

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01011/2018

Dated Monday the 30th day of July Two Thousand Eighteen

PRESENT

**HON'BLE MR. R. RAMANUJAM, Member (A)
&
HON'BLE MR. P. MADHAVAN, Member (J)**

M.Deepaganesan,
5/2878, Tirunagar,
Nandavanapatti,
Karur Road, Dindigul.

....Applicant

By Advocate M/s. B. Harikrishnan

Vs

1.Union of India rep by,
Principal Commissioner of Income Tax,
Tamil Nadu,
No. 121, Mahatma Gandhi Road, Chennai 600034.

2.Additional Commissioner of Income Tax,
(HQRS) (Admin & TDS),
Chennai.

....Respondents

By Advocate Mr. M. T. Arunan

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking following relief :

"To direct the respondents to provide employment to the applicant in the rank of Tax Assistant/Multitasking Staff in the Income Tax Department, Tamil Nadu Region, pursuant to the memorandum dated 04.07.2018 purporting to short list candidates for recruitment under Sports Quota 2018-19 - issue of call letter for certificate verification/eligibility within a time limit stipulated by this Hon'ble Tribunal."

2. Learned counsel for the applicant would submit that the applicant was eligible to be appointed as a Tax Assistant /MTS in the respondents department under the sports quota. The applicant had brought laurels to the department in various tournaments in the past for which he had been issued with a commendation certificate. However, his candidature was rejected on the last three occasions. The applicant applied again for the post in the last round and he was required to report at the venue for verification of his certificates by a memorandum of the 1st respondent dt. 04.07.2018. However, by Annexure A7 notification dt. 17.07.2018, he had been excluded from the shortlist of candidates selected for personal interview on 18.07.2018. Aggrieved by his non-selection, the applicant is before this Tribunal.

3. Learned counsel for applicant would argue that the applicant was entitled to know the reason why he was not shortlisted, inspite of

his high credentials. The shortlisting of candidates could not be arbitrary and had to be based on specific norms, it is submitted.

4. Mr. M. T. Arunan takes notice for the respondents and submits that he has no submission to make as he had not seen the papers.

5. On perusal, it is seen that the applicant has not made any allegation against the selection committee of personal bias or malafide or even adopting a whimsical or arbitrary selection procedure for the purpose of shortlisting. Under such circumstances, while we are not inclined to consider the relief sought, we are of the view that the ends of justice would be met in this case if the respondents are directed to inform the applicant of the process adopted for shortlisting, including the norms and criteria under which the suitability of the candidate is assessed, based on which the applicant could not be included in the shortlist of the selected candidates. This shall be done within a period of three months from the date of receipt of a copy of this order.

6. OA is disposed of with the above direction at the admission stage.

(P. Madhavan)
Member(J)

(R.Ramanujam)
Member(A)

30.07.2018

SKSI