

**Central Administrative Tribunal
Principal Bench, New Delhi.**

OA-3239/2016

New Delhi, this the 23rd day of September, 2016.

Hon'ble Mr. P.K. Basu, Member (A)

Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

Bittoo, 23 years

S/o Sh. Jagbir,

R/o Village Chuharpuyr,

P.o. Daulha, Teh Sohna,

Gurgaon, Haryana-122103.

..... Applicant

(By Advocate : Sh. Ajesh Luthra)

Versus

1. Staff Selection Commission
Through its Chairman (Head Quarter),
Block No. 12, CGO Complex,
Lodhi Road, New Delhi-110504.

2. Staff Selection Commission (Northern Region)
Through its Regional Director,
Block No.12, CGO Complex,
Lodhi Road, New Delhi-110504.

3. Controller General of Accounts
Through the Controller,
Ministry of Finance,
Lok Nayak Bhawan,
Khan Market,
New Delhi-110511.

..... Respondents

ORDER (ORAL)

Hon'ble Mr. P.K. Basu, Member (A)

The applicant in this case had appeared for Combined Graduate Level Examination, 2015. As per the advertisement, an OBC certificate had to be given in certain format and the advertisement made it clear that in case OBC certificate is not in the specified format as in the advertisement and issued between 02.06.2012 and 29.11.2015 , it will not be accepted.

2. The applicant has produced before us the OBC certificate filed by him at the time of verification of documents. We find that the certificate is in the format which had been prescribed in the advertisement. Moreover, it is issued on 06.11.2015, i.e, before 29.11.2015.

3. Learned counsel for the applicant states that when the applicant appeared for the document verification he was informed that his OBC certificate is not in the format prescribed by Government of India and therefore it cannot be accepted and he was made to sign an undertaking that he would be treated as unreserved candidate and only after signing such an undertaking, he was allowed to appear for the document verification.

4. The case of the applicant is that if he is treated as OBC, he qualifies for appointment on the basis of marks obtained by him for the post of Junior Accountant in CGA but if he is treated as unreserved, he is not eligible for appointment as cut-off is higher.

5. *Prima facie*, something seems to have gone wrong in the office of SSC. Therefore, we dispose of this OA at this stage with a direction to SSC to re-verify whether the applicant had produced the certificate dated 06.11.2015 which is in the same format as prescribed in the advertisement and in case that is so, he may be issued an appointment letter with all consequential benefits of seniority and pay fixation. In case their finding is contrary, they shall pass a detailed speaking order. 90 days time frame is fixed for the respondents to comply with this order.

(Brahm Avtar Agrawal)
Member (J)

(P.K. Basu)
Member(A)

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