancelled the candidature of the petitioner for the post of Inspector of Central Excise/Income Tax by his letter No. SSCG-A.11011/28/93-95/NOM/1951 dated 30th May, 1995 .

2. That challenging the legality and propriety of the letter No. SSCG-A.11011/28/93-95/NOM/1951 dated 30th May, 1995 issued by the Respondent No. 3 cancelling the candidature of the petitioner for the post of Inspector of Central Excise/Income Tax, the petitioner filed writ petition bearing Civil Rule No. 41 of 1996 before the Hon'ble Gauhati High Court at Agartala Bench and the Hon'ble High Court disposed of the Writ application by its order dated 8th July, 1996 with the observation that:

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Dadaji
Bhutto

-: 4 :-

"This writ court does not have jurisdiction to entertain this writ application in as much as the petitioner should have approached the Central Administrative Tribunal.

In that view of the matter, this writ ~~cause~~ application ~~now~~ stands disposed of but the petitioner may approach the appropriate forum for appropriate remedy.

I have heard Mr. D. Chakraborty, learned advocate for the petitioner and Mr. S. Bhattacharjee, learned Advocate for the respondent".

^{order}
Copy of the letter dated 8.7.1996 passed by the Hon'ble High Court in Civil Rule No. 41 of 1996 is annexed hereto and is marked as ANNEXURE- 1.

3. That the impugned letter was issued by the Respondent No. 3 on 30th May, 1995 and the petitioner filed writ petition before the Hon'ble High Court ~~shak~~ challenging the letter on 18th January, 1996 and the Hon'ble High

for
S.A
D.G
to
S.G
H

-: 5 :-

Court disposed of the writ application on 8th July, 1996 and the present application has been filed without delay.

FACTS OF THE CASE

4. That the petitioner was appointed in the post of Clerk/Typist w.e.f. 11th November, 1988 in the Office of the Accountant General (A & E), Tripura, Agartala, by an Establishment Order No. 218 dated 16th November, 1988 issued by the Accounts Officer of the Department and the petitioner joined the post immediately after appointment, thereafter the petitioner was promoted to the post of Accountant by an Establishment Order No. 38 dated 29th April, 1992 issued by the Deputy Accountant General w.e.f. the date of taking over charge of the higher post and thereafter the petitioner was promoted to the post of Senior Accountant w.e.f. 20th June, 1995 or from the date of taking over charge as Senior Accountant by an Establishment order No. 29 dated 20th June, 1995 issued by the Senior Accounts Officer in the office of the Accountant General (A & E) , Agartala, Tripura.

22
Dwarka
Dhruv
Dhruv

-: 6 :-

Copy of the Order No. 218 dated 16.11.1988, copy of the order No. 38 dated 29.4.1992 and the copy of the order No. 29 dated 20.6.1995 are annexed hereto and are marked as A ANNEXURES - 2, 3 & 4 (Series).

5. That a notice was published in the Employment News dated 16th July, 1993 from the Office of the Respondent No. 2 inviting applications ~~for~~ for the recruitment to the post of Inspectors of Central Excise, Income Tax etc. 1993 stating that:-

"No. 317/93-P & P. Staff Selection Commission will hold, on Sunday, the 12th December, 1993 a competitive examination for recruitment of the following categories of posts:

(A). Preventive Officer(Ordinary Grade), in Customs Houses at Bombay, Calcutta, Goa, Cochin, Madras and Vishakapatnam.

(B). Examiner(Ordinary Grade) in customs Houses at Bombay, Calcutta, Goa, Cochin, Madras and Vishakapatnam.

Shanti Dasgupta
23

-: 7 :-

(C). Inspector of Central Excise in different Collectorates of Central Excise.

(D). Inspector of Income-tax in different Charges of the Commissioners of Income tax.

(E). Assistant Enforcement of Officers in Directorate of Enforcement (FEA).

(F). Grade-II Officers of Delhi Administration, Subordinate Services.

In the scale of pay 1640-2900 for posts from (A to E) and 1400-2300 for post under category (F) above ".

Age limits for the post as prescribed in paragraph 4 of the notification are 18-25 years as on 1.8.1993 for all posts that is the ~~xxx~~ candidates has been born not earlier then 2.8.1968 and not later than 1.8.1975 and in paragraph 4(e) it has been stated that upper age limit is relaxable upto the age of 40 years(46 years for sche-

Shri D. D. Dargupta
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-- 8 --

-duled castes/ & scheduled tribes candidates) to the departmental candidates who have rendered not less than 3 years continuous and regular service as on 9.8.1993 provided they are working in posts which are in the same line ~~and~~ or allied cadres and where a relationship could be established that services rendered in the department will be useful for the efficient discharge ~~for~~ of duties of posts for which the recruitment is being made.

Paragraph 23 of the notification stated that before submitting application the candidate must carefully read the eligibility conditions. The commission do not undertake any scrutiny of the applications before the written examination and all applicants are allowed to appear at the examination on a purely provisional basis subject to their eligibility being verified after the result of the written part of the examination. Accordingly merely because a candidate has been allowed to appear at the examination will not be considered as a ground for being admitted finally to the examination.

Shanti Dasgupta
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-: 9 :-

Paragraph 7 of the notification stated that the decision of the commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

Copy of the notification published in the Employment News dated 16th July, 1993 is annexed hereto and is marked as ANNEXURE - 5.

¶ 6. That the petitioner obtained degree from recognised university prescribed in paragraph 11 of the notification and in pursuance of the notification in Annexure-4, the petitioner sent application to the Respondent No.3 in prescribed form on 5.8.1993 through proper channel with the prayer for appearing for the examination for recruitment to the post of Inspector of Central Excise/ Income-tax under categories (C) & (C) of the Notification

Copy of the application in prescribed form dated 5.8.1993 is annexed hereto and is marked ^{as} ANNEXURE- 6

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Dhruv Dogopota

-: 10 :-

7. That the petitioner was born on 3rd February, 1968 and his age was 25 years 5 months and 28 days as on 1st August, 1993 that is his age was 5 months 28 days more than the age limit as prescribed in paragraph 4 of the notification and as such he was entitled to age relaxation being the departmental candidate as prescribed in paragraph 4(e) of the notification.

8. That the petitioner's application was duly accepted by the Respondent No. 3, thereafter the petitioner received the letter No. F.No. SSCG-A.11013/6/93/EXAM(Vol. II) dated 20th September, 1994 requesting the petitioner to appear for the personality test/interview at Guwahati scheduled to be held on 27th October, 1994 with the instruction to check carefully before proceeding for personality test as to the fulfilment of all condition of eligibility such as caste, age and educational qualifications etc. and the petitioner was further instructed to take with him ~~xx~~ his attested copies of the certificates relating to age relaxation and the petitioner appeared before the authority for personality test/interview on

27
Dhruv Deo Gupta

-: 11 :-

the scheduled date with all relevant documents and testimonials as instructed by the respondent No. 3 and the petitioner travelled from Agartala to Guwahati for personality test/interview at his own cost and no travelling or other expenses were allowed to the petitioner.

Copy of the letter dated 20th September, 1994 is annexed hereto and is marked as ANNEXURE - 2.

9. That thereafter the petitioner received the letter No. SSCG-A/11011/28/93-95/NOM/527 dated 13th February, 1995 issued by the Respondent No. 3 as follows:-

"With reference to your application for the above stated examination I am to state that you have been declared to have ~~xxxxx~~ passed the examination provisionally. It is seen that you have claimed age relaxation under sub-para 4(c) of the notice of the examination. Age relaxation under this sub-para is available to departmental candidates who ~~xx~~ have rendered not less than 3 years continuous and regular service as on 9.8.1993, pro-

Front Page upto
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-: 12 :-

-vided they are working in posts which are in the same line or allied cadres and where the relationship could be established that the service rendered in the department will be useful for the efficient dis-charge of duties of posts for which the recruitment is being made.

You are requested to prove with documents that you are working in a post which is in the same line or allied cadre as that of Inspector in CE/IT and where a relationship could be established that the service rendered in your department will be ~~maxim~~ useful for the efficient dis-charge of duties of posts for which the recruitment is being made by the Inspector of CE/IT Exam, 1993. If you are not able to establish the nexus as detailed above, you will not be entitled to claim age relaxation under sub-para 4(c) of the ~~notif~~ notice of the examination and consequently your candidature will stand cancelled. Your reply should reach the undersigned by 1.3.1995".

Shanta Dargata
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-: 13 4/4

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Copy of the letter dated 13.2.1993 is annexed here-
to and is marked as ANNEXURE- 8.

10. That on receipt of the letter from the Respondent
No. 3 in Annexure- 8, the petitioner furnished a certi-
ficate dated 23.2.1995 issued by the Senior
Accounts Officer(Administration) of the office of the
Accountant General (A & E) ,Tripura ,Agartala evidencing
and proving the relationship that the service rendered
by the petitioner in his parent department would be usu-
ful for the efficient dis-charge of duties and posts for
which the recruitment was proposed to be made containing
the sphere of function of post of Accountant which the
petitioner held at the relevant time and the certificate
was forwarded by the petitioner to the Respondent No. 3
with a letter of forwarding dated 23rd February, 1995.

Copy of the letter of forwarding with certificate
dated 23.2.1995 is annexed hereto and is marked as ANNEX-
URE - 9(SERIES).

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Dhinto Dcognpita

-: 14 :-

11. That after furnishing the certificate in Annexure- 9(series), the petitioner received letter No. SSCG-A.11011/28/93-95/NOM/1951 dated 30th May, 1995 issued by the Respondent No. 3 as follows:-

"Please refer to the show cause notice issued to you vide letter No. SSCG-A.11011/28/93-95/NOM/527 dated 13.2.1995 and your reply to the show cause notice dated 23.2.95

The matter of your eligibility has been looked into again. As your duties as accountant in A.G. (A & E) ,Tripura, Agartala, do not have nexus with that of the post applied for you can not be treated as eligible for the Regt. Inspector of CE/IT etc. Exam '93 as per para 4(e) of the notice of the aforesaid examination.

Assysuch your candidature for Inspector of CE/IT Exam '93 is hereby cancelled. No further correspondence in the matter will be entertained".

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Bhagwati
Dwarka

-: 15 :-

This letter of the Respondent No. 3 is under challenge in the instant application.

~~Copy of the notification from the office of the~~

~~Copy~~ of the letter dated 30.5.1995 is annexed hereto and is marked as ANNEXURE - 10.

12. That a further notification from the office of the Respondent No. 2 was published in the Employment News dated 9th June, 1995 for the recruitment of the similar posts stating inter alia that:

"No. 3/3/95-P & P. Staff Selection Commission will hold on Sunday, the 3rd December, 1995 a competitive examination for recruitment to the following categories of posts".

And for the next competitive examination proposed to be held on 3rd December, 1995 a note was appended to the paragraph 4(e) as under:-

-: 16 :-

"Departmental candidates applying under the Sub-para must submit a list of duties performed by them in the present post duly certified by their office, as per appendix-VIII along with their applications to enable the commission to decide their eligibility".

This condition for furnishing list of duties contained in the note quoted above was laid down for the competitive examination proposed to be held on 3rd December, 1995 and this condition was foreign to the notification under which the petitioner appeared for competitive examination on 12th December, 1993.

Copy of the Newspaper dated 9th June, 1995 is annexed hereto and is marked as ANNEXURE - 11.

13. That the letter issued by the Respondent No. 3 dated 13th February, 1995 in Annexure- 8 calling upon the petitioner to prove the relationship with the service rendered in his department would be useful for the efficient dis-charge of duties applied for and the letter

Shri Dargupta
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-: 17 :-

dated 30th May, 1995 issued by the Respondent No. 3 cancelling the candidature of the petitioner are bad in law and are liable to be quashed on the following amongst other:

G R O U N D S

(A) The notification published in the Employment News dated 16th July, 1993 from the office of the Respondent No. 2 did not contain any guidelines defining the term "same line or allied cadres" showing the details of the work to be performed by the recruitee after appointment for the post applied for and absence of guidelines has given unbridled, unguided and uncanalised discretionary power to the authority to cancel the selection at their caprice without asigning any reason and as such for the absence of guidelines in the notification, the Respondent No. 3 has no right or authority to issue show cause notice to the petitioner in ANNEXURE - 8 calling upon him to prove the relationship and the nexus and the Respondent No. 3 has also no right or authority to cancel the candidature of the petitioner in ANNEXURE - 10 alleging that the duties performed by the petitioner do not have any nexus with the post applied for.

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for
Dasgupta
to
T.M.

-: 18 :-

(B) As the notification in Annexure-5 does not contain any guidelines as to the "same line or allied cadres" the list of duties furnished by the petitioner in Annexure 9(series) is final and conclusive and the Respondent No. 3 has no right or authority to ignore the relationship of the duties perform by the petitioner with that of applied for .

(C) The notification in Annexure- 5 did not set out any condition for furnishing the list of duties performed by the petitioner in his parent department and as such the Respondent No. 3 has no right or authority to call upon the petitioner to furnish the list of duties which he was performing in his parent department at the relevant time.

(D) The paragraph 23 of the notification in Annexure 5 lays down that:-

"The commission do not undertake any scrutiny of the applications before written examination and all applicants are allowed to appear

-: 19 :-

at the examination on a purely provisional basis subject to their eligibility being verified after the result of the written part of the examination".

From the above condition it is clear that the ~~examining~~ commission undertook the scrutiny of the applications after written part of examination was over and before the personality test/interview and while the petitioner was called upon by the respondent No. No. 3 to appear before the board of interview for personality test as stated in Annexure-7 under the terms and conditions laid down in the notification, application of the petitioner was duly scrutinised by ~~the~~ by the respondent No. 3 before the issuance of Annexure 7 and the Respondent No. 3 has no right or authority to declare the petitioner to have passed the examination "provisionally" and the word provisionally occurring in Annexure 8 is a misnomer and the petitioner is entitled to have a declaration to the effect that he was passed in the examination finally.

-: 20 :-

(E) After successful completion of the personality test/interview, the respondent No. 3 has no right or authority to call upon the petitioner to prove his eligibility in the matter of age relaxation as the petitioner was or is not bound to prove his eligibility twice before / and after the personality test and as such the direction of the respondent No. 3 to the petitioner to prove his eligibility in the matter of age relaxation contained in Annexure-8 is beyond jurisdiction, bad in law, capricious, whimsical, arbitrary and is liable to be quashed.

(F) Paragraph 7 of the notification lays down that the decision of the commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final and this finality /of the decision of the commission relates to the matter of admission to the examination and in the present case petitioner's admission to the competitive examination is not disputed and his candidature was cancelled by the authority on some extreaneous consideration which

To
Dargupta
G. T.
S. N.

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is challengeable before the Hon'ble court.

(G) It appears from the scheme of the notification that the departmental candidates who apply for the post within the prescribed age limit need not show the nexus of the service rendered by them in their parent department with that of the post applied for and there is no question of proving the relationship between the two services, but the departmental candidates who claim age relaxation are obliged to prove the nexus and it appears from the notification that there are different sets of conditions ~~are~~ laid down for the departmental candidates which is not permissible on the ground that if the candidates applying for the post are within the prescribed age limit are entitled to be recruited without showing the nexus, while the candidates claiming age relaxation shall be obliged to show the nexus and laying down two sets of conditions for ~~xxx~~ similar categories of candidates is ~~xxx~~ violative of the principle of equality guaranteed by Article 14 of the Constitution of India.

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Shantu Dangupta

-: 22 :-

(H) It appears from the scheme of the notification that inexperienced departmental candidates are entitled to be recruited if they apply for the post within the prescribed age limit but the candidates beyond the prescribed age limit have to prove their experience for the post applied for and such antagonistic conditions for the same categories of candidates are against the principle of equality guaranteed by the ~~Constitution~~ of Constitution of India.

14. That the petitioner travelled from Agartala to Guwahati for appearing before the board of interview at his own cost and no T.A. or other allowances were admissible for the petitioner and the petitioner suffered financial loss of Rupees 3,000/- for that purpose and he suffered also mental tension and agony for appearing before the board of interview and he obtained leave from the department and as such he has suffered total loss to the tune of Rupees 50,000/- which the respondents are liable to compensate.

To be Deco
pated
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-: 23 :-

15. That the petitioner filed writ petition in respect of the same subject matter before the Hon'ble High Court at Agartala Bench and the writ petition was registered as Civil Rule No. 41 of 1996 and the Hon'ble High Court disposed of the writ petition on 8th July, 1996 giving liberty to the petitioner to file application before this Central Administrative Tribunal and the copy of the order of the Hon'ble High Court in Civil Rule No. 41 of 1996 is annexed hereto and is marked as ANNEXURE - 1.

In the premises the petitioner most humbly and respectfully prays that Your Lordships would be graciously pleased to consider the facts and circumstances of the case and admit the application, call for the records, issue notice to the respondents and after hearing the parties quash the show cause notice No. SSCG-A.11011/28/93-95/NOM/527 dated 13th February, 1995 issued by the Regional Director(NER) in Annexure- 8 and for quashing the letter No. SSCG-A.11011/28/93-95/NOM/1951 dated 30th May, 1995 in Annexure- 10 and dec-

T. S. Agarwal
S. S. Agarwal

-: 25 :-

lare the petitioner as selected for the post of Inspector of Central Excise/Income tax:

A N D

Your Lordships would be graciously pleased to grant any other relief or reliefs to which the petitioner is entitled according to law, justice, equity and good ~~maxim~~ conscience:

A N D

For this Act of ~~of~~ kindness the humble petitioner as in duty bound shall ever pray.

16. Particulars of postal order:

B 12 700759
Dated 8.9.96

17. List of Enclosers:

(i). Extra three copies of the application in paper book form.

(ii) Unused envelope bearing full address of the respondents- 3 Nos.

(iii) A receipt slip in Form No. 11.

Shantu Dasgupta

-: 25 :-

VERIFICATION

I, Shri Jhantu Dasgupta, Son of late Bimal Dasgupta, Care of Smti. Dipali Dasgupta, Resident of Road No.8, Arundhutinagar, Agartala, West Tripura, do hereby verify that the contents of paragraphs 1 to 13 and 14 and 15 of the application are true to my personal knowledge and the contents of grounds ~~less~~. In paragraph A, B, C, D, E, F, G & H of the application are believed to be true on legal advice and that I have not suppressed any material facts.

Jhantu Dasgupta
14-10-96

- 26 -

ANNEXURE - I
IN THE GAUHATI HIGH COURT
**THE HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA, MIZORAM AND
ARUNACHAL PRADESH)**
CIVIL APPELLATE SIDE

AGARTALA BENCH, AGARTALA

Appeal from
Civil Rule

No. 41 of 1996

Shri. Arindra Dangnanda
Appellant
Petitioner

versus

Union of India & Ors

Respondent
Opposite Party

Appellant Mr. Z. Chakraborty, Advocate
For Petitioner Mr. R. Chakraborty

SWORN TO BE A TRUE COPY

Respondent Mr. K. N. Bhattacharjee, S.Y.C. & S. K.
For Opposite Party Mr. B. Bhattacharjee, Advocate.

Assistant Registrar

GAUHATI HIGH COURT

Agartala Bench.

