

**Central Administrative Tribunal  
Principal Bench**

**OA No.744/2019**

New Delhi, this the 6<sup>th</sup> day of March, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Neha,  
Age 34 years,  
Group "B",  
D/o Shri Krishna Kamal,  
House No.1005, Sector-3,  
R.K.Puram,  
New Delhi-110022.

...Applicant

(By Advocate : Shri Sumit Kishore )

**Versus**

1. Staff Selection Commission,  
Through its Chairman,  
Block No.12, CGO Complex,  
Lodhi Road,  
New Delhi-110003.
2. Union of India,  
Through its Secretary,  
Ministry of Personnel, Public Grievances &  
Pensions,  
(Department of Personnel & Training),  
North Block,  
New Delhi-110 001.

...Respondents

(By Advocate : Shri Manish Kumar )

**ORDER (ORAL)**

**Justice L. Narasimha Reddy, Chairman :-**

The 1<sup>st</sup> respondent issued a notification dated  
05.05.2018 for selection to various posts such as

Inspector of Central Excise, Inspector (Preventive Officer), Inspector (Examiner), Tax Assistant (CBEC). The qualifications for the relevant posts, the age limits and the extent of relaxation, were also provided under different paragraphs of the notice. The applicant is a Group 'C' employee of the Government of India and she wanted to apply. Para 5.3 of the notice provided for relaxation of age limit by five years for such candidates.

2. Through a Corrigendum dated 31.05.2018, the 1<sup>st</sup> respondent omitted the clause 7 and 8 of para 5.3 of the notice, which provided for relaxation of age limits for different sections of employees. The same is challenged in this OA.

3. The applicant contends that she submitted her application in response to the notice dated 05.05.2018 and change of the qualifications and age limit half way through, is arbitrary and illegal.

4. We heard Shri Sumit Kishore, learned counsel for applicant and Shri Manish Kumar, learned counsel for respondents, at the admission stage.

5. In the notice dated 05.05.2018, not only the qualifications but also the facilities such as relaxation in age limit are provided. The last date for submission of the applications is stipulated as 04.06.2018. However, before the expiry of the last date, the respondents realised that the relaxation of age limit for posts which are to be filled on the basis of the performance in competitive examination, is contrary to the guidelines contained in the Office Memorandum dated 15.10.1987, issued by the DOP&T. Therefore, they issued a Corrigendum on 31.05.2018, omitting the relevant clause in para 5.3 of the Notice.

6. The plea of the applicant based on 'legitimate expectation' would have been available if only any rights have accrued to her on the basis of submission of the application. Even before the expiry of the last date for submission of the applications, the corrigendum was issued. The principle gets attracted only when certain rights accrue to a citizen on the basis of the acts and the representations made on behalf of the State and its Agencies. The mere existence of a clause for relaxation of age limit, hardly for a period of three weeks, cannot lead

to the conferment of any rights on the applicant or for that matter on any individual.

7. Added to that, the respondents have ensured that the employment notice is brought in conformity with the guidelines issued by the DOP&T. It appears that they wanted to ensure fair play in the context of holding of competitive examination. We do not find any merit in the OA and the same is accordingly, dismissed. There shall be no order as to costs.

**(Mohd. Jamshed)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

‘rk’