

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 115/2011

New Delhi, this the 9th day of January, 2011

HON'BLE MR. L.K. JOSHI, VICE CHAIRMAN (A)
HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

Dr. Kanika Chandra
D/o Shri Sarat Chandra
E/o R-581 (F.F.), New Rajinder Nagar,
New Delhi-110060.

..Applicant

By Advocate: Shri Sarat Chandra.

Versus

Union Public Service Commission
Through its Secretary,
Dholpur House,
Shahjahan Road,
New Delhi-110069.

..Respondent

By Advocate: Ms. Jasmine Ahmed.

ORDER

By Hon'ble Mrs. Meera Chhibber, Member (J)

Applicant has challenged order dated 20.12.2010 whereby she has been informed that her application for Combined Medical Services Examination, 2011 has been rejected because Photo/Signature not uploaded as per specifications (page 8).

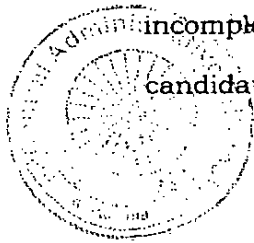
2. It is submitted by the applicant she is a medical graduate having MBBS degree and has appeared in the post graduate (D.N.B.) examination held in December, 2010 after completing the course at Sr. Ganga Ram Hospital.

3. Respondents had advertised in the Employment News dated 11.9.2010 and had also put an advertisement on its website inviting applications for the Combined Medical Services Examination, 2011, to be held on 16.1.2011 all over the country from medical graduates. The

applicant had applied online vide application form CMS/Form No.1110008876/024698/13092010/031534/EX.III by uploading her photo and signatures on 13.9.2010 for the Combined Medical Services Examination, 2011. However, her application has been rejected on the ground that photo/signatures not uploaded as per specifications.

4. It is submitted by the counsel for the applicant that applicant should have been given an opportunity to carry out correction in the application form if something was left out instead of rejecting her application and further that her application could not have been rejected at the last moment, prejudicing applicant's career and professional life. Since respondents have stated that they would not entertain any other application, she had no other option but to file the present OA. She has sought a direction to the respondents to allow her to carry out the correction in the application form and allow her to take the examination.

5. We had given dasti notice to Ms. Jasmine Ahmed, Counsel for the respondents with a direction to show us the application form submitted by the applicant. Today, when the matter was called out, counsel for the respondents produced the application form given by the applicant online which shows that applicant's photo was not even visible and there were no signatures at all in the application form meaning thereby the application was incomplete. It could not be termed as a complete application as it was not even signed by the applicant. It is submitted by the counsel for the applicant that she could be given an opportunity to correct the application. We are afraid, we cannot accept the said contention because UPSC receives applications in thousands and thousands. In the advertisement it was made clear that if application is incomplete, it would not be entertained; therefore, it is the duty of the candidates who apply to ensure that they apply in the proper format and



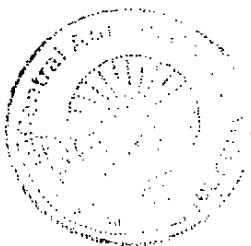
give the complete application form. Counsel for the respondents informed us that there are applications of number of other candidates which are incomplete and they have rejected all such applications.

6. if we allow the applicant to correct her application form, it would itself amount to discrimination because applications of all other similarly situated persons have been rejected. Simply because the applicant has approached the court, she cannot have advantage over others. It was open to the applicant to apply offline in order to ensure that the application form is given properly. Since the application form has not even been signed by the applicant, the relief, as claimed by the applicant cannot be granted. The OA is accordingly rejected at the admission stage itself. No costs.

(MRS. MEERA CHIBBER)
Member (J)

(L.K. JOSHI)
Vice Chairman (A)

Rakesh



RECEIVED
15.08.2011
National Commission for Women
New Delhi