Authorised U/S. 76 Act. of 1873



Superintendent (Copying),
Gauhati High Court,
Agartala Bench.
6/9/96

Compared
for
6-9-96
Signature

P/2

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NB

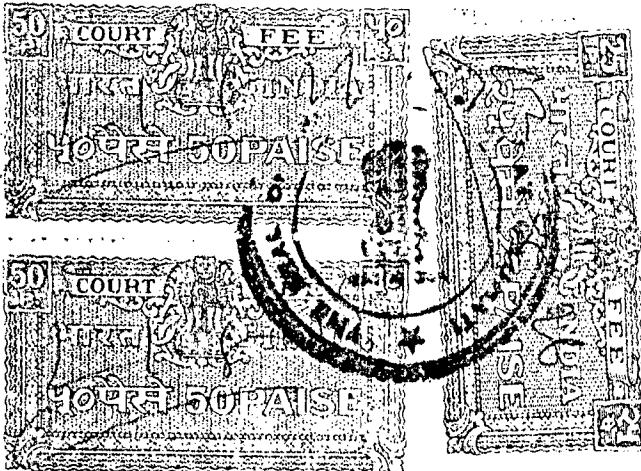
Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
100/- GOURI GUPAISE		8.7.96	<p>BEFORE <u>THE HON'BLE MR. JUSTICE JN SARMA</u></p> <p>This writ court does not have jurisdiction to entertain this writ application inasmuch the petitioner should have approached the Central Administrative Tribunal.</p> <p>In that view of the matter, this writ application stands disposed of but the petitioner may approach the appropriate forum for appropriate remedy.</p> <p>I have heard Mr. D. Chakraborty, Learned Advocate for the petitioner and Mr. S. Bhattacharya, Learned Advocate for the respondents.</p>

A TRUE COPY

[Signature]
 Assistant Registrar
GAUHATI HIGH COURT
 Agartala Bench.
 Chartered U/S. 76 Act. of 1878

Sd/- J. N. SARMA
 JUDGE

6/7/96/1/196
 Superintendent (Copying)
 Gauhati High Court,
 Agartala Bench.



Compared by

for
 6-9-96
 [Signature]

ANNEXURE -2

OFFICE OF THE ACCOUNTANT GENERAL(A&E)
TRIPURA:AGARTALA

Establishment Order No. 218

Dated, Agartala
The 16th November, 1988.

The following persons have been appointed temporarily to the pos. of Clerk/Typist in the scale of pay of Rs.950-20-1150-E8-25-1500/- per month with effect from the date mentioned against each:-

1. Smt. Anindita Dhar	- 11.11.88
2. Sri Pijush Ghosh	- 15.11.88
3. Sri Jhantu Das Gupta	- 11.11.88
4. Sri Manik Bhadra	- 9.11.88
5. Sri Dulal Das	- 9.11.88
6. Smt. Archana Das	- 7.11.88 (A/N).

They will be on probation for 2(Two) years with effect from the date of their joining.

(Authority: D.A.G.'s orders in respective personal file).

Sd/-

Accounts Officer.

Memo No. Estt/Recrtt/2-7/88-89/Vol.III/3271-77 Date: 17.11.88

Copy forwarded for information and necessary action t :-

1. Accountant General(A&E), Assam etc., Shillong.
2. Pay & Accounts Officer (Local).
3. Pay Bill Group.
4. Service Book Group/Staff Disposition File.
5. Persons Concerned (5 person)
6. Gradation list.
7. Establishment Order File.

radip

B. B. W.
ACCOUNTS OFFICER

45

ANNEXURE - 3

OFFICE OF THE
ACCOUNTANT GENERAL (AGB)
TRIPURA & AGARTALA.

EDTA ASSIGNMENT ORDER NO. 38.

DATED : 22-04-1992.

The following Clerks who have passed the Departmental Examination held in February '92 are hereby promoted to officiate in the posts of 'ACCOUNTANT' with effect from the date of taking over charge of the higher post.

11. 10. S/3211/3MPL.

1. Anindita Dhar,
2. Jhantu Gupta,
3. Nayana Bhattacharjee,
4. Manik Bhadra,
5. Dimal Das,
6. Archana Das,
7. Rathindra Chakraborty,
8. Narekrishna Roy,
9. Sanjoy Bhattacharjee,
10. Nayana Chakraborty,

Their promotion is subject to the rules and orders as may be applicable in respect of appointment on promotion through examination quota in the cadre of 'Accountant'.

Sd/-

DEPUTY ACCOUNTANT GENERAL.

Copy for information and necessary action is forwarded to :-

1. All the Promotees,
2. E.O. File.

YADAV.

B 18 QX3
ADMINISTRATIVE OFFICE, AGARTALA.

ANNEXURE -4

OFFICE OF THE ACCOUNTANT GENERAL (A.G.)
TRIPURA : : : AGARTALA

E.O. NO. 29.

Dated 20-6-1995.

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Shri Jhunu Dasgupta, Accountant is promoted to officiate in the post of Senior Accountant in the scale of pay of Rs. 1400-40-1600-50-2300-EB-60-2600/- P.M. with effect from ~~Wednesday~~ 20-6-1995 or from the date of taking over charge as Senior Accountant.

The promotion is subject to the relevant rules and orders as may be applicable in this regard. He will be on probation for 2(two) years from the date of joining to the post of Senior Accountant.

He may also furnish his option regarding fixation of pay as per G.I. decision No. 19 below Rule 22 of FR/SR within one month from the date of joining the post of Sr. Acctt. to Establishment Section. Option once exercised shall be final.

Authority :- Sr.D.A.G's order dated 20-6-95 at P/111^N of file No. Estt/1-1/1987-95.]

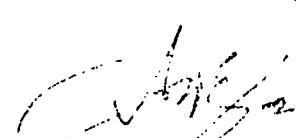
Sd/-

Senior Accounts Officer/Asstt.

Memo No. Estt/1-1/1987-95/667-73.

Copy to :-

1. P.A.O.
2. Pay Bill Group.
3. Service Book Group.
4. E.O. file.
5. Gradation List File.
6. P.F. of Shri J. Dasgupta.
7. Shri Jhunu Dasgupta.


Senior Accounts Officer/Asstt.

STAFF SELECTION COMMISSION

NOTICE

RECRUITMENT TO THE POST OF INSPECTORS OF CENTRAL EXCISE, INCOME TAX ETC., 1993.

No. 3/7/93-P&P. Staff Selection Commission will hold, on Sunday, the 12th December, 1993, a competitive Examination for recruitment to the following categories of posts :-

- A. Preventive Officer (Ordinary Grade) in Custom Houses at Bombay, Calcutta, Goa, Cochin, Madras and Vishakapatnam.
- B. Examiner (Ordinary Grade) in Custom Houses at Bombay, Calcutta, Goa, Cochin, Madras and Vishakapatnam.
- C. Inspector of Central Excise in different Collectorates of Central Excise.
- D. Inspector of Income-Tax in different charges of the Commissioners of Income-Tax.
- E. Assistant Enforcement Officers in Directorate of Enforcement (FERA).
- F. Grade II of Delhi Administration Subordinate Services.

PAY SCALES : (i) Rs. 1640-60-2600-EB-75-2900 for posts from (A) to (E).

(ii) Rs. 1400-2300 for post under category (F) above.

2. VACANCIES : The firm number of vacancies has not yet been determined. Reservation for Scheduled Castes, Scheduled Tribes, Ex-Servicemen and Physically Handicapped persons (Orthopaedically Handicapped) shall be taken into account as per position reported in each department for each category of post.

NOTE:-I Physically Handicapped candidates are NOT eligible for the posts at (A), (B), (C), & (E) of para 1 above.

NOTE:-II SC/ST candidate who wish to avail of the age relaxation/reservation admissible to them must submit the caste certificate from the competent authority in the proforma given at Appendix-V. Scheduled Castes/Scheduled Tribes means any of the Castes/Tribes mentioned in the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Tribes) Order, 1950, the Constitution (Scheduled Castes) (Union Territories) Order, 1951, the Constitution (Scheduled Tribes) (Union Territories) Order, 1951.

(as amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) order, 1956, the Bombay Reorganisation Act, 1960, the Punjab reorganisation Act, 1966, the State of Himachal Pradesh Act, 1970, the North Eastern Area (Reorganisation) Act, 1971 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976).

The Constitution (Jammu & Kashmir) Scheduled Castes Order, 1956, the Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959 as amended by the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976, the Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962, the Constitution (Dadra and Nagar Haveli) Scheduled Tribes Order, 1962, the Constitution (Pondicherry) Scheduled Castes Order, 1964, the Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967, the Constitution (Goa, Daman, Diu) Scheduled Castes Order, 1968, the Constitution (Goa, Daman, Diu) Scheduled Tribes Order, 1968, the Constitution (Nagaland) Scheduled Tribes Order, 1970, the Constitution (Sikkim) Scheduled Castes Order, 1978, the Constitution (Sikkim) Scheduled Tribes Order, 1978, the Constitution (SC) Orders (Amendment) Act, 1990, the Constitution (ST) Orders (Amendment) Ordinance 1991.

NOTE:-III: The Orthopaedically Handicapped : The Orthopaedically Handicapped are those who have a minimum of 40% physical defect or deformity which causes an interference with the normal

functioning of the bones, muscles and Joints.

Candidates who wish to be considered against vacancies reserved for Orthopaedically handicapped must submit requisite certificate as per Appendix-IV. From the competent authority as mentioned therein alongwith their applications for the examination otherwise their claim for OH status will not be considered.

3. NATIONALITY/CITIZENSHIP : A candidate must be either :-

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or

(d) Tibetan refugee who came over to India before 1st January 1952 with the intention of permanently settling in India, or

(e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam, Kuwait and Iraq with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d), and (e) above shall be person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to the examination but the offer of appointment will be given only after the necessary eligibility certificate has been issued to him by the Ministry/Department which is administratively concerned with the post where the candidate is likely to be appointed.

4. AGE LIMITS : (a) 25 years as on 1.8.1993 for all posts (i.e. he must have been born not earlier than 2.8.1968 and not later than 1.8.1975)

NOTE: CANDIDATE SHOULD NOTE THAT ONLY THE DATE OF BIRTH AS RECORDED IN THE MATRICULATION/SECONDARY EXAMINATION CERTIFICATE OR AN EQUIVALENT CERTIFICATE ON THE DATE OF SUBMISSION OF APPLICATION WILL BE ACCEPTED BY THE COMMISSION AND NO SUBSEQUENT REQUEST FOR ITS CHANGE WILL BE CONSIDERED OR GRANTED

(b) Age concession for Ex-S will be allowed in accordance with the orders issued by the Government from time to time and they will be allowed to deduct military service from their actual age and such resultant age should not exceed the prescribed age limit by more than three years. Candidates admitted to the examination under this age concession will be eligible to compete for all the vacancies whether reserved or not for ex-servicemen.

An ex-serviceman means a person who has served in any rank whether as a combatant or non-combatant in the Regular Army, Navy, Air Force of the Indian Union and

(i) who retired from such service after earning his/her pension; or

(ii) who has been released from such service on medical grounds.

other disability pension, or

(iii) who has been released, otherwise than on his own request from such service as a result of reduction in establishment.

(iv) who has been released from such service after completing the minimum period of engagements, otherwise than at his own request; or by way of dispensation due to change in department or change in post.

inability, and has been given a gratuity; and includes personnel of the Territorial Army of the following categories, namely :-

- (i) Pension holders for continuous ex-servicemen.
- (ii) Persons with disability attributable to military service.
- (iii) Gallantry award winners.

NOTE:-I Ex-Servicemen who have already joined Government job in civil side after availing of the benefits given to ex-servicemen for their re-employment are also eligible to the age concession. However, such candidates will not be eligible for the benefit of reservation.

NOTE:-II The period of 'call-up Service' of an ex-serviceman in the Armed Forces shall also be treated as service rendered in the Armed Forces for purpose of para 4(b) above.

NOTE:-III For any serviceman of the three Armed Forces of the Union to be treated as ex-serviceman for the purpose of securing the benefits of reservation, he must have already acquired, at the relevant time of submitting his application, for the post/service, the status of ex-serviceman and/or is in a position to establish his acquired entitlement by documentary evidence from the competent authority that he would be released/discharged from the Armed Forces within the stipulated period of one year from the closing date (i.e. 9.8.1993) on completion of his assignment.

THE FORM OF CERTIFICATE/UNDER-TAKING TO BE SUBMITTED BY A CANDIDATE SEEKING RESERVATION AS EX-SERVICEMAN ARE GIVEN IN APPENDIX II & III.

EXPLANATION :

The persons serving in the Armed Forces of the Union who on retirement from service, would come under the category of 'ex-serviceman' may be permitted to apply for re-employment one year before the completion of the specified terms of engagement and avail themselves of all concessions available to ex-serviceman but shall not be permitted to leave the uniform until they complete the specified term of engagement in the Armed Forces of the Union.

(C) The upper age limit as prescribed above will be further relaxable :-

(i) upto a maximum of five years if a candidate belongs to Scheduled Caste or Scheduled Tribe;

(ii) upto a maximum of three years (eight years for SC/ST candidates) in the case of Defence Services Personnel Disabled in operations during hostilities with any foreign country or in a disturbed area, or in peace time & released as a consequence thereof;

(iii) upto a maximum of three years (eight years for SC/ST candidates) in case of Border Security Forces Personnel Disabled in operations during Indo-Pak hostilities of 1971 and released as a consequence thereof;

(iv) upto a maximum of ten years if the candidate is a physically handicapped person. For candidates belonging to SC/ST category who are physically handicapped the maximum relaxation of age limit will be 10 years for physically handicapped persons shall be in addition to the age relaxation provided in terms of item (i) above.

(v) upto the age of 35 years (upto 40 years for members of Scheduled Castes/Scheduled Tribes) in the case of widows, divorced women and women judicially separated from their husbands, who are not remarried.

(vi) upto a maximum of 3 years (8 years for

SC/ST) to candidates who are bona-fide repatriates of Indian Origin from Kuwait or Iraq and have migrated to India after 15th May, 1990 but before 22nd November, 1991 in accordance with DP&T's O.M.No.15012/11/90-Estt(D) dated 22.11.1991.

(d) Upper age limit is relaxable to retired employees of Chukha Hydel Project Authority in Bhutan who were directly recruited, to the extent of regular service rendered by them with the Authority (period of regular service rendered by the retired employees will be decided on the basis of certificate issued by the Chukha Hydel Project Authority).

(e) Upper age limit is relaxable upto the age of 40 years (45 years for Scheduled Caste/Scheduled Tribe candidates) to the departmental candidates who have rendered not less than 3 years continuous and regular service as on 9.8.1993 provided they are working in posts which are in the same line or allied cadres and where a relationship could be established that the service rendered in the department will be useful for the efficient discharge of duties of posts for which the recruitment is being made by this examination. In terms of DP&AF's O.M.No.4/4/74-Estt(D) dated 20.7.76 & DP&T's O.M.No.35014/4/79-Estt(D) dated 24.10.1985 O.M.No.15024/3/87-Estt(D) dated 7.10.1987 and O.M.No.15012/188-Estt(D) dated 20.5.1988.

All Group 'C' non-technical employees with three years continuous and regular service in any Central Government office or Union Territory) as on 9.8.1993 fulfilling the nexus will be eligible to be considered as departmental employees for grant of age relaxation under this sub-para. ..

(f) Upper age limit is relaxable for such retired employees of 1991 Census in the Directorates of Census Operations in the States and UTs who were within the age limit for the above post(s) at the time of their initial recruitment in the census organisation through the employment exchange or other permissible channels and who have put in not less than six months of continuous service and have been retrained due to reduction in establishment.

NOTE : Candidature of person who is admitted to the examination under age relaxation as a Departmental candidate and resigns from service, after submission of application, is liable to be cancelled.

5. All candidates in Government service whether in a permanent or in temporary capacity or as workcharged employees other than casual-duty or daily rated employees, will be required to submit an undertaking that they have informed in writing their Head of Office/Department that they have applied for the examination.

Candidates should note that in case a communication is received from their employer by the Commission withholding permission to the candidates applying for appearing at the examination, their applications shall be rejected/candidature shall be cancelled.

NOTE : The departmental candidates may submit their applications directly to the Commission after informing the Head of Office, another copy through their Head of Office. However, in case they decide to send a copy through proper channel, they must ensure that the application complete in all respects, should reach Staff Selection Commission by the closing date. Applications shall be rejected if received late and/or are

Continued

not complete in all respects as provided in rules.

6. NO PERSON :

- (a) Who has entered into or contracted a marriage with a person having a spouse living;
- (b) who having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to service.

Provided that Central Government may, if satisfied that such marriage is permissible under the personal law to such person and the other party to the marriage applicable and there are other grounds for so doing exempt any person from the operation of this rule.

7. The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

8. No candidate will be admitted to the examination unless he holds a certificate of admission from the Commission. The candidate must take the examination at the allotted centre of examination.

9. Any attempt on the part of a candidate to obtain support for his candidature by any means may disqualify him for admission.

10. A candidate who is or has been declared by the Commission to be guilty of :-

- (i) obtaining support for his candidature by any means; or
- (ii) impersonating; or
- (iii) procuring impersonation by any person; or
- (iv) submitting fabricated documents or documents which have been tampered with; or
- (v) making statements which are incorrect or false or suppressing material information; or
- (vi) resorting to any other irregular or improper means in connection with his candidature for the examination; or
- (vii) writing irrelevant matter, including obscene language or pornographic matter in the Script(s); or
- (viii) misbehaving in any other manner in the examination hall; or
- (ix) using unfair means in the examination hall; or
- (x) taking away the question booklet/answer sheet with him/her from the examination hall or passing it on to unauthorised person during the conduct of the examination; or
- (xi) harassing or doing bodily harm to the staff employed by the Commission for the conduct of their examination; or
- (xii) violating any other instructions issued to candidates alongwith their Admission Certificates permitting them to take the examination; or
- (xiii) attempting to commit or as the case may be, abetting the commission of all or any of the acts specified in the foregoing clauses.

May, in addition to rendering himself liable to criminal prosecution, be liable :-

(a) to be disqualified by the Commission from the examination for which he is a candidate, or

(b) to be debarred either permanently or for a specified period :-

(i) by the Commission from any examination or selection held by them;

(ii) by the Central Government from any employment under them; and

(c) to disciplinary action under appropriate rules, if he is already in service under Government.

11. EDUCATIONAL QUALIFICATIONS :-
Degree of recognised University or any other educational institution which has been withheld or not declared before 1.8.1993 ARE NOT ELIGIBLE.

12. FEE PAYABLE & MODE OF PAYMENT :- Rs. 35/- (Rupees thirty five only). No fee for Scheduled Caste/Scheduled Tribe, PH and Ex-serviceman. Fee concession is not admissible to sons and daughters of Ex-servicemen or to persons belonging to 'Backward Classes'. Service clerks in the last year of their colour service

are not exempted from payment of fee. Remission of fee may be allowed to those repatriates from Kuwait or Iraq who are not in a position to pay it.

Candidates should pay the fee by means of 'Central Recruitment Fee Stamps' and IPOs only. The CRF Stamps are available at the counters of Head Post Offices, sub-post offices and all the Deptt. Post offices of the country in the denominations of Rs. 5/-, Rs. 10/- & Rs. 20/. These Recruitment Fee Stamps may be pasted on the top right hand corner of the application form or in the space earmarked for the purpose.

These Recruitment Stamps must be put cancelled from the counter clerk of said post office or any other post office of his choice with the date stamp of his office in such a manner that the impression of the cancellation stamp partially overflows on the Application Form itself, taking care at the same time that the impression is clear and distinct to facilitate the identification of date and the Post Office at any subsequent stage. After getting the "Recruitment Fee Stamps" cancelled from Post Office, the candidates may submit their applications to the concerned Regional Office of the Commission in the usual manner, after completing other formalities.

