

Central Administrative Tribunal
Principal Bench:New Delhi

OA No.204/2016
MA No.176/2016

New Delhi this the 15th January, 2016

Hon'ble Shri Sudhir Kumar, Member (A)
Hon'ble Shri Raj Vir Sharma, Member (J)

1. Kunal Ranjan Singh,
S/o sh. Rana Pratap Singh,
Aged about 30 years,
R/o East Basuria Bazar,
Po. Bhuli, Distt: Dhanbad, Jharkhand.
2. Ramandeep Kumar,
S/o Sh. Inderjit Kumar,
Aged about 28 yrs,
R/o MIG-603, Phaswe-9,
SAS Nagar, Punjab.
3. Pawan Kumar Singh,
S/o Sh. Surendra Pratap Singh,
Aged about 29 years,
R/o V&P Beerampur, Keraket,
Distt: Jaunpur, Uttarpradesh.
4. Ram Prasad Singh,
S/o Sh. Ghanshyam Singh,
Aged about 27 years,
S24-6A-AB, Pratap Colony,
Taktapur, Varanasi, UP-221002.
5. Maneesh Kumar Pandey,
S/o Sh. Surendra Kumar Pandey,
Aged about 30 years,
R/o Shankar Bazar, Phoolpur,
Pratapgarh, UP-276304.
6. Deepak,
S/o Sh. S.K.Sharma,
Aged about 27 years,
R/o H.No.1205, Phase1, Laxman Vihar,
Gurgaon, Haryana-122001.

7. Mohit Sarswat,
S/o Sh. Bhim Sain Sharma,
Aged about 29 years,
R/o V&PO Jasana,
Distt. Hanumangarh,
Rajasthan-335523. ...Applicants
(By Advocate: Shri Sanjeev Joshi)

Versus

1. Union of India,
Through its Secretary,
Dept. Of Personnel & Training,
North Block, New Delhi-110001.

2. Staff Selection Commission,
Through its Chairman,
Block No.12, CGO Complex,
Lodhi Road, New Delhi.

3. Staff Selection Commission,
Through its Regional Director,
Block No.12, CGO Complex,
Lodhi Road, New Delhi. ...Respondents.

ORDER (ORAL)

Per Sudhir Kumar, Member (A):

Heard. Learned counsel for the applicants has submitted that the cause of action has arisen in favour of the applicants due to non-enhancement of the age limit for the candidates taking the Combined Graduate Level Examination (C.G.L.E., in short), 2016, and submits that even though the applicants of this OA have appeared at the CGLE, 2005, the result of which examination is still awaited, but as per the Schedule of SSC, the notification for CGLE, 2016 is going to be issued shortly, at which, with the present age limit, the applicants of this OA will be age barred, and, therefore, they do not want the notice for CGLE, 2016, to

be issued without considering their request for age relaxation. He has pointed out Para 4.9 of the OA, which states as follows:

"4.9 That the applicants appeared in the Combined Level Examination-2015 as like so many other applicants whereby result is awaited. However, delay in amendment of recruitment rule enhancement of upper age limit to that of 30 years by the ministries/departments after acceptance of 6th CPC recommendation resulted respondent no.2/SSC not incorporate in the advertisement dated 02.05.2015. The applicants no.1, 3 & 5 are not eligible as per the notified advertisement dated 02.05.2015 to the extent of upper age limit but eligible as per 6th CPC recommendation. Furthermore, all these applicants will not more eligible for Combined Graduate Level Examination-2016, if the 6th CPC recommendation for enhancement of upper age limit for filling of the direct recruit post having Grade Pay of Rs.4200, 4600 & 4800, not incorporate by the respondent no.2/SSC at the earliest. It is relevant to mention here that the scheduled for the Graduate Level Examination-2016 has already been announced by the respondent no.2/SSC by fixing the date of advertisement as 13.02.2016."

2. Learned counsel for the applicants has taken us through Annexure A-1 regarding the Schedule of Examination-2016, of SSC, Annexure A-2 dated 24.03.2009 regarding implementation of the 6th Central Pay Commission's recommendations, and Revision of Pay Scales, Annexure A-3 dated 31.12.2010 regarding Revision of guidelines issued for framing/amendment/relaxation of the Recruitment Rules, and has pointed out its Para No.3.7.4.1, in which upper age limits for different posts, depending upon the nature of duties, educational qualifications and experience requirements, had been laid down. He has also pointed out that through OM dated 31.03.2015, page 97 of the paper book of the

O.A., a detailed Step Guidelines had been issued by the DoP&T for processing of the proposal for framing/amendment of the Recruitment Rules.

3. The case of the applicants is that if and when the action is taken for holding of the proposed CGLE, 2016, as notified in the Schedule of SSC produced at page 24 of the paper book of the OA, it would be detrimental to the interests of the seven applicants of the present OA. Thus, they have prayed for the following reliefs through this O.A.:-

a) Direct the respondents to incorporate the age limit of 21-30 years for the posts in the grade of Rs.4200, 4600, 4800 as recommended by the 6th CPC with immediate effect;

b) Direct the respondent no.1/DOP&T to take necessary measure for amendment of recruitment rules for the posts in the grade of Rs.4200, 4600, 4800 to the effect of enhancement of age limit from 18-27 years to 21-30 years, in those ministries/Departments not implemented yet with immediate effect i.e. before 13th February, 2016;

c) Pass such other and further order as this Hon'ble Tribunal may deem fit and proper in the interest of justice."

4. We are not convinced that any cause of action whatsoever has accrued in favour of the applicants in this OA, to be able to file and maintain this O.A. as presently filed, as none of the annexures and the documents filed can be said to have given rise to a cause of action in favour of the 7 applicants, who have prayed for being permitted for joining together in filing of this OA.

5. Since the OA is merely in the nature of Public Interest Litigation, which this Tribunal is not competent to entertain, we are not inclined to issue notice in this OA. Therefore, the OA is dismissed *in limine*, at the admission stage itself.

Issue **Dasti**.

(Raj Vir Sharma)
Member (J)

(Sudhir Kumar)
Member (A)

/kdr/