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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH : NEW DELHI

O.A. No. 1441/98

New Delhi this the 27th Day of August 1999

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE CHAIRMAN  
HON'BLE MRS. SHANTA SHASTRY, MEMBER

Ms. Minakshi Singhal  
Wife of Shri Rajiv Singhal,  
A-76 Surya Nagar,  
Ghaziabad (UP).

... Applicant

(By Advocate: Shri V.K. Rao)

Versus

1. Govt. of N.C.T.,  
through its Chief Secretary,  
5 Sham Nath Marg,  
Delhi-110 054.

2. The Director,  
Directorate of Education,  
Old Secretariat,  
Delhi.

... Respondents

(By Advocate: Shri V.K. Singh, proxy for  
Shri Raj Singh)

ORDER (Oral)

By Reddy, J.

Heard the learned counsel for the applicant  
and the respondents.

2. The applicant who was working in the Municipal Corporation of Delhi(for short, MCD) as an Assistant Teacher, had applied for the post of Trained Graduate Teacher (for short, TGT) in the Government of N.C.T. Delhi, in pursuance of an Advertisement dated 21.1.1997. But the applicant's application has been rejected on the ground that he had not given her Employment Exchange Registration Number. The applicant submits that she had clearly specified in the application form at Column 7 that the requirement of giving the Employment Exchange Registration Number was not

applicable to her as she was working in the MCD, Education Department.

3. Learned counsel for the respondents, however, submits that in the Advertisement it was clearly mentioned that one of the requirements for consideration of the application was to specify the Employment Exchange Registration Number. As she failed to do so, the application of the applicant was rightly rejected.

4. From a perusal of the application form, it is clear that the applicant was working as a Teacher in MCD as she has mentioned it in the relevant column of the application form. It has to be, therefore, presumed that the applicant could not furnish the Registration Number on the ground that the Registration card was deposited with the MCD.

5. Further as early as in 1996 in Excise Superintendent, Malkapatnam Krishna Dist. A.P. Vs. K.B.N. Visheshwar Rao & Ors. 1996 (6) SCALE 676, the Supreme Court has held that public posts have to be advertised and the area of competition should be as wide as possible so that all eligible persons could be afforded the opportunity to apply for the post. It was also held that it was not necessary that the applications should be routed through the Employment Exchange. Since the law was so declared by the Supreme Court, the respondents should not have insisted upon the requirement of the Registration in the Employment Exchange. We are of the view that the action of the respondents in rejecting the application form of the applicant is wholly unsustainable.

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6. We, therefore, direct the respondents to consider the case of the applicant for the post of TGT, without insisting upon the requirement of the furnishing of Employment Exchange Registration Number or particulars in this regard.

7. We direct the respondents to complete the above exercise within a period of three months from the date of receipt of a copy of this order.

The OA is accordingly allowed, No costs.

In auto 9-  
(Mrs. Shanta Shastry) *W. D. Simla*  
Member (A) (V. Rajagopala Reddy)  
Vice Chairman (J)

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