Fee can also be paid through Indian Postal Orders payable to "STAFF SELECTION COMMISSION" at the Post Office as indicated in columns 4 of the Table given below para 13. The Postal Orders should be crossed "A/C PAYEE ONLY". Candidates should write their name and address on the Indian Postal Orders at the spcialled place.

NOTE: (i) Fee once paid will not be refunded under any circumstances.

(ii) Fee paid by cash or Bank Draft or Pay Order will not be accepted and the application of such candidates are liable to be rejected at the discretion of the Commission.

13. CENTRE OF EXAMINATION AND ADDRESS TO WHICH APPLICATIONS SHOULD BE SENT :

The candidate must select only one Centre out of the centres mentioned in column 1 of the Table below. No change in centre shall be allowed. A candidate must submit his application only to the address mentioned in column 3 against the centre selected by him.

In selecting a centre, the candidate should note that for all categories of posts, he will be eligible for consideration for appointment against the vacancies reported only in the zone(s) mentioned against the centre. This 'Centre-linked-zonal scheme' will be applicable for all the categories of posts. In no case the change of zone is allowed.

Further, on appointment to any of these posts, no request for transfer from the Collectorate/Charge/Custom House to any other Collectorate/Charge/Custom House will be entertained. The Commission, however, reserves the right to recommend candidates to any of these posts to a zone other than the one in which they are eligible to be considered for initial appointment.

The posts under category 'F' viz Grade II of Delhi Administration Subordinate Service are only for Union Territory of Delhi. Therefore, the candidates appearing from Delhi centre only will be considered to compete for this category of post.

The Commission reserves the right to cancel any centre and ask the candidate(s) to appear from another centre.

NOTE:-I No change of centre is allowed for the posts of Inspector of Central Excise from Haryana.

It may kindly be noted that the posts of Inspectors of Central Excise in Haryana State are controlled by the Collectorate of Central Excise, Delhi. So, if they opt 'Chandigarh' as centre, they would be eligible to be posted as Inspector of Central Excise in Punjab, Chandigarh, J & K and Himachal Pradesh, but not in Haryana.

NOTE:-III The Commission reserves the right to cancel any centre and ask the candidates of that centre to appear from another centre. The Commission also reserves the right to divert candidates of any centre to some other centre to take the examination.

TABLE

Centre of Examination	Name of the Zone	Address to which application should be sent	Post Office, to which Postal Orders should be (Made) payable.
Shimla	1. Himachal Pradesh	Regional Director (NRA), Staff Selection Commission, Block No. 12, CGO Complex, Lodhi Road, New Delhi - 110 003.	Lodhi Road Post Office, New Delhi
Jammu & Srinagar	Jammu & Kashmir		
Chandigarh	Chandigarh		
Jalandhar	Haryana & Ambala		
Delhi	2. Delhi		
Jaipur	3. Rajasthan		
Kota, Udaipur			
Bhagalpur	4. Bihar		
Darbhanga, Patna, Ranchi			Kutcheri Post Office, Allahabad..
Agra	5. Uttar Pradesh		
Allahabad, Dehradun, Gorakhpur, Kanpur			
Lucknow and Meerut			
Bhopal	6. Madhya Pradesh		
Gwalior			
Indore			
Jabalpur & Balrampur			
Port Blair	7. Andaman & Nicobar Island		
Berhampore (Murshidabad Distt)	West Bengal & Sikkim		G.P.O. Calcutta.
Durgapur			
Calcutta			
Midnapore			
Siliguri & Gangtok			
Bhubaneswar	8. Orissa		
Cuttack, Koraput & Sambalpur			
Dibrugarh	9. Assam		
Guwahati (Dispur)	Meghalaya		
Jorhat	Mizoram		
Shillong	Arunachal Pradesh		
Silchar			
Itanagar	Nagaland		
Kohima	Manipur & Tripura		
Imphal			
Ajyantala			
Aurangabad	10. Dodra & Nagar Haveli, Goa, Daman & Diu and Panaji, Ponda, Maharashtra		
Bombay			
Kolhapur			
Nagpur			
Baroda, Rajkot			
Guntur	12. Andhra Pradesh		
Hyderabad			
Kurnool			
Rajahmundry			
Tirupati			
Vishakapatnam			
Regional Director (SR), Staff Selection Commission, EVK Sampath Building, 11th Floor, College Road, Madras - 600 006.	Anna Road Head Post Office, Madras		

Continued

Continued from page 7

23. **Admission to the Examination:** Before submitting his application, the candidate must carefully read the eligibility conditions for the examination and satisfy himself that he fulfills all the eligibility conditions. The Commission do not undertake any scrutiny of the applications before the Written Examination and all applicants are allowed to appear at the examination on a purely provisional basis subject to their eligibility being verified after the result of the Written Part of the examination. Accordingly, merely because a candidate has been allowed to appear at the examination will not be considered as a ground for his being admitted finally to the examination.

All candidates who apply in response to this advertisement before the closing date

are assigned the index number/roll number. These will be communicated to them on the self addressed post cards (sent by the candidates with their applications) within six-eight weeks from the closing date. The candidate must write his index number/roll number along with his name, date of birth and name of examination while addressing any communication to the Commission. Communications from candidates not furnishing these particulars shall not be entertained.

Admission Certificates for the written examination indicating the time table for the examination as also the venue of examination for each candidate will be issued to all the applicants at least 3 weeks before the date of examination mentioned in para 1 of the Notice. If any candidate does not re-

cive the Admission Certificate for the Examination 3 weeks before the date of examination, he must immediately contact the concerned Regional Office of the Commission. Failure to do so will deprive him of any claim to consideration.

NOTE I: Candidates should occupy their seats in the Exam. venue according to the Ticket No. printed on his/her Admission Certificate as seating plan will be displayed in the venue in the same manner.

NOTE II: Candidates should note that Answer sheets not bearing the candidates' Roll No., signature and Test form number will not be evaluated and such candidates would be awarded 'ZERO' marks.

24. If no acknowledgement of application is received within 8 weeks from the closing

date, the candidates should contact the concerned Regional office of the Commission.

25. After declaration of the results of the written part of the examination on the candidates for the posts of Inspectors of Central Excise/Income-Tax will be required to give an undertaking to the effect that in the event of their selection and appointment to any Collectorate/Charge, candidates will not request for any change to any other Collectorate/Charge under any circumstances as the cadre of Inspectors is Collectorate-wise/Charge-wise.

NOTE: SC/ST candidates called for interview will be paid T.A. according to the orders of the Government on the subject.

Continued on page 9

PROTOTYPE DEVELOPMENT & TRAINING CENTRE (NSIC)

The National Small Industries Corp. Ltd.
(A Govt. of India Undertaking)

Okhla Industrial Estate, New Delhi - 110 020.
Recognised R & D Centre by DST

Ph. No. : 6837366 Grams : PROTOTYPE
Telex : ND-31-75003

ADMISSION NOTICE

P.D.T.C. a premier Institute which holds the distinction of having trained over Ten Thousand professionals in Technical Trades announces the commencement of the following one year specialised certificate course

Sl. No.	Name of Courses	Educational Qualification	Duration	Course Fee
1.	Electrician	Intermediate 10+2 with Science & Math or equivalent.	One year	Rs 200/-p.m.
2.	Filter Maint. (Gen)	do.	One year	do.
3.	Filter Fabrication/ Welding	Matric/High School Intermediate	One year	do.
4.	Wooden furniture Manufacturing and Designing.	10+2 preferably	One year	do.
5.	Electroplating	do.	One year	do.

Half yearly course fee payable in advance at the time of joining and balance on completion of six months training. The course will commence from July, 1993. Reservation for the candidates belonging to SC/ST and B-Class will be made according to the rules enforce. How to Apply: Typed application on plain paper giving complete Bio-data and photo copy, all certificates and pass port size photo along with an Indian Postal order of Rs 20/- payable in favour of NSIC-PTC A/c. Should reach the General Manager at above address on or before 15th July, 1993.

EN15/79

CENTRAL INSTITUTE OF BRACKISHWATER AQUACULTURE (ICAR)

141, Marshalls Road, Egmore, Madras-600008

CORRIGENDUM

No. Fellowship amount stands revised to Rs. 1800/- p.m. for the first 24 months and at Rs 2100/- p.m. for the next 12 months. Those who have applied earlier need not apply again.

Last date for receipt of application in response to this corrigendum is 15 days from the date of advertisement. Separate applications is required for each post. All other conditions remain unchanged.

davp 759(1)93

EN 15/99

Government of India

SAFdarJANG HOSPITAL

NEW DELHI-110018

Applications on prescribed forms are invited from Indian Nationals who are unmarried women or widows/divorced without encumbrances for the General, Nursing and Midwifery Courses.

Reserve Seat for S/C and S/T

22 1/2% Seats (15% for S/C and 7 1/2% for S/T) are reserved for S/C/ST candidates. If such suitable candidates are not available those seats will be filled in by other candidates.

furnished accommodation will be provided. Residing in the Nurses Hostel is compulsory. Candidates are expected to meet their own expenses on Mess, Uniforms and Dhobi Charges etc.

1. Seats: 35

2. Duration of the Course: 3 years.

3. Qualification: 10+2(12th pass) or its equivalent with 50% marks (Preference will be given to Science Students).

4. Age: Not less than 17 years and not more than 22 years on 1st Oct, 1993. Candidates will be required to appear in interview. The interview will be conducted in the presence of the Vice Principal.

5. Time: 10 A.M. to 12.00 Noon on working days only either by post or in person upto 16th July, 93.

6. Interview: (on Saturday). Candidates re-

cive the Admission Certificate for the Examination 3 weeks before the date of examination, he must immediately contact the concerned Regional Office of the Commission. Failure to do so will deprive him of any claim to consideration.

NOTE I: Candidates should occupy their seats in the Exam. venue according to the Ticket No. printed on his/her Admission Certificate as seating plan will be displayed in the venue in the same manner.

NOTE II: Candidates should note that Answer sheets not bearing the candidates' Roll No., signature and Test form number will not be evaluated and such candidates would be awarded 'ZERO' marks.

24. If no acknowledgement of application is received within 8 weeks from the closing

date, the candidates should contact the concerned Regional office of the Commission.

25. After declaration of the results of the written part of the examination on the candidates for the posts of Inspectors of Central Excise/Income-Tax will be required to give an undertaking to the effect that in the event of their selection and appointment to any Collectorate/Charge, candidates will not request for any change to any other Collectorate/Charge under any circumstances as the cadre of Inspectors is Collectorate-wise/Charge-wise.

NOTE: SC/ST candidates called for interview will be paid T.A. according to the orders of the Government on the subject.

DIRECTORATE GENERAL CENTRAL INDUSTRIAL SECURITY FORCE (MINISTRY OF HOME AFFAIRS)

It is proposed to organise recruitment for filling 90 vacancies (General-54, SC-18, ST-9 and Ex-servicemen-9) in the post of Head Constable (Driver). The post carries the pay scale of Rs. 975-25-1150-EB-30-1660 plus usual allowances as admissible to the Central Government Employees from time to time besides ration money, washing allowance, rent free accommodation free medical aid and free uniform etc. (Take home pay approximately Rs. 1874) with indicated benefits.

2. The recruitment is open to all Indian citizens.

3. The recruitment will be organised at the places mentioned below for the vacancies notified against each centre. Interested candidates should reach the place of recruitment on 25th JULY 1993 at 0900 hours along with their original three years experience in driving. They should also bring with them three copies of their recent passport size photographs. Authority in original. The ex-servicemen candidates should also bring their Discharge Certificate, character and medical category.

S.No.	place of Recruitment	General	No. to be recruited	Total
		SC	ST	XSM
1.	National Industrial Security Academy (NISA) Hyderabad (Andhra Pradesh)	06	02	01
2.	CISF Unit IOC (GR) Baroda Gujarat	06	02	01
3.	CISF Unit ISRO, Bangalore Karnataka	06	02	01
4.	CISF Unit HEC Ranchi (Bihar)	06	02	01
5.	CISF Unit PTPS Panki (UP)	06	02	01
6.	CISF Unit FSTPP Farakka (WB)	06	02	01
7.	CISF Unit MPT Madras (TN)	06	02	01
8.	CISF Unit RAPS Kota (Rajasthan)	06	02	01
9.	CISF Unit ONGC Jorhat (Assam)	06	02	01
	Total	54	18	9

Note: Candidates may appear at any of the place(s) as convenient to them, irrespective of their domicile.

4. Candidates will be tested in their knowledge of driving in light and heavy vehicles and also in motor mechanism. They should have capacity to carry out minor repairs. They will also be put through a written test which consists of writing down for various tests are divided as under:

- a) Light Vehicle Driving - 20 Marks
- b) Heavy Vehicle Driving - 20 Marks
- c) Knowledge of motor mechanism and ability to carry out minor repairs - 20 Marks
- d) Written Test - 20 Marks
- e) Interview - 20 Marks

100 Marks

Note: The candidate should secure minimum 10 marks out of 20 marks in each item i.e. (a) to (d) above. Those who do not secure the minimum marks will not be permitted to appear in the other tests. There is no minimum marks for the interview.

5. The candidates should possess the following minimum qualification and other requirements:

- a) Age - Not less than 24 years and not more than 35 years. (Relaxation to the extent of 5 years in the case of SC and ST candidates).
- b) Educational Qualification- Matriculation or equivalent examination of a recognised University/Board.
- c) Height - 167 Cms. For Hillmen & Tribesmen i.e. Gorkhas, Garhwalies, Kumaonies, Dogras, Marathas & Adivasis the height shall be 160 Cms.
- d) Chest - 81-86 Cms
- e) Eye Sight (with or without Glass) - Distant Vision: 6/6 in one eye and 6/9 in the other eye; Near vision 0.6 in one eye and 0.8 in the other eye.
- f) Candidates should not have knock knees or flat feet.
- g) A valid Civil Driving Licence for both heavy and light vehicles.
- h) Three years experience in driving either in light vehicle or heavy vehicle or both.
- 6. For ex-servicemen of the rank of Havildar, Naik and Sepoys in the Army and equivalent rank in the Air Force/Navy who held the post of Driver and who-
- a) Retired from such service after earning his pension; or
- b) has been re-used, otherwise than on his own request from service as a result of reduction in establishment; or
- c) has been released from such service after completing the specific period of engagements, other than on his own request or by way of dismissal or discharge on account of misconduct or inefficiency, and has been given gratuity and includes personnel of the Territorial Army of the following categories, namely:-
- i) Pension holders for continuous embodied service
- ii) Gallantry Award Winners
- 7. Candidates from Ex-servicemen category should possess the following minimum qualification and requirements-
- a) Age - Service plus three years to be deducted from the actual age and the resultant age should not exceed 35 years.
- b) Educational qualification- Civil 8th Pass or Army 2nd Class Standard of Education.
- c) Height - 165 Cms.

8. Candidates should appear in the interview in the place of residence / the venue of the tests and back by the shortest route on production of railway ticket/bus ticket as proof of their journey; provided the distance travelled each way exceeds 80 Kms.

davp 565 (115)93

9. Candidates should submit their application forms along with attested copies of marks sheet and certificates should reach Vice Principal's office on or before 30th July, 1993. No TA will be paid for appearing in test.

The Course will start from 1st Oct, 1993.

davp 553(20)93

EN 15/106

ANNEXURE - 6

The Regional Director (NER),
Staff Selection Commission,
Nabagraha Road,
Chenikuti Hill Side,
Guwahati - 781 003.

(471)
51
35

FOR OFFICE USE ONLY

ROLL NO. _____

RECRUITMENT TO THE POSTS OF INSPECTOR OF CENTRAL
EXCISE, INCISE TAX ETC. 1993.

APPLICATION FORM

1. Centre opted is Agartala
(Please see para 13 of the Notice).

2. (a) Amount of fee paid is Rs. 35/-

(b) Mode of payment : Write

1 if CRPS

2 if IPoS

2

(c) Number of IPoS : 2

3. Name of Candidate (In Block letters) (As recorded in Matric
or Equivalent certificate).

(a). In Hindi (for Hindi knowing candidates).

U.S. CHETI DAS GUPTA

(b). In English.

JHONTU DAS GUPTA

4. Sex : Write 1 if female,
2 if Male

2

5. (a) Date of birth
(as recorded in Matriculation or Equivalent certificate)

Date 02

Month 02

Year 1968

(b) Age as on 1-8-1993 : 25 yrs 5 months

6. Are you seeking reservation as scheduled caste/scheduled Tribe/Ex-servicemen/Other ?

Yes

No

If yes, Write 1 for Scheduled Caste

2 for Scheduled Tribe

3 for Ex-servicemen

4 for Orthopaedically Handicapped

Note : Ex-servicemen who have already joined Govt. job in Civil after availing of the benefits given to Ex-s for their re-employment must write 'No' under this column.

7. i) Are you seeking age relaxation
(Please see para 4 of the notice).

Yes

No

ii) If yes, indicate sub-para of para 4 of the Notice under which age relaxation is sought by you.

4 (e)

Note : THOSE EX-SERVICEMEN SEEKING AGE RELAXATION DUE TO NOTE

(i) UNDER PARA - 4 (a) MUST WRITE THE EXACT SUB PARA I.e.,
NOTE - I UNDER 4 (b).

iii) In case of Govt. employees state full particulars viz.
Ministry/Departments/Office with address where working.
and date from which working 2/10/1988 the AGC (H&P), Tripura,
Guwahati.

8. Indicate the categories of posts (viz. A,B,C,D,E,F as the case may be) applied for in order of preference. A candidate will not be considered for the post(s) for which preference is not shown.

PREFERENCES

Ist

II

III

IV

V

VI

(Please see para 1 & 17 of the notice)

9. Educational Qualification : Write 3 if Graduate

4 if Post Graduate

3

10. a) Father's/Husband's name :

late Ramlal Das Gupta

1. RESIDENCE STATUS :

(a) Citizenship Code :

1	2
---	---

Write : 1 if a Citizen of India, 2 if a subject of Nepal
3 if a subject of Bhutan 4 if a Tibetan Refugee who
came over to India before 1st January, 1962 with the
intention of permanently settling in India or,
5 a person of Indian Origin who has migrated from
Pakistan, Burma, Sri Lanka, East African countries of
Kenya, Uganda, The United Republic of Tanzania (Formerly
Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia,
Vietnam, Kuwait & Iraq. (Please see para 3 of the Notice)

(b) Residential Address :

i) in Hindi for Hindi knowing candidate

Pin code _____

ii) In English :

C/o D. Das Gupta, Road no. 8

P.C. Anandha Nagar, Tripura East

P. O. _____

Pin code 799003

DECLARATION

I hereby declare that all statements made in this application are true, complete and correct to the best of my knowledge and belief. In the event of any information being found false or incorrect or ineligibility being detected before or after the examination, my candidature/appointment is liable to be cancelled.

I have not submitted any other application for this exm.
I have read the provisions in the Notice of the Commission
carefully and I hereby undertake to abide by them.

I further declare that I fulfil all the conditions of eligi-
bility regarding age limits, educational qualifications, etc. pres-
cribed for admission to the examination.

I also declare that I have never been convicted by any
court of Law.

Place : Agartala

Date : 5/1/93

Thi. D. Gupta

Signature of the Candidate.

