

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI,
BENCH AT AURANGABAD.**

ORIGINAL APPLICATION NO. 1488 OF 2024

DIST. : DHULE

Nitin Bharat Patil,
Age. 46 years, occu. Service,
At presently residing at: post Babhalaj
Tal: Shirpur, Dist. Dhule

.. APPLICANT

V E R S U S

1) Maharashtra Public Service Commission,
Through its Secretary,
having office at Trishul Gold Field,
Plot No. 34, Sector 11,
Opposite Sarovar Vihar,
Belapur CBD, Navi Mumbai-400614

2) The State of Maharashtra
Through its Secretary,
Agriculture, Animal Husbandry, Dairying
and Fisheries Department,
Mantralaya, Mumbai.

.. RESPONDENTS

APPEARANCE :- Shri S.B. Solanke, Advocate for the
applicant.
: Shri V.G. Pingle, learned Presenting
Officer for the respondent authorities.

**CORAM : Hon'ble Shri Justice V.K. Jadhav,
Member (J)
AND
Hon'ble Shri Vinay Kargaonkar,
Member (A)**

DATE : 18.12.2024

ORAL ORDER

[Per :- Shri Vinay Kargaonkar, Member (A)]

1. Heard Shri S.B. Solanke, learned counsel for the applicant and Shri V.G. Pingle, learned Presenting Officer for respondent authorities.

2. Maharashtra Public Service Commission (for short “the Commission”) has published an advertisement for the post of Assistant Administrative Officer, Maharashtra Agriculture Administrative Services, Group-B. The applicant submitted online application for that post and uploaded the required documents. The applicant appeared for the written examination, which was held on 02.12.2022. The applicant passed the examination and his name was included in the list of qualified candidates. The Commission published list of 39 eligible candidates for interview and 78 ineligible candidates. The applicant was declared as ineligible for interview with the remark that, “Claim of experience made in the application is not of Superintendent or synonymous post, hence rejected.” The applicant had submitted experience certificate of Superintendent issued by Block Development Officer, Panchayat Samittee, Nandurbar dated 27.06.2022. Along with experience certificate applicant had also annexed the promotion

order dated 26.08.2014, wherein it is specifically stated that he has been promoted to the post of Junior Administrative Officer (old post-Office Superintendent). The applicant states that Department of Rural Development of Government of Maharashtra has issued Notification dated 4th October, 2011 and taken a decision to change the name of post Superintendent to the post of Junior Administrative Officer. The applicant claims that he has experience of Superintendent and his name should have been included in the list of eligible candidates for interview.

3. Learned PO was asked to get clarification from MPSC regarding experience. The Commission has clarified that 05 years' experience of Superintendent or equivalent post is required to be eligible for the post of "Assistant Administrative Officer, Maharashtra Agriculture Administrative Services, Group-B. The Commission further clarified that the experience required was for the post in the grade pay of Rs. 4300/-. Clarification submitted by the Commission is marked as document 'X' for the purpose of identification.

4. The applicant also submitted document related to his pay fixation which is marked as 'Y' for the purpose of identification. Pay fixation clearly shows that the applicant is

working on a post with grade pay is Rs. 4200/-. Since the applicant is working in Nandurbar district, which is considered as tribal district, therefore, he is given incentive of Rs. 100/- in grade pay. The clarification submitted by the Commission reveals that applicant has made false claim of having experience of working of 5 years on the post having grade pay of Rs. 4300/-

5. As the applicant is working on a substantive post having grade pay of Rs.4200/- the Commission has disqualified him.

6. Since the applicant do not have 5 year experience of working on a post having grade pay of Rs. 4300/- and therefore he has been rightly disqualified by the Commission. The Original Application is liable to be summarily dismissed. Hence, the following order: -

ORDER

(i) The Original Application stands summarily dismissed however, without any order as to costs.

MEMBER (A)

MEMBER (J)

Place : Aurangabad

Date : 18.12.2024