ANNEXURE - 7

F.No.SSCG-A-11013/6/93-Exam(Vol.II)

Government of India

Staff Selection Commission

Dept. of Personnel & Administrative Reforms

Ministry of Home Affairs

Regional office(NER)

Guwahati-781003.

Dated:-

3009

To

Mr. B. B. Deka
Mr. B. B. Deka

केंद्रीय इत्यादि विभाग / वायव्यकर नियंत्रक एवं कानून

Sub:- Interview for the post of Inspectors of Central Excise, Income Tax Examination

Sir/Madam,

Please refer to your application for the above examination. You are requested to appear for the personality test/Interview at the place, date and time mentioned below.

Date & Time

Place

22/10/94

Regional Office (NER)
Staff Selection Commission

12.00 noon

Naba Graha Rd.
Chenikuthi Hill Side
Guwahati-781003

2. Please note that your candidature is purely provisional. If it is found later at any stage that you do not fulfil any of the conditions of eligibility laid down in the notice of the above Examination, your candidature will be cancelled and no appeal against such cancellation will be entertained. To avoid inconvenience later on, you are again advised to check carefully before coming for the personality test and satisfy yourself that you fulfill all the conditions of eligibility such as caste, age and educational qualifications, etc.

3. You are requested to bring with you the following certificates in original as well as their attested photo copies :-

- (a) In case you belong to Scheduled Caste or Scheduled Tribe category the caste certificate from the competent authority of your District in the prescribed proforma.
- (b) If age relaxation is claimed then the relevant clause of the notice (advertisement) should be mentioned on a separate sheet and proof in support thereof attached alongwith it.
- (c) If the candidate is an ex-serviceman, then he should produce the complete discharge certificate showing the date of enrolment, date of discharge, reasons for release from the Army, pensionary benefits, etc. and also furnish certificate and an undertaking in the prescribed proforma, to prove that he is an ex-serviceman.
- (d) If the candidate is orthopaedically handicapped, then a PH certificate in the prescribed proforma from competent authority stating that the candidate has 40% or above defect or deformity which causes interference with the normal functioning of bones, muscles and joints.

(e) Matriculation/SSC marks-sheets and certificates (issued by the Board and not by the Principal of the concerned school) showing your date of birth to prove that you are within the prescribed age limit.

(f) Hr.Sec./Intermediate marks-sheet, degree certificate and marks-sheet or post graduate degree, diploma certificates, duly issued by the Board or University and not by the Principal.

(g) In case you are already serving in a Govt.Deptt. or in an undertaking, a No. Objection Certificate from your employer.

4. Please bring this call letter, Bio-graphical Data forms in triplicate sent herewith duly filled in and the relevant documents in original and their attested photo copies while coming for the personality test. You should also bring your four recent passport size photographs. In case you fail to adhere to any of the above requirements your candidature is likely to be cancelled.

5. No travelling or other expenses will be paid by the Commission for attending the Personality Test/Interview. However, Scheduled Caste/Scheduled Tribe candidates called for interview and who are required to travel more than 80 Kms. each way will be paid TA as per Govt. of India's order to this effect. Such candidates will be required to furnish details of their journey and produce necessary proof in support of their claim. TA will be payable only on production of documentary proof to the effect that the candidate actually belongs to Scheduled Caste/Scheduled Tribe category. The above mentioned concessions will not be admissible to those Scheduled Caste/Scheduled Tribe candidates, who are already in Govt. Service.

6. Any other change in your present address should be communicated to the Commission at once alongwith one envelope three slips, showing your roll number, name and new address in capital letters.

7. In case you fail to attend the interview on the scheduled date and time it will be presumed that you are not interested in the post and your candidature will be treated as cancelled. No further correspondence will be entertained in this regard.

8. Please note that the date, time and venue assigned to you for the personality test is final and no change would be permitted under any circumstances. The late comers will not be admitted for interview and no candidate will be allowed to be interviewed on provisional basis under any circumstances. The candidate must produce the certificates (Matriculation/SSC marks sheets and certificates and Graduation/Post-graduation marks sheet or degree issued by the Board & University respectively showing clear date of acquiring the minimum academic qualification by the candidate. The degree or certificates issued by the principal shall not be entertained under any circumstances.

9. You have an option to converse in English or Hindi during Interview.

10. All correspondence in this regard must only be addressed to :- The Regional Director (NER), Staff Selection Commission, Nabagraha Road, Chenikuthi Hill Side, Guwahati - 781003 quoting the name of examination and Roll No. in your communication.

Enclo : As above.

Yours faithfully,

S. N. Bhuyan

(S. N. BHUYAN)

Regional Director (NER)
Staff Selection Commission
Government of India

Guwahati



EXHIBITURE - 8

Speed post

39

No. SS CG-A. 11011/28/93-95/ Nom/ 2
कमचारा चयन आयोग

527

क्षेत्रीय कायलिय (रु ५०)

STAFF SELECTION COMMISSION

REGIONAL OFFICE (NER)

Dated 13th Feb, 1995.

To,

Sri Jhundu Dasgupta (4810005),
C/O. Smti Dipali Dasgupta,
Road No.8, Arunshati Nagar,
Tripura West,
P/C. 799003

Sub.: Inspector of CE/IT Exam, 1993 - matter regarding.

Sir,

With reference to your application for the above stated exam I am to state that you have been declared to have passed the examination provisionally. It is seen that you have claimed age relaxation under Sub-para 4(e) of the notice of the examination. Age relaxation under this sub-para is available to departmental candidates who have rendered not less than 3 years continuous and regular service as on 8.8.1993 provided they are working in posts which are in the same line or allied cadres and where a relationship could be established that the service rendered in the department will be useful for the efficient discharge of duties of posts for which the recruitment is being made. If you are not able to establish the nexus as detailed above, you will not be entitled to claim age-relaxation under sub-para 4(e) of the notice of the Examination and consequently your candidature will stand cancelled.

You are requested to prove with documents that you are working in a post which is in the same line or allied Cadre as that of Inspector in CE/IT and where a relationship could be established that the service rendered in your department will be useful for the efficient discharge of duties of posts for which the recruitment is being made by the Inspector of CE/IT Exam, 1993. If you are not able to establish the nexus as detailed above, you will not be entitled to claim age-relaxation under sub-para 4(e) of the notice of the Examination and consequently your candidature will stand cancelled.

Your reply should reach the undersigned by 1/3/95 positively

Yours faithfully,

S. N. Bhuyan
(S. N. Bhuyan)
Regional Director (NER)



40

ANNEXURE - 9

To

The Regional Director(NER)
Staff Selection Commission,
Chenikutti Hill side,
Nabagraha Road,
Guwahati - 781003.

Subject:- Inspector of Central Excise/Income tax
exam. 1993 - matter regarding.

Sir,

In inviting a reference to your letter no. SSOG-A 11011/28/93-95/Non/527 dated 13-2-95 on the subject cited above, I am submitting herewith a certificate regarding my post to which I am serving at present as desired.

I hope that the service rendered in the Indian Audit & Accounts Department so far will be useful for the efficient discharge of duties of posts for which the recruitment is being made by the Inspector of Central Excise/Income tax Exam, 1993. Therefore, I request you to kindly consider age relaxation under sub para 4(e) of the notice of the exam. and oblige thereby.

Yours faithfully

(JHUNTU DASGUPTA)
C/o Cmt. Dipali Dasgupta,
Road no. - 8, Arundhuti-
nagar, Tripura West,
Pin- 799003.

41

AB

O/o the Accountant General (A.G.)
Tripura : Agartala Draft

(201)

This is to Certify that Sri Jhunu Dasgupta, Accountant is in service in this office from 11-11-98.

The Post of Accountant/Auditor in Indian Audit & Accounts Department is the switch board of the Department. The main function of the department is to watch the accounts of the states as well as to audit of the same which are mainly centralised in Govt. receipts (Revenues) and Expenditure. It is also seen by the Deptt. that the revenues of the various department which are the main source of Income of the states are actually collected and deposited in Govt. accounts as per rules.

The sphere of function of the post of Accountant in the Deptt. is detailed below :-

1. Inspection of Treasuries - Collection of Revenues & Maintenance of Treasury records
2. Compilation of Accounts - Receipts & Payments.
3. Forest Accounts - Receipt(Revenue) & Expenditure.
4. P...D. Accounts - Receipt(Revenue) & Expenditure.
5. Loan Accounts - Receipt(Revenue) & Expenditure.
6. Deposit Accounts -(a) Personal Deposit & Local Funds.
(b) Revenue Civil Courts Deposit etc.
7. Reconciliation of Departmental Accounts.
8. To attend the reconciliation party as and when the state Govt. officials reported to this office.
9. Refund of Market Loans and Interest thereon (taken by the State Government).
10. Maintenance of Peasant Fund A/c of the state Govt.
11. Authorisation of Pension to state Govt. Employees

205 203 2.95
S. No. A.O / Admin.
1/2/95

Recd
Jhunu Dasgupta
25/1/95



ANNEXURE - 10

No. SSCG-A.11011/28/93-95/Nom/1957
कम्चारी चयन आयोग

ट्रिपुरा राज्य सरकार
राज्य वित्त विभाग

TRIPURA STATE GOVERNMENT
STATE EXCISE DEPARTMENT
TELEPHONE: 222200

42
STAFF SELECTION COMMISSION
REGIONAL OFFICE (NER)

PO BOX 78100
GUWAHATI
ASSAM
781001

Dt. 30/5/95

To,

Sri Jhuntu Dasgupta(4810005)
C/O. Smti Dipali Dasgupta,
Road No.8, Arundhati Nagar,
Tripura West,
P/C. 799003.

Sub.: Inspector of CE/IT Exam,1993 - matter regarding.

Sir,

Please refer to the show-cause notice issued to you vide letter No.SSCG-A.11011/28/93-95/Nom/527 dt.13.2.95, and your reply to the show cause notice dt. 23.3.95.

The matter of your eligibility has been looked into again. As your duties as Accountant in AG(A&E),Tripura do not have nexus with that of the post applied for, you cannot be treated as eligible for the Rectt. of Inspector of CE/IT etc. Exam'93 as per para 4(e) of the notice of the aforesaid examination.

As such, your candidature for Inspector of CE/IT Exam'93 is hereby cancelled. No further correspondence in the matter will be entertained.

Yours faithfully,

S.N. Bhuyan
(S.N.Bhuyan)
Regional Director(NER)

Copy to :-

Sri S.M.Khanna, Under Secretary(N),Staff Selection Commission, New Delhi-3 for information.

(S.N.Bhuyan)
Regional Director(NER)



ANNEXURE - 11

Employment News 3-9 June 1995

43



STAFF SELECTION COMMISSION

NOTICE

RECRUITMENT TO THE POST OF INSPECTORS OF CENTRAL EXCISE, INCOME TAX ETC., 1995

No. 3/3/95-P&P. Staff Selection Commission will hold on Sunday, the 3rd December, 1995, a competitive Examination for recruitment to the following categories of posts:-

- A. Preventive Officer (Ordinary Grade) in Custom Houses at Bombay, Calcutta, Goa, Cochin, Madras and Vishakapatnam.
- B. Examiner (Ordinary Grade) in Custom Houses at Bombay, Calcutta, Goa, Cochin, Madras and Vishakapatnam.
- C. Inspector of Central Excise in different Collectorates of Central Excise.
- D. Inspector of Income-Tax in different charges of the Commissioners of Income-Tax.
- E. Assistant Enforcement Officers in Directorate of Enforcement (FERA).
- F. Grade II of Delhi Administration Subordinate Services.

PAY SCALES: (i) Rs.1640-60-2600-EB-75-2900 for posts from (A) to (E)

(ii) Rs.1400-2300 for post under category (F) above.

2. VACANCIES: The firm number of vacancies has not yet been determined. Reservation for Scheduled Castes, Scheduled Tribes, Other Backward Classes, Ex-Servicemen and Physically Handicapped persons (Orthopaedically Handicapped only) shall be taken into account as per position reported by each department for each category of post.

NOTE I: Physically Handicapped candidates are NOT eligible for the posts at (A), (B), (C), & (E) of Para 1 above.

NOTE II: SC/ST candidates who wish to avail of the age relaxation/reservation admissible to them must submit the caste certificate from the competent authority in the proforma given at Appendix-V.

NOTE III: The Orthopaedically Handicapped: The Orthopaedically Handicapped are those who have a minimum of 40% Physical defect or deformity which causes an interference with the normal functioning of the bones, muscles and joints.

Candidates who wish to be considered against vacancies reserved for Orthopaedically handicapped must submit requisite certificate as per Appendix-IV from the competent authority as mentioned therein alongwith their applications for the examination. Otherwise, their claim for OH status will not be considered.

NOTE IV: OTHER BACKWARD CLASSES: The OBCs for the purpose of the aforesaid reservation as per orders of the Government of India issued vide O.M.No.36012/22/93-Estt (SCT) of 8th September, 1993 by the Ministry of Personnel, Public Grievances & Pensions (Department of Personnel & Training) would comprise, in the first phase, the castes and communities which are common to both the lists in the report of the Mandal Commission and the State Government's lists.

The aforesaid lists of OBCs have been published in the Gazette of India dated 13.9.1993 vide Ministry of Welfare Resolution No. 12011/68/93-BCC(C) dated 10.9.93 (and in the Gazette of India Extra Ordinary, Part-I, Section-I No. 163 dated 29.10.94 vide Ministry of Welfare, Resolution No. 12011/9/94-BCC dated 19.10.94 respectively). The candidates seeking reservation as OBC should belong to one of the castes mentioned in the above notifications and should also be excluded from the creamy-layer as mentioned in DP&T's O.M. No. 36012/22/93-Estt (SCT) dated 8.9.93.

NOTE V: Candidates who wish to be considered against vacancies reserved for

other Backward Classes must submit requisite certificates (as per Appendix-VII) from the competent authority as mentioned therein alongwith their applications for the examination. Otherwise, their claim for OBC status will NOT be considered.

3. NATIONALITY/CITIZENSHIP: A candidate must be either:-

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam, Kuwait and Iraq with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d), and (e) above shall be person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to the examination but the offer of appointment will be given only after the necessary eligibility certificate has been issued to him by the Ministry/Department which is administratively concerned with the post where the candidate is likely to be appointed.

4. AGE LIMITS: (a) 18-25 years as on 1.8.1995 for all posts (i.e. he must have been born not earlier than 2.8.1970 and not later than 1.8.1977).

NOTE: CANDIDATE SHOULD NOTE THAT THE DATE OF BIRTH AS RECORDED IN THE MATRICULATION/SECONDARY EXAMINATION CERTIFICATE OR AN EQUIVALENT CERTIFICATE ONLY ON THE DATE OF SUBMISSION OF APPLICATION WILL BE ACCEPTED BY THE COMMISSION AND NO SUBSEQUENT REQUEST FOR ITS CHANGE WILL BE CONSIDERED OR GRANTED.

(b) Age concession for Ex-S will be allowed in accordance with the orders issued by the Government from time to time and they will be allowed to deduct military service from their actual age and such resultant age should not exceed the prescribed age limit by more than three years. Candidates admitted to the examination under this age concession will be eligible to compete for all the vacancies whether reserved or not for ex-servicemen.

"An ex-serviceman means a person who has served in any rank whether as a combatant or non-combatant in the Regular Army, Navy, Air Force of the Indian Union and

(i) who retired from such service after earning his/her pension; or

(ii) who has been released from such service on medical grounds attributable to military service or circumstances beyond his control and awarded medical or other disability pension; or

(iii) who has been released, otherwise than on his own request from such service as a result of reduction in establishment; or

(iv) who has been released from such service after completing the specific period of engagements, otherwise than at his own request or by way of dismissal or discharge on account of misconduct, or inefficiency, and has been given a gratuity, and includes personnel of the Territorial Army of the following categories, namely:-

(i) Pension holders for continuous embodied service,

- (ii) Persons with disability attributable to military service,
- (iii) Gallantry award winners.

NOTE-I: Ex-Servicemen who have already joined government job in civil side after availing of the benefits given to ex-servicemen for their re-employment are also eligible to the age concession. However, such candidates will not be eligible for the benefit of reservation.

NOTE II: The period of 'call-up Service' of an ex-serviceman in the Armed Forces shall also be treated as service rendered in the Armed Forces for purpose of para 4 (b) above.

NOTE III: For any serviceman of the three Armed Forces of the Union to be treated as Ex-serviceman for the purpose of securing the benefits of reservation, he must have already acquired, at the relevant time of submitting his application, for the post/service, the status of ex-serviceman and/or is in a position to establish his acquired entitlement by documentary evidence from the competent authority that he would be released/discharged from the Armed Forces within the stipulated period of one year from the closing date (29.6.95) on completion of his assignment.

THE FORM OF CERTIFICATE/UNDERTAKING TO BE SUBMITTED BY A CANDIDATE SEEKING RESERVATION AS EX-SERVICEMAN ARE GIVEN IN APPENDIX II & III.

EXPLANATION: The persons serving in the Armed Forces of the Union who on retirement from service, would come under the category of 'ex-serviceman' may be permitted to apply for re-employment one year before the completion of the specified terms of engagement and avail themselves of all concessions available to ex-serviceman but shall not be permitted to leave the uniform until they complete the specified term of engagement in the Armed Forces of the Union.

NOTE IV: This concession of applying one year before the completion of specified terms of engagement is not available in Educational Qualifications i.e. the non-graduate Ex-S are required to complete 15 years of service (and not 14 years) on 1st August, 1995 for becoming a deemed graduate. Thus, those non-graduate Ex-S who have not completed 15 years of service as on 1.8.95 are not eligible.

(c) The upper age limit as prescribed above will be further relaxable:-

(i) upto a maximum of five years if a candidate belongs to Scheduled Caste or Scheduled Tribe;

(ii) upto a maximum of three years (eight years for SC/ST candidates) in the case of Defence Services Personnel disabled in operations during hostilities with any foreign country or in a disturbed area, or in peace time and released as a consequence thereof;

(iii) upto a maximum of three years if a candidate belongs to Other Backward Classes in accordance with DP&T's O.M. No. 43012/2/95-Estt (SCT) dated 25th January, 1995;

(iv) upto a maximum of three years (eight years for SC/ST candidates) in case of Border Security Forces Personnel Disabled in operations during Indo-Pak hostilities of 1971 and released as a consequence thereof;

(v) upto a maximum of ten years if the candidate is a physically handicapped person. For candidates belonging to SC or ST category who are physically handicapped, the maximum relaxation of ten years permissible for physically handicapped (Orthopaedically handicapped) persons shall be

in addition to the age relaxation provided in terms of item (1) above;

(vi) upto the age of 35 years (upto 40 years for members of Scheduled Castes/Scheduled Tribes) in the case of widows, divorced women and women judicially separated from their husbands, who are not remarried.

(vii) upto a maximum of 3 years (8 years for SC/ST) to candidates who are bona fide repatriates of Indian Origin from Kuwait or Iraq and have migrated to India after 15th May, 1990 but before 22nd November, 1991 in accordance with DP&T's O.M.No.15012/11/90-Estt(D) dated 22.11.1991.

(d) Upper age limit is relaxable to re-trenched employees of Chukha Hydel Project Authority in Bhutan who were directly recruited, to the extent of regular service rendered by them with the Authority (period of regular service rendered by the re-trenched employees will be decided on the basis of certificate issued by the Chukha Hydel Project Authority).

(e) Upper age limit is relaxable upto the age of 40 years (45 years for Scheduled Caste/Scheduled Tribe candidates) to the departmental candidates who have rendered not less than 3 years continuous and regular service, as on 29.06.1995 provided they are working in posts which are in the same line or allied cadres and where a relationship could be established that the service rendered in the department will be useful for the efficient discharge of duties of posts for which the recruitment is being made by this examination in terms of DP&T's O.M. No. 4/4/79-Estt(D) dated 20.7-76 & DP&T's O.M. No. 36014/4/79-Estt(D) dated 24.10.1995 O.M.No. 15034/3/87-Estt(D) Dated 7.10.1987 and O.M.No.15012/1/88-Estt (D) dated 20.5.1988.

All Group 'C' non-technical employees with three years continuous and regular service (in any Central Government Office or Union Territory) as on 29.6.1995 fulfilling the nexus will be eligible to be considered as departmental employees for grant of age relaxation under this sub-para.

NOTE 1: Departmental candidates applying under this sub-para, must submit a list of duties performed by them in the present post, duly certified by their office, as per Appendix-VIII alongwith their applications to enable the Commission to decide their eligibility.

NOTE 2: Candidature of person who is admitted to the examination under age relaxation as a departmental candidate and who resigns from service, after submission of application, is liable to be cancelled.

5. All candidates in Government Service whether in permanent or in temporary capacity or as workcharged employees other than casual duty or daily rated employees or those serving under Public enterprises, will be required to submit an undertaking that they have informed in writing their Head of Office/Department that they have applied for the examination. Candidates should note that in case a communication is received from their employer by the Commission withholding permission to the candidate's applying for appearing at the examination, their applications shall be rejected/candidature shall be cancelled.

NOTE: The Departmental candidates may send their applications directly to the Commission after intimating to their Head of office/department and need not send an other copy through proper channel. However, in case, they decide to send a copy through proper channel, they must ensure that the communication is received by the Commission.

Next Continued

that the application complete in all respects, should reach Staff Selection Commission by the Closing date. Applications shall be rejected if received late and/or not complete in all respects as provided in rules.

6. NO PERSON:

- (a) Who has entered into or contracted a marriage with a person having a spouse living; or
- (b) Who having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to service.

Provided that Central Government may, if satisfied that such marriage is permissible under the personal law to such person and the other party to the marriage applicable and there are other grounds for so doing, exempt any person from the operation of this rule.

7. The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

8. No candidate will be admitted to the examination unless he holds a certificate of admission from the Commission. The candidate must take the examination at the allotted centre of examination.

9. Any attempt on the part of a candidate to obtain support for his candidature by any means may disqualify him for admission.

10. A candidate who is or has been declared by the Commission to be guilty of:

- (i) obtaining support for his candidature by any means; or
- (ii) impersonating; or
- (iii) procuring impersonation by any person; or
- (iv) submitting fabricated documents or documents which have been tampered with; or
- (v) making statements which are incorrect or false or suppressing material information; or
- (vi) resorting to any other irregular or improper means in connection with his candidature for the examination; or
- (vii) writing irrelevant matter; including obscene language or pornographic matter in the Script(s); or
- (viii) misbehaving in any other manner in the examination hall; or
- (ix) using unfair means in the examination hall; or
- (x) taking away the question booklet/answer sheet with him/her from the examination hall or passing it on to unauthorised person during the conduct of the examination; or
- (xi) harassing or doing bodily harm to the staff employed by the Commission for the conduct of their examination; or
- (xii) violating any other instructions issued to candidates along with their Admission Certificates permitting them to take the examination; or

(xiii) attempting to commit or as the case may be, abetting the commission of all or any of the acts specified in the foregoing clauses.

May, in addition to rendering himself liable to criminal prosecution, be liable:-

- (a) to be disqualified by the Commission from the examination for which he is candidate; or
- (b) to be debarred either permanently or for a specified period:-
- (i) by the Commission from any examination or selection held by them;
- (ii) by the Central Government from any employment under them, and
- (c) to disciplinary action under appropriate rules, if he is already in service under Government.

11. EDUCATIONAL QUALIFICATIONS: Degree of a recognised University or equivalent. Candidates who have yet to appear at the Degree examination or whose result has been withheld or not declared on or before 1.8.1995 ARE NOT ELIGIBLE.

12. FEE PAYABLE & MODE OF PAYMENT: Rs.50/- (Rupees fifty only) No concession for Scheduled Caste/Scheduled Tribe, P.H. and Ex-serviceman. Fee concession is not

admissible to 'Sons and daughters of Ex-servicemen' and to persons belonging to 'Other Backward Classes' or to those EXS who would otherwise be considered as General candidates in terms of Note I below. Para 4 (b). Service Clerks in the last year of their colour service are not exempted from payment of fee. Remission of fee may be allowed to those repatriates from Kuwait or Iraq who are not in a position to pay it. Candidates should pay the fee by means of 'Central Recruitment Fee Stamps' and IPOs only. The CRF Stamps are available at the counters of Head Post Offices, sub-post offices and all the Deptt. Post Offices of the country in the denominations of Rs. 5/- Rs.10/- & Rs.20/. These Recruitment Fee Stamps may be pasted on the top right hand corner of the application form or in the space earmarked for the purpose.

These Recruitment Stamps must be got cancelled from the counter clerk of said post office or any other post office with the date stamp of his office in such a manner that the impression of the cancellation stamp partially overflows on the Application Form itself, taking care at the same time that the impression is clear and distinct to facilitate the identification of date and the Post Office at any subsequent stage. After getting the 'Recruitment Fee Stamps' cancelled from Post Office, the candidates may submit their applications to the concerned Regional Office of the Commission in the usual manner, after completing other formalities.

Fee can also be paid through Indian Postal Orders payable to 'STAFF SELECTION COMMISSION' at the Post Office as indicated in columns 4 of the Table given below para 13. The Postal Orders should be crossed 'A/C PAYEE ONLY' and should be valid for at least 6 months. IPOs should not have been purchased prior to the Date of publication of this Advertisement. Candidates should write their name and address on the Indian Postal Orders at the specified place.

NOTE: (i) Fee once paid will not be refunded under any circumstances.

(ii) Fee paid by cash or Bank Draft or Pay Order or Cheque will NOT be accepted and the application of such candidates are liable to be rejected at the discretion of the Commission.

13. CENTRE OF EXAMINATION AND ADDRESS TO WHICH APPLICATIONS SHOULD BE SENT:

The candidate must select only One Centre out of the Centres mentioned in column 1 of the table below. No change in centre shall be allowed. A candidate must submit his application only to the address mentioned in column 3 against the centre selected by him.

In selecting a centre, the candidate should note that for all categories of posts, he will be eligible for consideration for appointment against the vacancies reported only in the zone(s) mentioned against the centre. This 'Centre-linked-zonal scheme' will be applicable for the categories of posts. In no case the change of zone is allowed.

Further, on appointment to any of these posts, the post holder is free to transfer from the Collectorate/Charge/Customs House to any other Collectorate/Charge/Customs House will be entertained. The Commission, however, reserve the right to recommend candidates to any of these posts to a zone other than the one in which they are eligible to be considered for initial appointment.

The posts under category 'F' viz. Grade II of Delhi Administration Subordinate Service are only for Union Territory of Delhi. Therefore, the candidates appearing from Delhi Centre only will be considered to compete for this category of post.

The Commission reserve the right to cancel any centre and ask the candidate(s) to appear from another centre.

NOTE I: No change of centre of exam will be allowed under any circumstances. Hence the candidates should select the centre for examination carefully and indicate the same correctly in their application.

NOTE II: The Commission reserves the right to cancel any centre and ask the candidates of that centre to appear from another centre. The Commission also reserves the right to divert candidates of any centre to some other centre to take the examination.

NOTE III: Candidates applying for the posts of Inspector of Central Excise from Haryana may kindly note that the posts of Inspectors of Central Excise in Haryana State are controlled by the Collectorate of Central Ex-

cise, Delhi. So, if they opt 'Chandigarh' as centre, they would be eligible to be posted as Inspector of Central Excise in Punjab, Chandigarh, J & K and Himachal Pradesh, but not in Haryana.

NOTE IV: Candidates applying for the posts of Inspector of Income-Tax in Goa zone would be appointed in the organisation of CCIT, Bangalore and would have to work not only in Goa but also in the Income-Tax offices in the State of Karnataka.

TABLE

Centre of Examination	Name of the Zone alongwith numeric code of each State/UT in (brackets).	Address to which application should be sent	Post Office at which Postal Orders should be (Made) payable.
1	2	3	4
Shimla	Himachal Pradesh (11)	Regional Director (NR) Staff Selection Commission Block No. 12, CGO Complex Lodi Road, New Delhi-110003	Lodi Road, Post Office, New Delhi
Jammu	Jammu & Srinagar (12)		
Chandigarh	Chandigarh (13)		
Jalandhar			
Ambala	Haryana & Punjab (14)		
Delhi	Delhi (15)		
Jaipur	Rajasthan (17)		
Jodhpur			
Kota			
Udaipur			
Bhagalpur	Bihar (18)	Regional Director (CF) Staff Selection Commission 8-AB, Beli Road, Allahabad-211 002.	Kutcheri Post Office, Allahabad
Darbhanga			
Patna			
Ranchi			
Agra	Uttar Pradesh (19)		
Allahabad			
Dehradun			
Gorakhpur			
Kanpur			
Lucknow			
Meerut and Varanasi			
Bhopal	Madhya Pradesh (20)	Dy. Regional Director Staff Selection Commission 'Nishan Villa' F, Jalvihar Colony Raipur (MP)-492 001.	Raipur Head Post Office
Gwalior			
Indore			
Jabalpur &			
Raipur			
Port Blair	Andaman (21) & Nicobar	Regional Director (ER) Staff Selection Commission S, Esplanade Row West Old Assembly Building Ground Floor, Calcutta-700 001.	G.P.O. Calcutta
Burdwan			
Calcutta	Island		
Midnapore	West Bengal (22)		
Siliguri &			
Gangtok	Sikkim (23)		
Bhubaneswar	Orissa (24)		
Cuttack			
Koraput			
Sambalpur			
Dibrugarh	Assam (25)	Regional Director (NER) Staff Selection Commission Nabagraha Road, Chenikuli Hill Side, Guwahati-781 003.	Head Post Office, Guwahati
Guwahati	Meghalaya (26)		
(Dispur)	Mizoram (27)		
Jorhat	Arunachal (28)		
Shillong	Pradesh		
Silchar	Nagaland (29)		
Aizawl	Manipur & (30)		
Imanagar	Tripura (31)		
Kohima			
Imphal			
Agartala			
Aurangabad	Maharashtra (32)	Regional Director (WR) Staff Selection Commission, Army & Navy Building 11th Floor, M.G. Road, Kalaghoda, Bombay-400 001	G.P.O. Bombay
Bombay			
Kolhapur			
Nagpur			
Pune			

Continued

Continued from page

1	2	3	4
Ahmedabad	Gujarat (33)		
Baroda	Daman, Diu (34)		
Rajkot	Dadra & Nagar		
Panaji	Haveli (35)		
	Goa (36)		
Guntur	Andhra (37)	Regional Director (SR), Staff Selection Commission,	Anna Road
Hyderabad	Pradesh	EVK Sampath Building, 11th Floor, College Road,	Head Post Office Madras
Kurnool			
Rajahmundry			
Tirupati			
Vishakapatnam			
Calicut	Kerala & (38)		
Cochin	Lakshadweep (39)		
Trivandrum			
Trichur			
Coimbatore	Tamil Nadu & (40)		
Madras			
Madurai	Pondicherry (41)		
Pondicherry			
Tirunelveli			
Trichirapalli			
Bangalore	Karnataka (42)	Dy. Regional Director Staff Selection Commission	G.P.O. Bangalore
Dharwar		21st Floor, Main Tower,	
Gulbarga		Yashveswaraiah Centre,	
Mangalore		Dr. Ambedkar Road,	
		Bangalore-560 001	

14. SINGLE APPLICATION: A candidate should send only one application and pay fee only once whether he wants to compete for one or more than one category of post(s).

15. SCHEME OF EXAMINATION: The examination shall consist of two parts:

PART I: Written Examination:

The Written Examination will consist of four parts: abstract ideas and symbols and their relationships.

S.No.	Test	No. of Questions	Maximum Marks	Time allowed
1	2	3	4	5
1.	General Intelligence	80	160	2 Hours
2.	General English	40	80	
3.	Arithmetical Ability	40	80	
4.	General Awareness	40	80	

NOTE I: There will be a single paper for all the four tests of Objective-Multiple-Choice-Type Questions. The questions in all the parts, except that of General English will be printed both in English and Hindi. The questions in General English will be printed in English. Candidates will be required to qualify in each of the four tests separately. The Commission will have full discretion to fix separate minimum qualifying marks in each of the four parts/tests and in the aggregate of the four tests separately for each category of candidates (viz. SC/ST/Ex-S/PH/OBC/Un-Reserved). Only those candidates who qualify in all the four tests would be eligible to be considered for being called for the personality test.

NOTE II: For calling candidates for Personality Test under 'Centre-linked-zonal scheme', the Commission shall have the discretion to fix in the written examination different minimum qualifying zonal standards for all the six categories of posts.

Provided that candidates belonging to Scheduled Caste or Scheduled Tribes or PH or Ex-Servicemen or OBC may be called for the Personality Test by the Commission by applying relaxed standards if the Commission is of the opinion that sufficient number of candidates of these categories are not likely to be called for the Personality Test on the basis of the general standard in order to fill up the vacancies reserved for these categories (SC, ST, Ex-S, OBC and PH).

SYLLABUS:

1. General Intelligence: It would include questions of both verbal and non-verbal type. The test will include questions on

analogies, similarities and differences, space visualisation, problem solving, analysis, judgement, decision-making, visual memory, discrimination, observation, relationship concepts, arithmetical reasoning, verbal and figure classification, arithmetical number series, non-verbal series etc. The test will also include questions designed to test the candidate's abilities to deal with

relationships, arithmetical computations, and other analytical functions.

2. General English: Questions in this test will be set to assess the knowledge of English language, its vocabulary, grammar, sentence structure, synonyms, antonyms, etc. There will also be questions on comprehension of a passage.

3. Arithmetical Ability: Questions will be designed to test the ability of the candidate to perform fundamental arithmetical operations and his skill in working out problems relating to percentages, ratio and proportion, averages, estimation, rounding numbers, use of table and graphs, mensuration, time and distance, ratio and time.

4. General Awareness: Questions will be designed to test the ability of the candidate's general awareness of the environment around him and its application to society. Questions will also be designed to test knowledge of current events and of such matters of every day observation and experience in their scientific aspect as may be expected of an educated person. The test will also include questions relating to India and its neighbouring countries especially pertaining to History, Culture, Geography, Economic scene, General Policy and Scientific Research.

PART II: Personality Test: This will carry a maximum of 100 marks.

16. SELECTION OF CANDIDATES: (a) After the examination, the Commission will draw up a separate list in different categories of posts in respect of each of the zones mentioned in Column 2 of the Table in para 13 above, the order of merit as

disclosed by the aggregate marks (written test and Personality Test) finally awarded to each candidate at the examination, and in that order so many candidates as are found by the Commission to be qualified in the examination shall be recommended for appointment upto the number of unreserved vacancies in each of the zones separately. However, in case no vacancy is available in a particular zone that zone would be clubbed with one of the contiguous zone at the discretion of the Commission and a common order of merit list for both the zones may be prepared. Similarly, where a particular office caters to the requirements of more than one zone, candidates competing at centres located in all such zones will be eligible to be considered for appointment in that office and for this purpose, a common order of merit list for all such zones would be prepared.

(b) The candidates for Delhi Administration Grade II, subordinate service will be selected from Delhi zone in the manner mentioned in sub-para (a) above.

FOR ALL CATEGORIES OF POSTS: Provided that the SC & ST & OBCs candidates who are selected on their own merit without relaxed standards alongwith candidates belonging to other communities will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up by the eligible Scheduled Caste, Scheduled Tribe and OBC candidates who are lower in merit than the last general candidate on the merit list but otherwise found suitable for appointment by relaxed standards.

Provided that, candidates belonging to the Ex-Servicemen or Orthopaedically Handicapped (for posts of I.I.T. and Cat. (P) only) may to the extent the number of vacancies reserved for them cannot be filled on the basis of General Standards be recommended by the Commission by a relaxed standard to make up the deficiency in the reserved quota, subject to the fitness of these candidates for selection to the service irrespective of their ranks in the order of merit at the examination.

17. PREFERENCES: A candidate is required to specify clearly in column 9 of the application form in order of preference the categories of posts (see para 1 above) for which he wishes to be considered so that, having regard to his rank in the order of merit, consideration may be given as far as feasible to his preference at the time of declaration of results. Once exercised, no change in order of preferences will be allowed under any circumstances.

NOTE I: The candidates who are selected and nominated for the posts of Inspectors of Income Tax to the Central Board of Direct Taxes will have to pass the Departmental Examination in three chances, the same being a pre-requisite for confirmation in the grade and further promotion to higher grade and for successful completion of probation. Those, who fail to qualify the Departmental Examination will be liable to be discharged without assigning any reason.

NOTE II: If the order of preference is not indicated by any candidate, then his order of preference for various categories of posts will be assumed in the same order as mentioned in para 1 of the Notice above.

18. PHYSICAL STANDARDS: For the posts of Inspector of Central Excise and Preventive Officer, candidates will have to satisfy the following minimum physical standards, failing which, they will not be eligible for appointment.

The Physical Tests will be held by the Central Excise Department/Custom House, as the case may be for the two posts after their names are recommended for appointment by the Commission. Candidates are, therefore, advised to make sure before opting for these two posts that they fulfill the requirements as detailed below, failing which, they will not be considered for appointment to these posts as well as any other Category of posts covered under this examination.

(a) Inspector of Central Excise/Preventive Officer (Male Candidates)

i) **Physical Standards (minimum)**
Height 5' 5 cms.
Chest 81 cms.
(fully expanded with a minimum expansion of 5 cms.)
Relaxable by 5 cms. in the case of Garhwalis, Assamese, Gorkhas, Kumaon Region, Nagaland Tribals and members of ST.

Physical Test:
Walking: 1600 metres in 15 minutes.
Cycling: 3 Kms in 30 minutes.

(b) **Inspector of Central Excise/Preventive Officer (For Lady Candidates)**

i) **Physical Standards (Minimum)**
Height 152 cms.
Weight 48 Kgs
Height relaxable by 2.5 cms. & weight by 2 Kgs. for Gorkhas, Garhwalis, Assamese, Kumaon region and Nagaland Tribals and Members of ST.

ii) **Physical Tests:**
Walking: 1 Km. in 20 minutes.
Cycling: 3 Km. in 25 minutes.

NOTE: Candidates to note that colour blind and one-eyed persons are not eligible for recruitment to the posts of (i) Inspector of Central Excise, (ii) Preventive Officer and (iii) Examiner (Ordinary Grade).

19. Success in the examination confers no right to appointment unless Govt. are satisfied after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the post.

20. **HOW TO APPLY:** Applications must be submitted at the address shown in column 3 against the centre selected by the candidates as given in the Table under para 13. The application must be submitted in the Application Form given in Appendix-I. Candidates may utilise in original the form published in the "Employment News" filling up the columns with ball point pen. They may also use the Application Form neatly typed on white paper (foolscap size) in double space and typed on only one side of the paper. There is no objection to candidates using printed Application Form available, from private agencies as long as the format of Application is exactly the same AS PUBLISHED IN APPENDIX-I of this advertisement.

NOTE I: CANDIDATES ARE WARNED THAT Applications submitted on format which is not the same as published in this advertisement, are liable to be rejected summarily.

ii) The envelope containing the application must be superscribed in bold letters as "APPLICATION FOR RECRUITMENT TO THE POSTS OF INSPECTOR OF CENTRAL EXCISE, INCOME TAX ETC. 1995" AND THE NAME OF THE CENTRE FROM WHERE THE CANDIDATE INTENDS TO APPEAR SHOULD BE WRITTEN IN CAPITAL LETTERS AT LEFT SIDE CORNER AT THE TOP OF ENVELOPE.

iii) A CANDIDATE SHOULD SUBMIT ONE APPLICATION ONLY. MULTIPLE APPLICATIONS WILL BE REJECTED SUMMARY.

iv) SC/ST/OBC candidates should superscribe their category on the envelope and enclose an extra self-addressed envelope.

v) Any dispute in regard to this recruitment will be subject to Courts/tribunals having jurisdiction over the place of concerned regional/sub-regional office of SSC, where the candidate has submitted application is situated.

vi) Documents to be attached with the Applications:

1. IPOs/CRFs for Rs.50/- affixed on the application form
2. One copy of a recent passport size photograph.

Continued

3. One self-addressed post card duly affixed with an additional 45 paise stamp. Candidate must write the name and year of the examination on post card.

4. Two self-addressed envelopes of 12 cm x 25 cm size (three self-addressed envelopes in the case of SC/ST/OBC), indicating name and address of the candidate, on which must be affixed with a Rs. 50 postage stamp.

5. Two slips indicating name and postal address.

6. Documents in favour of claim of SC/ST/PH/EX-Servicemen/OBC/Disabled persons, etc.

7. Documents in support of claim of age relaxation (for categories of candidates not covered in item 6 above).

8. Attested copies of certificates of age and educational qualifications. The photostat copies of these documents also need to be attested.

9. List of duties performed, certified over the signatures of the Head of Office in the case of departmental candidates seeking age relaxation under para 4 (e) of the Notice.

NOTE 1: Only attested/certified copies of Certificates are required to be sent. The ORIGINAL CERTIFICATES must be sent with the application. Even photo-

stat copies need to be attested.

NOTE II: Incomplete or unsigned applications or applications not accompanied by the documents mentioned above are liable to be rejected summarily, or at any stage of the recruitment process.

22. CLOSING DATE: Completed Application Form must reach the concerned office of Staff Selection Commission on or before 29.6.95 before 5.00 PM (14.7.95 in the case of candidates residing in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, J&K, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Islands or Lakshadweep and for candidates residing abroad). The Commission will not be responsible for postal delays.

APPLICATIONS RECEIVED AFTER THE SPECIFIED TIME OF CLOSING DATE WILL NOT BE ENTERTAINED UNDER ANY CIRCUMSTANCES.

23. Admission to the Examination: Before submitting the application, the candidate must carefully read the eligibility conditions for the examination and satisfy himself that he fulfills all the eligibility conditions. The Commission do not undertake any scrutiny of the applications before the written Examination and all applicants, except those whose applications are summarily rejected are allowed to appear at the examination on a purely provisional basis

subject to their eligibility being verified after the result of the Written Part of the examination. Accordingly, merely because a candidate has been allowed to appear at the examination will not be considered as a ground for his being admitted finally to the examination.

All candidates who apply in response to this advertisement before the closing date are assigned the index number/roll numbers. These will be communicated to them on the self-addressed post-cards (sent by the candidates with their applications) within six-eight weeks from the closing date. The candidate must write his index number/roll number along with his name, date of birth and name of examination while addressing any communication to the Commission. Communications from candidates not furnishing these particulars shall not be entertained.

Admission Certificates for the written examination indicating the time table for the examination as also the venue of examination for each candidate will be issued to all the applicants at least 5 weeks before the date of examination mentioned in para 1 of the Notice. If any candidate does not receive the Admission Certificate for the Examination 3 weeks before the date of examination, he must immediately contact the concerned Regional Office of the Commission. Failure to do so will deprive him of any claim to consider-

ation.

NOTE I: Candidates should occupy their seats in the Exam. venue according to the Ticket No. printed on his/her Admission Certificate as seating plan will be displayed in the venue in the same manner.

NOTE II: Candidates should note that Answer sheets not bearing the candidates' Ticket No., Roll No., signature and Test form number will not be evaluated and such candidates would be awarded 'ZERO' marks.

24. If no acknowledgement of application is received within 8 weeks from the closing date, the candidates should contact the concerned Regional office of the Commission.

25. After declaration of the results, of the written part of the examination the candidates for the posts of Inspectors of Central Excise/Income-Tax will be required to give an undertaking to the effect that in the event of their selection and appointment to any Collectorate/Charge, candidates will not request for any change to any other Collectorate/Charge under any circumstances as the cadre of Inspectors is Collectorate-wise/Charge-wise.

NOTE : SC/ST candidates called for interview will be paid T.A. according to the orders of the Government on the subject. However, no T.A. is admissible for appearing at the written Examination.

Application form on page 15

Agricultural Scientists Recruitment Board

Krishna Anusandhan Bhawan
Pusa, New Delhi-12

CORRIGENDUM

COMBINED COMPETITIVE EXAMINATION FOR RECRUITMENT OF SECTION OFFICERS AND ASSISTANTS AT ICAR HD. QR-1995.

Reference advt. No. darr 1020/17/95 appeared in the Employment News dated 18-24th February, 1995 inviting applications for a combined Competitive Examination for recruitment of Section Officers and Assistants at ICAR H.Qs.-1995 to be held from 21st to 23rd June, 1995 at Six centres, the following may also be read under Rule 6(b) below item (X) of rules of the examination: "The upper age limit prescribed for direct recruitment shall be relaxable by three years in respect of Candidates belonging to other Backward classes as per provisions of Deptt. of Per. & Training O.M. No.43013/2/95. Est (SCT) dated 25.1.95.

Eligible candidates from O.B.C. category may apply to the Secretary, Agricultural Scientists Recruitment Board on the application format and in the manner as published in the Employment News/Rozgar Samachar of 18th to 24th Feb., 1995. Application accompanied with the prescribed fee of Rs. 28/- should be paid by crossed Bank Draft in favour of Secretary, ASRB, payable at Punjab National Bank, Rajender Nagar, New Delhi.

The last date for receipt of applications from the eligible candidates of O.B.C. category has been extended to 12th July, 1995.

2. The above examination scheduled to be held from 21st to 23rd June, 1995 also stands postponed. Fresh dates will be announced in due course.

All other terms and conditions remain same.

CONTROLLER OF EXAMINATION
AS.R.B.
darr 1020/3/95 EN 10/129

CORRIGENDUM

Please refer Admission Notice of IMSSAR, 55-Rispana Colony, Cement Road, Dehra Dun, published in page 9 of 13th May issue. Please note that the last date for obtaining application form is 19th June 1995.

THE POST OF PRINCIPAL/STAFF FOR CRPF

I.T.I., Bhubaneswar

The Central Reserve Police Force, Employees Education Society, invite applications for the post of Principal and staff, for CRPF, I.T.I., Bhubaneswar. The posts are temporary.

Sl.No.	Name of Post with pay scale	Eligibility conditions
01.	Principal (Junior Scale) : One. Pay scale: Rs.2200-75-2800-EB-100-4000/- (or Rs. 4,000/- consolidated without any other perks to retired hand).	Qualification:- Degree or Diploma in Electrical/Mechanical Engineering/Electronic Engg. Experience: Minimum 15 years in case of Degree holder and 25 years in case of Diploma holder. Age: Minimum 40 years
02.	Instructor Electronic: One. Pay Scale : Rs.1400-40-1600-50-2300-EB-60-2600/-	Qualification:- Matriculate or equivalent with National Trade Certificate or equivalent. Experience: Minimum 5 years as Instructor.
03.	Instructor Radio/TV : One. Pay Scale: Rs.1400-40-1600-50-2300-EB-60-2600/-	Qualification:- Matriculate or equivalent with National Trade Certificate or equivalent. Experience: Minimum 5 years as Instructor.
04.	Instructor Workshop : One. Calculations Engg. drawing and Maths. Pay Scale: Rs.1400-40-1600-50-2300-EB-60-2600/-	Qualification:- Matriculate or equivalent with Diploma (National Trade certificate). Experience: Minimum 5 years as Instructor.
05.	U.D.C. : One. Pay Scale : Rs 1200-30-1560-EB-40-2040/-	Qualification:- Higher Secondary with typewriting. Candidates with higher qualification and experience in institutional set up will get preference.
06.	L.D.C. (Hostel Clerk) : One. Pay Scale: Rs.950-20-1150-EB-25 1500/-	Qualification:- Higher Secondary with typing. Candidates with higher education and experience as Hostel Clerk will get preference.
07.	Store-Keeper : One. Pay Scale: Rs 1200-30-1560-EB-40-2040/-	Qualification:- Higher Secondary candidates with higher qualification and experience as Store Keeper will get preference.
08.	Cook : Two. Pay scale Rs.750-12-870-EB-14-940/-.	Experience in institutional mess.
	Safai Karmachari : One. Pay Scale: Rs.750-12-870-14-940/-	Willing worker.

02. Retired persons below 60 years age may also apply. Application with bio-data, in prescribed proforma, latest photograph and copies of certificate/testimonials should be submitted to the Dy Inspector General of Police, CRPF, Bhubaneswar-751011, (Orissa).

OTHER TERMS AND CONDITIONS

The appointment will be subject to the condition that candidates are found medically fit by our own Medical Officer. In addition to salary in the scale the regular employees will be entitled for HRA, CCA at local rates, T.R., at Central Govt rates and Medical allowances @ Rs. 15/- p.m. The services are non-removable.



Applications are invited on the prescribed form for the following vacant post to be filled on deputation / contract / direct recruitment basis.

TEACHING

1. Reader (Rs.3700 - 5700)	2 Posts	(i) Advert Vedanta - 1 Post
		(ii) Vyakaran - 1 Post
2. Lecturer (Rs. 2200 - 4000)	4 Posts	
(i) Hindustani Music (vocal)	1 Post	
(ii) Shiksha Shashtra	2 Posts	
(iii) Jain Darsan	1 Post	

NONTEACHING

1. Cataloguer (Rs. 1200 - 2040)	1 Post
2. Junior P.A. (Rs. 1400 - 2300)	1 Post

to V.C.

RESERVATION :- 15%, 7.5% & 27% of the posts are reserved for SC, ST & OBC Candidates as per rule.

Prescribed application forms alongwith general information and instructions can be had from the Registrar on payment of Rs. 10/- for each form either in cash on counter or by Rs. 20/- by demand draft payable in any Nationalised Bank in Delhi/ New Delhi and drawn in favour of Shri Lal Bahadur Shastri Rashtriya Sanskrit Vidyapeetha New Delhi - 110016.

Application forms are available free of cost to the applicants belonging to SC/STs.

The last date for the receipt of duly filled in application is 20.6.95.

**DR. SHRIDHAR VASISHTHA
REGISTRAR**

EN 10/119

04. LAST DATE OF RECEIPT OF APPLICATION

Application in prescribed proforma (either in English or Hindi) should reach the prescribed office on or before 15.6.95 and interview of eligible candidates will be held on 3.7.95. The applicants should specifically mention the post applied for in their application.

APPLICATION FORM

APPLICATION FOR THE POST OF _____ (PRINCIPAL/INSTRUCTORS/UDC/LDC/STOREKEEPER/COOK/SAFAI KARMACHARI) :

01. Full Name (in block letters): _____

Recent Passport size photograph.

02. Father's Name and Occupation: _____

03. Permanent address: _____

04. Present postal address: _____

05. Nationality: _____

06. Date of birth (in Christian Era): _____

07. Educational qualifications: _____

08. Technical qualifications: _____

09. Indicate medium (English/Hindi) for taking typing test/written test in the case of UDC/ LDC/ Store keeper: _____

10. Particulars of extra curricular activities if any: _____

11. Are you married? If so, state whether you have more than one wife living: _____

12. Particulars of present employment if any: _____

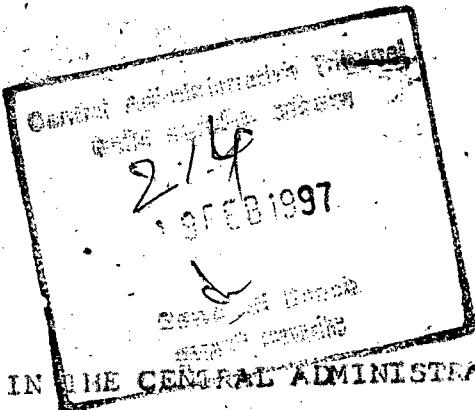
13. List of enclosures: _____

DECLARATION

I hereby declare that all statements made in this application are true, complete and correct to the best of my knowledge and belief. In the event of any information being found false or incorrect or ineligible being detected before or after interview, my candidature will stand cancelled and all my claims to the post forfeited.

Signature of the candidate
EN 10/124

WEN



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

in the matter of :

O.A. No. 243 of 1996.
Shri Jhantu Dasgupta ... Applicant.

W 8 -

Union of India & Ors ...Respondents.

-AND-

In the matter of :-

Written Statement on behalf of
the Respondent No. 2 and 3.

I. Shri M. Bercohain, Regional Director.

Staff Selection Commission, NCR, Rukmini Nagar, Guwahati
do hereby solemnly affirm and declare as follows :-

1. That I am in receipt of the notice in connection with the above noted case alongwith an order dated 18-12-96. I have gone through the contents of the application and thoroughly understood the contents thereof and hence as directed by this Hon'ble Tribunal I do hereby file the written statement on behalf of Respondent No. 2 and 3 bein so authorised. That the limitation matter in M. P. No. 213 / 96 is also replied in

Contd.....

118

65

the M.P. itself. I categorically assert and state that save and except what is admitted in this written Statement, and also in the M.P., rest may be treated as total denial by both the Respondents.

2. That with regard to the contents made in paragraph 1 of the application, I beg to state that the Staff Selection Commission had been conferred discretion to take a view regarding the nexus principal. Ministry of Personnel in its O.M. dated 7.10.1987 have stated in paragraph 2 as under :

"The Staff Selection Commission makes recruitment to all Group 'C' non-technical posts. With a view to reducing delay in processing of application submitted by departmental candidates with reference to advertisements issued by SSC, it has been decided that it will be entirely within the discretion of the Staff Selection Commission to take a view whether the nexus principle is satisfied or not in individual cases. Wherever the duties of the posts concerned are not clear, the Commission may consult the organisation in which the posts in question are located."

A copy of the said O.M. is annexed herewith and marked as Annexure R-1.

3. That with regard to the contents made in paragraph 2 to 4, I have nothing to comment.

Contd.....

4. That with regard to the contents made in paragraphs 5 and 6 of the application, I beg to admit the contents thereof.

5. That with regard to the contents made in paragraph 7 of the application, I beg to state that the paragraph 4(e) of the notification "All Group-C Non-technical employees with 3 years continuous and regular service (in any Central Govt. Office or Union Territory) as on 9-8-93 fulfilling the nexus will be eligible to be considered as departmental employee for grant of age relaxation under the sub-para." As the applicant do not fulfil the nexus hence he is not entitled to age relaxation being the departmental candidates as prescribed in paragraph 4(e) of the notification.

6. That with regard to the contents made in paragraphs 8 and 9 of the application, I do hereby admit the contents thereof.

7. That with regard to the contents made in paragraph 10, I beg to state that these are admitted. The applicant was given appropriate reply vide letter dated 30-5-95 that his duty as Accountant in AG(A&E), Tripura, Agartala do not have nexus with that of the post applied for and hence he cannot be treated as eligible for the recruitment of Inspector of CE/IT Exam'93, as per para 4(e) of the

of the notice of the aforesaid examination. As such, his(applicant) candidature for Inspector of CE/IT Exam'93 was cancelled and the candidate(applicant) was informed that no further correspondence in the matter would be entertained.

8. That with regard to the contents made in paragraph 11, I beg to state that these are admitted. The applicant have challenged it though he does not fulfil the nexus criteria for age relaxation for departmental candidate.

9. That with regard to the contents made in paragraph 12 of the application, I beg to state that para 4(e) of the Notice pertaining to Recruitment to the post of Inspectors of Central Excise, Income-tax etc., 1993, clearly states, inter-alia, that they(departmental candidates) are working in posts which are in the same line or allied cadre and where a relationship could be established that the service rendered in the department will be useful for efficient discharge of duties of posts to which the recruitment is being made by this examination. This implies very clearly that in order to examine the nexus principle, the current duties being performed by the incumbent candidate are of immense value for scrutiny to establish a link between the two posts. Hence, to facilitate scrutiny of cases and to enable the Staff Selection Commission to decide the eligibility of candidates, departmental candidates applying under sub-para 4(e) of the Notice of Recruitment of Inspectors of Central Excise, Income-tax etc., 1995, were directed to submit alongwith their applications, a list of duties performed by them in the present post duly certified by their offices. The fact that such candidates of 1993 Recruitment were not asked to submit their list of duties does not mean that the question of satisfaction of nexus principle by the Departmental candidates of 1993 Recruitment was not required to be proved by such candidates.

Contd.....

10. That with regard to the contents made in paragraph 13 of the application, I beg to state that the commission are obliged to call for details/justification in case occasion so demands to verify the relationship between the post held by the candidate and the post of inspector for which he aspires to secure for the purpose of scrutiny of the candidature. As under the normal age i.e. 18-25 the candidate has become overaged and thus intellible but likely to be extended benefit of age relaxation which is, in every reason, an exceptional case. So, the fulfillment of nexus between two posts "..... which are in the same line of allied cadre and where a relationship could be established that the service rendered in the Department will be useful for efficient discharge of duties of the posts of Inspector"(Para 4(e) of the aforesaid notice) assure vital importance before offering the final nomination for the post.

Besides, the applicant's contention that the Commission have no right to call for the duties being performed by the Departmental candidate in the alleged absence of guidelines is not at all tenable. It is stated that the commission have been given the discretion to exercise through scrutiny of the application as the commission possess clear authority to examine as to whether benefit claimed is actually available to him under the given circumstances. On the other hand the applicant's contention that the list of duties furnished by him is final and conclusive is quite arbitrary and not tenable under the guiding principles of establishment of nexus.

As regard the question of guidelines it may be stated that the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi in an recently concluded case No. O.A. 456 of 1995 has recognised the Commission's decision about determining the nexus in the individual cases.

As regards the applicant's contention that once allowed to appear at the examination the Commission have no right to undertake any scrutiny has not been accepted by the Hon'ble Tribunal, Principal Bench, New Delhi vide the above cited O.A.No.456 of 1995. As regards the applicant's contention that inexperienced departmental candidates are entitled to admission to recruitment tests if they are within prescribed age limit carry no meaning. Because, these are treated overaged by normal candidates only who are already overaged by normal standard but to award them special chance to appear in the tests as Govt. have provided scope for age relaxation subject to fulfilment of nexus principle.

Last but not least, para 19 of the notice unequivocally states that mere passing in the examination does not automatically entitiled one to employment. The para 19 reads - "Success in the Examination confers no right to appointment unless Govt. are satisfied after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the posts." The ground stated in paragraph A to H has also been more or less similarly advanced before the Madras Bench of this Tribunal and have been quashed in OA No. 1075, 1076, 1099, 1120 & 1124 of 1995 and has observed as under.

"After hearing both sides, we note that the Staff Selection Commission had been vested with the authority to take a view on the nexus principle. This has been done by the Chairman vide his note dated 23.5.1995. We have gone through the note and we find that he has dealt with the issue in an exhaustive way. These guidelines restricted consideration only to those who are working within the Income Tax, Customs and Central

Excise.....

Excise Department and were communicated on 24.5.95 to various Regional Directors. Wisdom of the legislative police is not open to judicial review unless it is established that it trenches upon any of the fundamental rights (A.L.Kalra Vs THE PROJECT AND EQUIPMENT CORPORATION OF INDIA LTD. - AIR 1984 SC 1364). In the case before us we have not been shown any violation of the fundamental rights".

A copy of the guidelines is annexed herewith and marked as Annexure R-2.

"Apart from this, we are aware that even successful candidates do not acquire an indefeasible right to be appointed. The Constitution Bench of the Supreme Court in SHANKARAN DASH Vs UNIONOF INDIA (1991 SEC(L&S)800) has observed as under -

"It is not correct to say that if a number of vacancies are notified for appointment and adequate number of candidates are found fit the successful candidates acquired an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the state is under no legal duty to fill up all of any of the vacancies. However, it does not mean that the state has the licences of acting of in an arbitrary manner."

Contd....

"Evolving the guidelines cannot be held to be arbitrary"

"In the above circumstances, the OAs are dismissed. No costs".

11. That with regard to the contents made in paragraph 14, I beg to state that as contended by the applicant in para 8 that vide letter dated 20.9.1994 he was given clear instruction in regard to attending personality test/interview at Guwahati. In the said letter he was instructed to travel at his own cost and no travelling or other expenses is admissible to him. Hence there is no question of either any compensation, relief or any costs as the candidate has no ground to agitate.

12. That with regard to the contents made in paragraph 15.1 of the application, I beg to state that I have nothing to comment.

13. That with regard to the contents made in paragraph 15.2, 15.3 and 15.4, I beg to state that these are prayers before this Hon'ble Tribunal and are liable to be dismissed as was done by the Madras Bench of this Hon'ble Tribunal in OA No. 1075, 1076, 1099, 1220 and 1124 of 1995. Copy of the judgements are annexed.

14. That with regard to the contents made in paragraphs 16 and 17 of the application, I beg to state that I have nothing to comment being matters of records.

Condd.....

15. That the present application is barred by law of limitation and there being no any sufficient cause to condone the delay, the application is liable to be dismissed summarily.

16. That the present application is ill-conceived of law and mis-conceived of facts.

17. That the present application is without any merit and hence liable to be dismissed.

18. That the judicial pronouncement of the country also speak against the applicant's case.

19. That the Respondents crave leave of filing additional written statement if this Hon'ble Tribunal so directs.

20. That this written statement is filed bonafied and in the interest of justice.

VERIFICATION.....

VERIFICATION:

I, Shri M. Borgohain, Regional Director,
Staff Selection Commission, NER, Rukmini Nagar, Guwahati
do hereby solemnly affirm and declare that the contents
made in paragraph 1 of this Written Statement are true
to my knowledge and those made from paragraph 2 to 14
are derived from records which I believe to be true and
rest are humble submissions before this Hon'ble Tribunal.

AND I sign this Verification on this 11th day
of February, 1997 at Guwahati.


(মুকুল বৰগোহাই)
(M. Borgohain)
দেশীয় নিদেশক,
D E Regional Director,
কর্মচারী চ্যৱন বৰ্গ
Staff Selection Commission (NER)
ভাৰত সরকাৰ
Govt. of India,
গুৱাহাটী-6
GUWAHATI-6

No. 15034/3/87-Estt(D)
 Government of India
 Ministry of Personnel, P.G. & Pensions
 (Department of Personnel & Training)

New Delhi, The 7.10.1987.

OFFICE MEMORANDUM

Subject : - Relaxation of upper age limit for departmental candidates for appointment to Group 'C' and 'D' posts.

The undersigned is directed to say that as per this Deptt.'s OM No. 4/4/74-Estt(D), dated 20th July, 1976, read with the OM No. 35014/4/79-Estt(D), dated 24th ~~XXIX~~ October, 1985, age relaxation upto 35 years is available for the departmental candidates in direct recruitment to Group 'C' and 'D' posts/ services. The age relaxation is admissible to all those departmental Candidates who have rendered at least 3 years' continuous service and who are working in posts which are in the same line or allied cadres and where a relationship could be established that the service already rendered in a particular post will be useful for the efficient discharge of the duties of the posts recruitment to which has been advertised. The question of determining the same line or allied cadres has been left to be decided by the administrative Ministries/Departments in such cases.

2. The Staff Selection Commission makes recruitment to all Group 'C' non-technical posts. With a view to reducing delays in processing of applications submitted by departmental candidates with reference to advertisements issued by SSC, it has been decided that it will be entirely within the discretion of the Staff Selection Commission to take a view whether the nexus principle is satisfied or not in individual cases.*the Commission may consult the organisations in which the posts in question are located.

3. All the Ministries/Departments are requested to bring this decision to the notice of all the attached/Subordinate Offices under their administrative control for their guidance.

SD Sd/-

(K.S.R. KRISHNA RAO)
 DEPUTY SECRETARY TO THE GOVT. OF INDIA
 Tele. No. 301 31 80.

To,

All the Ministries and Departments of the Govt. Of India.

.....2/-

M. Burgoahani
 Director (SER)
 Ministry of Personnel, P.G. & Pensions
 (Department of Personnel & Training)

Whenever the duties of the post concerned are not clear

-12:-

Copy to:-

1. Computer and Auditor General of India.
2. Secretary, Union Public Service Commission.
3. All Attached/Subordinate Offices under the Department of Personnel & Training.
4. Rajya Sabha Sectt.
5. Lok Sabha Sectt.
6. Ministry of Law, Justice, and Company Affairs (Legislative Department), New Delhi.
7. All Union Territory Administrations.
8. All Sections in the Ministry of Personnel, Public Grievances and Pensions.

Sd/-

(K.S.R. KRISHNA RAO)
DEPUTY SECRETARY TO THE GOVT. OF INDIA
Tele. No. 301 31 80

(Signature)
Deputy Director
Special Cell, Legal Counselor (LCC)
GOVT. OF INDIA

*** * * * *

8-2

No. 1/31/94-P&P

-13-

59

Government of India
Staff Selection Commission
Department of Personnel &
Training.
Ministry of Personnel,
Public Grievance & Pensions.
Kendriya Karyalaya Parivar,
Lodi Road, New Delhi-110003.

Dated : 24th May, 1995.

To

The Regional Director,
Staff Selection Commission
New Delhi/Calcutta/Bombay/
Madras/Allahabad/Guwahati and
Deputy Director,
Raipur/Bangalore.

Subject : Recruitment to the posts of Inspectors of Central
Excise, Income-Tax, etc. - Guidelines regarding
nexus criteria for identifying departmental
candidates eligible for age relaxation.

.....

Sir,

With reference to the subject cited above, I am
directed to forward herewith a copy of Chairman's note dated
23.5.95 containing detailed guidelines regarding nexus criteria
for age relaxation to departmental candidates of the Recruitment
under reference. All pending cases and cases that may crop
up in future examinations may kindly be decided accordingly.

2. If in a particular case the Regional Director/Dy.
Director is of the view that the posts in which a departmental
candidate is working is akin, or allied to the post in any
of the Revenue departments/Enforcement Directorate, the case
may be referred to the Chairman for a decision with detailed
justification showing the nexus and that the experience in
the present post would be useful for discharging the
responsibility in the post, for which the departmental
candidate has applied.

Yours faithfully,

sd/-

(B. D. RAY)
UNDER SECRETARY (P&P).

J.
(M. Borgohain)
Regional Director
Staff Selection Commission (KSP)
GUWAHATI

I have carefully considered the issue involved, namely laying down the principles, for identifying the departmental candidates, who have rendered not less than three years continuous and regular service, "working in posts which are in the same line or allied cadres" and where a relationship could be established that the services rendered in the department would be useful for the efficient discharge of duties of the posts, for which recruitment is being made by the recruitment examination titled "Inspectors of Central Excise and Income-Tax etc. Examination".

2. I have perused the objects (as disclosed in the preamble) of the Income-tax Act 1962, as amended, the Customs Act, 1962, as amended and the Central Excises and Salt Act, 1944 as amended and the Foreign Exchange Regulation Act, 1973 as amended, as these enactments are enforced by the Income-Tax, Customs and Central Excise Departments and Directorate of Enforcement (FERA), respectively.

3. A plain reading of the words used in the notice would show that two basic conditions have to be met:

- (A) The applicant seeking age ~~maximum~~ relaxation must have put in 3 years continuous and regular Government service;
- (B) The applicant must be working in a post which is in the same line or in an allied cadre and a relationship has to be established showing nexus between the post in which the applicant is working and the post for which he has applied.

4. Broadly, the posts for which this recruitment examination is being held could be divided into two categories, namely posts carrying pay scale of Rs. 14 1640-Rs 2900 and posts carrying a pay scale of Rs.1400-Rs 2300. Again, these posts could also be divided into three categories with reference to the nature of duties entrusted to each of the Departments for which recruitment is made, namely,

- (a) Revenue Departments of the Central Government entrusted with levy and collection of direct and indirect taxes;
- (b) A department of the Central Government engaged in enforcing certain provisions of the Foreign Exchange Regulation Act and discharging the powers vested under the Act relating to search, seizure, investigation, prosecution etc. and
- (c) Subordinate services of the Delhi Administration, which may involve levy of taxes which the States are empowered to do under the Constitution of India and other functions discharged by the State Government under different Legislative enactments.

M. Dargan
Regional Director
Staff Selection Commission (H.P.R.)
Gujarat

Contd... P/50.

5. Generally speaking, those posts could be considered as being in line with the posts in the departments of the Central Government levying taxes, if such posts are meant for discharge of functions relating to levy and collection of taxes, which are identical, or similar to the taxes levied and collected by the departments of the Central Government.

6. It would appear there are no departments in the Central Government which levy and collect taxes other than Income-Tax, Customs and Central Excise Departments. As such, no posts in any departments of the Central Government other than the above mentioned Revenue Departments could be considered, as being in line, or being allied to the posts in these Revenue Departments.

7. Again, the second condition to be met is the nexus between the posts. Income-tax Department deals with the levy and collection of tax on income, whether of individuals, or body of individuals, or corporate entities, besides tax on gifts, sale proceeds in the nature of capital gains etc. These levies are broadly described as direct taxes, inasmuch as the burden of the tax could not be shifted to another, by the assessee.

8. Levies under the Customs Act, 1962 as amended and the Central Excise and Salt Act, 1944, as amended are on goods imported/exported, or manufactured in India and are in the nature of indirect taxes, inasmuch as the tax burden could be shifted by the assessee to another, with whom he is establishing commercial relationship, with reference to the goods on which tax has been levied. (with certain exceptions like personal consumption, free distribution of samples etc.)

9. As between the posts in the Central Excise and Customs Departments, there is undoubtedly a nexus, besides the posts being akin or allied in nature, inasmuch as these duties are levied on goods and the tariff classification under both the enactments are aligned to each other. Besides, Customs levies (a portion) are given credit by the Central Excise Department, when imported goods, which have been subjected to such levies, are used in the manufacture of exciseable goods. Again, exciseable goods which are exported, are allowed to be cleared by the Customs Department on the basis of a certification by the officials of the Central Excise Department. A refund of excise duty is given by the Excise Department, on goods which are exported on the basis of certification by the Customs Department. Moreover, the powers under the Customs Act are exercised in interior parts of the country by the officials of the Central Excise Department. The officers of the Central Excise Department are sent on deputation to various international customs airports; officers of the customs department on promotion to Group 'A' are also posted

72
(M. Borgohain)
Regional Director
Staff Selection Commission (N.T.R.)
GUWAHATI

Contd....P/51.

in the Central Excise Department and vice versa. As such, it could be held that there is a nexus between the posts in both the departments.

10. With reference to the posts in the Income-tax Department though the nature of the levy is different, nevertheless, there is close coordination between the Customs and Central Excise Departments on the one hand and the Income-tax Department on the other, as income generated by an assessee of the Central Excise and Customs Departments in the course of business, is subjected to appropriate tax by the Income-tax Department. Officials of the I.T. department refer to the documentation maintained by assessees of the Customs and Central Excise Department, while assessing liability for Income-tax. Again, when there is a case of evasion of excise or customs duty, the officers of these departments refer to the returns submitted by the assessee to the Income-tax department, to verify whether disclosure of the exciseable goods manufactured or the goods imported, tally with the turn over disclosed, to the Income-tax department. In this view of the matter, it could be held that the posts in the Income-tax department and Customs and Central Excise departments are allied to each other and there is a nexus between these posts and that a candidate who had worked in Income-tax department could use his experience, while functioning in the Customs department or the Central Excise department and vice versa.

11. However, posts under the Directorate of Enforcement (FEA) are of a different nature, carrying different responsibilities. Enforcement Directorate is a regulatory and enforcement body, created to ensure strict compliance of certain provisions of the FERA and to initiate appropriate departmental/prosecution action, for contravention of certain provisions of the FERA. These functions are more in the nature of police functions, requiring search, seizure and investigation in the form of recording statements and summoning witnesses to produce documents in their custody etc. These functions have no relationship to the functions in the Revenue Departments, which are tuned to the task of levy and collection of duties either on income, or on goods. As such, it has to be held that the applicants who are working in the Directorate of Enforcement do not possess experience, which could be of use to them, while functioning in the Revenue Departments. Similarly, applicants working in the Revenue Departments would not possess experience, which would be useful for the Enforcement Directorate. As such, it has to be held that the candidates working in the Enforcement Directorate would not enjoy the benefit of age relaxation for the posts in the Revenue Department and similarly candidates working in the Revenue Department would not be eligible for age concession, for posts in the Enforcement Directorate.

✓
(M. Borgohain)
Regional Director
State Selection Commission
GUWAHATI

Contd... P/52.

Il fait certainement que ces deux derniers sont assez bons. Il faut que ce soit bien et que ce soit quelque chose que l'on peut faire.

12. In respect of Delhi Administration Subordinate Service, it is obvious that the notice of the examination which speaks of relaxation of upper age limit to departmental candidates, refers only to the candidates, who are already working in Central Government departments and not in the departments of any State Government. Consequently, the candidates working in the Central Government departments could not claim age relaxation in respect of posts under the Delhi Administration and conversely, candidates working in the Delhi Administration are not eligible to claim age concession, while applying for posts either in the Revenue Departments or in the Directorate of Enforcement.

13. Summing up, age relaxation in respect of departmental candidates who have rendered 3 years continuous and regular service, has to be scrutinised and determined on the following principles:

- (a) Candidates fulfilling the condition relating to continuous and regular service, working in income-tax Customs and Central Excise departments may be considered as eligible for age relaxation in respect of posts in any of these Departments, but not in respect of posts in the Directorate of Enforcement or in the Delhi Administration.
- (b) Candidates working in the Directorate of Enforcement at lower levels who fulfil the condition of continuous service, are eligible only for posts of Asstt. Enforcement Officer and not for the posts in the Revenue departments, or in the Delhi Administration.
- (c) Candidates working in the Delhi Administration are not eligible for age relaxation in respect of posts in the Revenue Departments of the Central Government or in the Directorate of Enforcement, which is a Department of the Central Government. However, candidates working in the Delhi Administration could be considered for age relaxation for the posts in Grade II of the Delhi Administration Subordinate Service.

Pending cases may be decided in the light of these principles.

These principles in the nature of guidelines may be communicated to all Regional Director/Deputy Directors to decide all pending cases and cases that may crop up in future examinations.

A copy of the guidelines may also be sent to RD MR for being shown to the Principal Bench, CAT through Government Counsel, in case the Hon'ble Bench desire to peruse the guidelines.

CF.
(M. Borkhiani
Principal Director
Guwahati
Staff Selection Commission
Guwahati)

Contd... P/53.

Regional Directors may also be intimated that if in a particular case they are of the view that the posts in which a departmental candidate is working is akin, or allied to the post in any of the Revenue departments/ Enforcement Directorate, they may refer the case to the Chairman for a decision with detailed justification showing the nexus and that the experience in the present post would be useful for discharging the responsibility in the post for which the departmental candidate has applied.

Sd/-

(B. SANKARAN)
Chairman,
23-5-1995.

(Mr. Borgohain)
Regional Director
Staff Selection Commission
Guwahati

CENTRAL ADMINISTRATIVE TRIBUNAL

MADRAS BENCH

Friday the 5th day of September 1996

P R E S E N T

THE HON'BLE MR. P.T. THIRUVENGADAM, ADMINISTRATIVE MEMBER

AND

THE HON'BLE MR. P. SURIYAPRAKASAM, JUDICIAL MEMBER

ORIGINAL APPLICATION NOS. 1075, 1076, 1099, 1120

AND 1124 OF 1995

1. R. Manavalagan

.. Applicant in
O.A.1075/95

2. R. Dhanaraj

.. Applicant in
O.A.1076/95

3. P. Imaj Kumar

.. Applicant in
O.A.1099/95

4. A. Kalimuthu

.. Applicant in
O.A.1120/95

5. K.S. Ramesh

.. Applicant in
O.A.1124/95

Vs.

1. Union of India rep. by
Deputy Director,
Department of Personnel and
Training,
Staff Selection Commission,
Southern Region,
EVK Sampath Building, IIInd Floor,
College road, Madras-600 006

.. Respondent No.1
in OAs 1075, 1076,
1099, 1120/95

- 2 -

2. Union of India rep. by
The Regional Director,
Staff Selection Commission
Southern Region,
Madras.

.. Respondent in
O.A.1124/95

3. The Director,
Postal Accounts,
Tamil Nadu Circle,
No.4, C-In-C. Road,
Madras-600 105.

.. Respondent No.2
in O.A.1075,
1076, 1099 /95

4. The Accountant General
(Audit)-II,
44, Greams Road,
Madras-600 006.

.. Respondent No.2
in O.A.1120/95

Mr. R. Malaichamy

.. Counsel for
the applicants
in O.A.1075, 1076
1099, 1120/95

M.S. Ramesh

.. Party-in-person
(in O.A.1124/95)

Mr. M. Veluswami

.. Counsel for
the respondents
in all the OAs

ORDER

(Pronounced by The Hon'ble Mr. P.T. Thiruvengadam,
Administrative Member)

These OAs have been combined since the
issues raised are similar and the reliefs claimed are
similar.

MR. BORGOHAIN
(M. Borgohain)
Regional Director
Staff Selection Commission (NER)
GUWAHATI

2. Respondent No.1 had issued a notice with regard to the post of Inspectors of Central Excise, Income Tax etc. 1994. It is indicated that the Competitive Examination for recruitment to the categories of posts mentioned would be held on 27.11.1994. Age limit prescribed was 18 to 25 years as on 1.8.1994 with the concession as specified for Special Groups/Reserved categories. The applicants have applied for the above posts and had sought relaxation of upper age limit provided under Paragraph 4(e) of the advertisement, which reads as follows:

"(e) Upper age limit is relaxable upto the age of 40 years (45 years for Scheduled Caste/Scheduled Tribe candidates) to the departmental candidates who have rendered not less than 3 years continuous and regular service as on 01.08.1994 provided they are working in posts which are in the same line or allied cadres

- 4 -

and where a relationship could be established that the service rendered in the department will be useful for the efficient discharge of duties of posts for which the recruitment is being made by this examination in terms of DP&AR's O.M.No.4/4/74-Estt(D) dated 20.7.76 & DP&T's O.M.No.35014/4/79-Estt(D) dated 24.10.1985. O.M.No.15024/3/87-Estt(D) dated 7.10.1987 and O.M. No.15012/1/88-Estt(D) dated 20.5.1988.

All Group 'C' non-technical employees with three years continuous and regular service (in any Central Government Office or Union Territory) as on 01.08.1994 fulfilling the nexus will be eligible to be considered as departmental employees for grant of age relaxation under the sub-para."

3. The applicants in O.A.1075, 1076 and 1099 of 1995 are working as Senior Accountants in the Postal Accounts. The applicant in O.A.1120 of 1995 is working as Senior Auditor in the office of the Accountant General and the applicant in O.A. 1124 of 1995 is working as L.D.C. in the office of

- 5 -

the Accountant General. The applicants were allowed to appear in the written examination but they were denied entry into the next stage of interview. All the applicants have been served similarly worded Memoranda dated 31.8.1995/6.9.1995.

One such Memorandum reads as under:

"MEMORANDUM

Sub: Recruitment to the post of Inspectors of Central Excise, Income Tax etc. 1994- Cancellation of candidates - Reg.

With reference to his/her candidature for the above recruitment Shri/Smt./Kum. Manavalagan Roll No.6716562 is hereby informed that he/she was initially admitted and declared qualified in the Written Part of the above examination pending determination of his/her eligibility regarding grant of age relaxation as a departmental candidate. However on detailed scrutiny of his/her application for the above said recruitment it is found that he/she is ineligible for grant of age relaxation as he/she does not satisfy the nexus criteria as required under para 4(e) of the Commission's Notice to the said

(M. Borgohain)
Regional Director
Staff Selection Commission (N.E.)
GUWAHATI

24

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recruitment. Hence his/her candidature to the above mentioned recruitment is hereby cancelled forthwith. No further correspondence will be entertained in this regard."

On receipt of the above communication, the applicants approached this Tribunal and as per interim direction, the respondents were directed to allow the applicants for interview by issuing Call Letters but the results of the interview were to be kept in a sealed cover and were to abide by ~~some~~ further orders of the Tribunal.

4. Mr. R. Malaichamy appeared for applicants in O.A.1075, 1076, 1099 and 1120 of 1995. The applicant in O.A.1124 of 1995 appeared as party in person and argued his case.

5. The learned counsel for the applicants in the four OAs mentioned above advanced the following arguments:

(M. Borgohain)
Regional Director
Staff Selection Commission (N.E.R.)
GUWAHATI

88

(a) Ministry of Personnel had issued a Office

Memorandum dated 24.10.1985 (copy of which is

at P.37 in O.A.1075/95). The contents of the

Memorandum are as under:

"OFFICE MEMORANDUM"

Sub: Relaxation of upper age limit for
departmental candidates for appointment to Group A and B posts in
their own Department.

The undersigned is directed to say
that as per this Deptt.'s OM No.F.4/4/74-
Eatt(D) dated 20th July, 1976 (copy enclosed),
the age relaxation upto 35 years in favour
of departmental candidates for direct recruit-
ment in Groups C and D posts/services will
be available for the posts under the control
of the same Ministry/Department.

2. On a review of the above mentioned
instructions, it is observed that the require-
ment of there being a nexus between the
duties of the post to which recruitment is
being made and those of the post held by the
departmental candidate for availing of the
age concession, is met even if the earlier
service was under some other Ministry/Depart-
ment as the duties of common posts, e.g.
Clerk, are the same, by and large, in all the
Ministries/Departments. This restriction of

(M. Borgohain)
Regional Director
Staff Selection Commission (N.L.C.)
GUWAHATI

69

consideration of the departmental candidates to the vacancies under the same Ministry/Department seems to be un-necessary. Accordingly, it has been decided that the words "and the age relaxation will be available for the posts under the control of the same Ministry/Department" appearing in the last sentence of para 2 of this Department's OM dated 20th July, 1976 shall be omitted.

3. All other conditions for eligibility to avail of the age concession stipulated in the above mentioned OM will continue to be applicable. The specific provisions relating to age relaxation already existing in the recruitment rules for different services will continue to be operative.

4. Ministries/Departments are requested to bring the above decision to the notice of all the Attached/Subordinate Offices under their control for their guidance.

6. It is admitted that age relaxation upto 35 years since been further relaxed to 40 years.

7. It is argued that paragraph 4(e) of the relevant advertisement is based on the O.M. dated

G. J. Borgohain
Regional Director
Staff Selection Commission (N.L.)
GUWAHATI

87 90

dated 24.10.1985. Hence the impugned letters of
31.8.1995/6.9.1995 on the ground of lack of nexus
are to be quashed.

(b) There are instances where employees similar to the applicants had been subjected to recruitment process for inspectors ^{and} have been selected.

(c) The respondents have relied on certain guidelines issued by the Chairman, Staff Selection Commission to various Regional Directors, conveyed vide

his letter dated 24.5.1995 (copy of which is at page 29 in O.A.1075/95). These guidelines bring out that only those working in Income Tax, Customs and Central Excise Department may be considered as eligible for age relaxation in respect of posts in any of these Departments. It has been held that employees of other Departments will not be fulfilling the nexus criteria. It is contested that these

guidelines cannot be applied retrospectively to the Notification issued in the year 1994.

8. The applicant in O.A.1124 of 1995

who appeared in person more or less advanced the same grounds.

9. The learned counsel for the respondents argued that the Staff Selection Commission had been conferred discretion to take a view regarding the nexus principle. Ministry of Personnel in its O.M. dated 7.10.1987 have stated in paragraph 2 as under:

"The Staff Selection Commission makes recruitment to all Group 'C' non-technical posts. With a view to reducing delays in processing of applications submitted by departmental candidates with reference to advertisements issued by SSC, it has been decided that it will be entirely within the discretion of the Staff Selection Commission to take a view whether the nexus principle is satisfied or not in

individual cases. Whenever the duties of the posts concerned are not clear, the Commission may consult the organisation in which the posts in question are located."

10. Further the Chairman of the Staff Selection Commission had dealt with the matter exhaustively in his note dated 23.5.1995 and the guidelines evolved by him have been communicated in Staff Selection Commission letter dated 24.5.1995 addressed to various Regional Directors.

11. As regards precedents, relating to earlier examination, these could have occurred prior to the adoption of the new guidelines.

12. On the aspects of the guidelines being adopted retrospectively, it was argued that the impugned letters of rejection were issued only on 31.8.1995/6.9.1995. Instructions of Chairman,

Staff Selection Commission ^{were} conveyed on 24.5.1995 and at this stage it was directed that all pending cases and cases that may crop up in future examinations are to be decided as per the guidelines. As brought out in the letters themselves, the applicants were initially admitted and declared qualified in the written part of the examination pending determination of the eligibility regarding grant of age relaxation as departmental candidates. Thus, the matter was pending further consideration, the revised guidelines were received in May 1995.

13. After hearing both sides, we note that the Staff Selection Commission had been vested with the authority to take a view on the nexus principle. This has been done by the Chairman vide his note dated 23.5.1995. We have gone though the note and we find that he has dealt with the issue in an exhaustive

261 (74)

- 13 -

way. These guidelines restricted consideration only to those who are working within the Income Tax, Customs and Central Excise Departments and were communicated on 24.5.1995 to various Regional Directors. Wisdom of the legislative policy is not open to judicial review unless it is established that it trenches upon any of the fundamental rights

(A.L. KALRA VS. THE PROJECT AND EQUIPMENT CORPORATION

OF INDIA LTD. - AIR 1984 SC 1364). In the case

before us we have not been shown any violation of the fundamental rights.

14. As regards precedents of selecting

similar candidates in the past, we note from the reply of the respondents that it is possible that this could have happened prior to the issue of the

guidelines in May 1995. We also note from the orders passed from the Principal Bench of this Tribunal

(M. Borgohain)
Regional Director
Staff Selection Commission (NER)
GUWAHATI

on 16.4.1996 in O.A.2102 of 1994 that the contents of the notices of examination in the previous years may have been different. For example in the notice of examination for 1992, the categories of Assistant and Grade 'C' Stenographers were specifically included as persons eligible for upper age relaxation. In these circumstances the ground regarding precedents cannot be sustained.

15. On the aspect of guidelines of

May 1995 being applied to Notification issued

in the year 1994, the respondents have convincingly explained the background. Apart from this,

are aware we have observed that even successful candidates

do not acquire an indefeasible right to be

appointed. The Constitution Bench of the Supreme

Court in SHANKARSAN DASH Vs. UNION OF INDIA

(1991 SCC (L&S) 800) has observed as under:

26
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"It is not correct to say that if a number of vacancies are notified for appointment and adequate number of candidates are found fit, the successful candidates acquire an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal duty to fill up all or any of the vacancies. However, it does not mean that the State has the licence of acting in an arbitrary manner."

16.

While the above is the position even with regard to the successful candidates, we do not see how the applicants before us can claim that because of ^{a few} ~~numerous~~ past cases they should also be considered. Evolving the guidelines cannot be held to be arbitrary.

17.

In the above circumstances, the OAs are dismissed. No costs.



(M. Borgohain)
Regional Director
Staff Selection Commission (NEB),
GUWAHATI

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A.No.456 of 1996

New Delhi, this the 12th day of January, 1996.

HON'BLE MRS LAKSHMI SWAMINATHAN, MEMBER(J)

HON'BLE MR R.K.AHOGJA, MEMBER(A)

1. Anil Kumar (144/Vig) son of Shri Tika Ram Sharma, R/O Vill. & P.O. Nangla Ugrasain, Distt. Bulandshhar(UP), presently working as Constable in Delhi Police.
2. Jitendra Singh(982/SW) son of Shri Bir Pal Singh, R/O Vill. Nathugarhi, P.O.Gulavti Distt. Bulandshahar(UP), presently working as Constable in Delhi Police.

.... Applicants.

(through Mr. Shyam Babu, Advocate).

VS

1. Staff Selection Commission through its Secretary, CGO Complex, Lodhi Road, New Delhi.
2. Union of India through the Secretary, Ministry of Home Affairs, North Block, New Delhi.

.... Respondents.

(through Mr. E.X.Joseph, Advocate).

ORDER

Smt. Lakshmi Swaminathan, Member(J)

This application has been filed by two applicants under Section 19 of the Administrative Tribunals Act. 1985. They are aggrieved by the verbal order passed by the Staff Selection Commission(SSC) Respondent No.1 dated 19-01-1994, declaring that the applicants are not entitled to appear for the interview for recruitment of Inspector.

of Central Excise and Income Tax etc. examination, 1993, in pursuance of the letter dated 19.9.1994 (Annexure-C).

2. The brief facts of the case are that the applicants are regularly working as Police Constables with Delhi Police from 1.10.1985 and 1.8.1985, respectively. The Post of constable in Delhi Police is Grade 'C' post (non-technical). Respondent No.1 i.e., SCC had advertised for holding examination for recruitment to the post of Inspectors of Central Excise & Income Tax etc., 1993 (Annexure B/R-1). The applicants had applied for the above post and had sought relaxation of upper age limit provided in para 4(b) of the advertisement, which reads as follows :-

"4(b) Upper age limit is relaxable upto the age of 40 years (45 years for scheduled caste/scheduled Tribe candidates) to the departmental candidates who have rendered not less than 3 years continuous and regular service as on 9.8.1993. Provided they are working in posts which are in the same line or allied cadres and where a relationship could be established that the service rendered in the department will be useful for the sufficient discharge of duties of posts for which the recruitment is being made by this examination.

..... (emphasis added).

3. According to the applicants, since they are working as Police Constables in Delhi Police, they are working in the same line and allied cadres and the relationship between the two posts are fully established and they are entitled to age relaxation, as provided in para 4(e)

contd 3/-

(M. Borkotaria)
Rajiv Borkotaria
Self-Esteemed Corporation (S.E.C.)
Gurugram

4. Shri Shyam Babu, learned counsel for the applicants submits that both the applicants were allowed to appear in the written examination conducted by respondent No.1 and they qualified the same. On the basis of their qualifying the test they were issued the interview letters dated 19.9.94 to appear for the personality test/interview on 19.10.94. There is no dispute that the applicants have rendered more than 3 years continuous and regular service with the Delhi Police as constables on the cut off date, i.e. 9.6.1993 and the applicants were beyond the age of 25 years prescribed in the advertisement.

5. The main arguments of Shri Shyam Babu, learned counsel for the applicants are :

a) It has been a common practice to send Delhi Police Personnels on deputation to Central Excise Deptts. Etc. He, therefore, claims that there is sufficient relationship between the service rendered by the Constables in the Delhi Police and in the Department of Central Excise to come within the provisions of para 4(e) to allow the applicants the relaxation in upper age limit. He has raised on the office order dated 2.6.95 and 25.1.95 regarding deputation of Police Constables to Excise Department, which are placed on record.

b) The second ground taken by the applicants' counsel is that the respondents are estopped from denying applicant permission to appear before the interview board as they had already

contd 4/-

(M. Borgohain)
Regional Director
Staff Selection Commission (NER)
GUWAHATI

qualified of the examination. According to him, the applicants fulfilled all the conditions, which were required to be complied with by the interview letter and the action of respondent No.1 to reject their candidature is illegal. The applicants then made a representation to respondent No.1, which was not responded to. The applicants also rely on the circulars issued to them (Annexure 2) by which their application were forwarded Pages 43 and 44 by the Delhi Police.

6. The respondents have filed their reply resisting the claims of the applicants. A rejoinder has also been filed by the applicants, in which they have more or less reiterated their grounds taken in the application claiming that they are entitled for the age relaxation as provided in para 4(e) above.

7. Shri L.X.Joseph, learned counsel for the respondents submits that since both applicants were working as constables in the Delhi Police and performed different types of duties they did not satisfy the conditions of nexus criteria, as provided in para 4(e) of the Notice for Recruitment of Inspector of Income Tax, Central Excise etc. 1993. He submits that in terms of DO P&T O.Ms dated 24.10.85 (R-3) and 7.10.87(R-4), the SSC can examine the case to take a decision whether the nexus principle is satisfied or not in individual cases. According to him, para 4(e) of the advertisement / notice makes it clear that only departmental candidates who have rendered not less than three years continuous and regular service

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M. Borgohain
Director
Regional Commission
for
Staff Selection Committee

as on 9.8.1993 and working in posts, which are in the same line or allied cadres and where relationship is ~~established~~, that the service rendered in the department will be useful for efficient discharge of duties of posts to which recruitment was to be made and eligible * have the upper age limit raised upto the age of 40 years. It has also drawn attention to the duties of constables (Executive) in Delhi Police and duties of Inspector Central Excise (R-5 and R-6). He submit that the duties detailed in these Annexure clearly show that the nature of work , duties etc of Police Constables and these to be performed by Inspector Central Excise are entirely different and therefore, there no relationship or nexus between the two posts. Hence he submits that the applicants are not entitled to any relief of age relaxation as claimed. He also relies on the judgements of this Tribunal in OA No.780/93 (Calcutta Bench) (Biswanath Baidya Vs Union of India & ors) dated 28.9.1994 and O.A 1219/93 (Madras Bench) (Union of India and another Vs. M/S Paul & Paul etc dated 25.1.1994 (copies placed on record).

8. His next submission is that having regard to the Provision of para 23 of the advertisement/ notice, there is no bar to the Commission verifying the eligibility of the applicants even through they might have been provisionally allowed to appear in the examination earlier. He relies on the judgement in (1990) 14 ATC 766 (Distt. Collector and Chairman etc. etc. Vs M. Tripur Anundurdevi).

* candidates

J
(M. Borgohain)
Regional Director
Staff Selection Commission (NER)
GUWAHATI

85
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In this case, he has also submitted the original official records files No. 1238968 and 1238554 showing the application of mind by respondent no.1 that there is no nexus between the two posts.

9. Shri Joseph further submits that the competent authority to decide the matter is respondent No.1 and unless it is arbitrary unreasonable or illegal, the Court should not set aside the decision. He relies on the following two judgments;

(i) 1991(30)SSC295 Director, Lift Irrigation corporation Ltd. & Ors Vs Pravat Kizao & others.

(ii) 1991(30) SSC 91 .

C. B. Mahajan & Ors Vs. Jalgaon Municipal Council & Ors.

10. With regard to the Question of the police Constables going on deputation of the Excise Department, the learned Counsel for the respondents submits that the orders relied upon by the applicants itself shows that the police Constables were ~~INSS&KK~~ deputed to the Excise Department as Police Constables and not as inspectors of the Excise Department.

11. We have carefully Considered the arguments of both the learned counsel and the pleadings on record.

12. The main issue raised in this case is whether the applicants are entitled to age relaxation in terms of para 4(e) of the advertisement, which has been reproduced in para 2 above from a ~~NEECK~~ persusal of this paragraph it becomes clear that the persons who are seeking the age relaxation by virtue of being departmental candidates should have been working in post which are " in this same line or allied cadres and where relationship could be established that the service rendered in the department will be useful for efficient discharge of duties of posts for which the recruitment is being made by the said examination." Normally, the age limit for examination was 18-25 years as on 1.8.1993. However, this age limit has been relaxed in case of departmental candidates considering the earlier experience,

88
102

nature of duties, responsibilities etc. Obviously, the age relaxation has only been given to such departmental candidates who can show that the duties discharged by them earlier is ~~so~~ related to the other posts or the duties to be rendered in the department in their new posts, if selected. XXXXXXXX~~XXXXXX~~ We have seen the duties which a Constable in the Delhi Police is required to perform and the duties to be performed by the Inspector of Central Excise. A mere perusal of the duties attached to these two post show that there is no nexus between the duties to be performed by the Constable and those by the Inspector nor can they be termed to be the in the " same line or allied cadres". We also do not see how the deputation of Police & Constables even regularly will help the ~~applicants~~ applicants because they have failed to establish that the Police constables so deputed in fact worked as Inspectors or in other similar posts in the Central Excise Department.

13. We have also seen the files where respondent No.1 took the decision that Constables in Delhi Police have no nexus to the duties of Inspectors in Income Tax/Central Excise, who perform different duties such assisting the Income Tax Officers in verifying the claims etc. these are different from the duties performed by a constable in the Delhi Police. We do not find that the decision of the respondent in this regard arbitrary or unreasonable which justifies any interference in the matter.

14. We also find no merit in the applicants contention that the respondents are barred by equitable estoppel because they have already been allowed to take the examination. Para 23 of the advertisement makes it ~~imply~~ clear that SSC does not undertake any scrutiny of the applications before the examination and the result of the written examination are declared only on provisional basis.

103

5. The respondents, have therefore not held out any representation promise, which is binding against them, as contended by the applicants. In other words, the eligibility conditions of the candidates even after the result of the written examination is declared, as provided in para 23.

6. In the facts and circumstances of the case, we, therefore do not find that the decision taken by the competent authority is either arbitrary unreasonable or illegal which justifies any interference in the matter under the power of judicial review.

7. In the result, the application fails and is dismissed. No order as to costs.

(Mrs Lakshmi Swaminathan)

Member (J)

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to the respondents are not barred from scrutinized