

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA No. 395/98

New Delhi, this the 17th day of March, 1999

HON'BLE SHRI T.N. BHAT, MEMBER (J)
HON'BLE SHRI S.P. BISWAS, MEMBER (A)

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In the matter of:

Ajay Kumar s/o Sh. Brahm Singh,
r/o House No. A-8, Gali No. 1,
Amar Vihar, Karawal Nagar,
Delhi - 110 094.

...Applicant

(By Advocate: Shri P.K.Arya)

Versus

Union of India through

1. The Secretary,
Shamnath Marg,
Delhi.
2. Lt. Governor,
NCT of Delhi
Raj Niwas, Delhi.
3. Delhi Administration,
through its Secretary,
5, Shamnath Marg, Delhi.
4. Directorate of Education,
Education Department,
through the Secretary,
Govt. of NCT of Delhi.

.....Respondents

(By Advocate: Shri Arun Bhardwaj)

O R D E R

delivered by Hon'ble Shri T.N.Bhat, Member (J)

The applicant, who after doing B.Sc (Agriculture) did his M.Sc (Agriculture) followed by B.Ed, applied for the post of Trained Graduate Teacher (TGT, for short) in the subjects of Natural Science and Social Science under Delhi Administration. The prescribed qualification for the post of T.G.T. in Natural Science is graduation with Physics, Chemistry, Biology, Botony or Zoology as one of the main subjects, the second subject

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being one of the following, namely, Mathematics, English, Computer Science and Statistics. For the post in Social Science the candidate must have passed in History, Geography, Political Science or Commerce etc. 19

2. The applicant is aggrieved by the fact that the respondents have considered him to be ineligible. His contention is that he possesses the prescribed qualifications, as according to him Chemistry and Biology were included as subjects in the course of study for B.Sc (Agriculture). It is further averred by the applicant that in the selections held earlier persons having the said qualification were held eligible and were selected as TGT.

3. The respondents have contested the applicant's claim mainly on the ground that a person holding the qualification of B.Sc (Agriculture) cannot be considered to be eligible as none of the subjects which would make him eligible is studied as a main subject while undergoing the training for B.Sc (Agr.). Another plea raised by the respondents is that non-consideration of persons holding B.Sc (Agr.) degree for the post of TGT (Natural Science) is a policy decision taken by the respondents.

4. We have heard the learned counsel for the parties and have perused the documents placed by them on record.

[Signature]

5. The applicant has given the details of the subjects one is supposed to study for obtaining a degree in Agriculture. According to him General Chemistry is one of the subjects. But the subjects mentioned in the degree certificate (Annexure A) do not include the subject of Chemistry or any other subject prescribed in the relevant recruitment rules, like Botany, Zoology etc. It is only when the applicant was doing his B.Ed that he seems to have studied Economics and History as elective subjects. But this fact would not be sufficient to make him eligible for the post of TGT in Social Science.

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6. On a careful consideration of the facts and circumstances of this case we are convinced that the degree in Agriculture, or even a post graduate degree, would not make one eligible for consideration against a post of TGT either in Natural Science or Social Science.


7. It has, however, been vehemently argued by the applicant's counsel that in the past persons holding degree in Agriculture have been appointed as T.G.T. This might be for the reason that previously Agriculture was one of the subjects taught in the schools. This becomes clear when one goes through the recruitment rules of 1991, a copy of which has been filed by the applicant himself. The notification dated 11.12.1991 not only lays down the new recruitment rules for the post of T.G.T. in the subjects of English, Mathematics, Social Science and Natural Science but also cancels the 1971 recruitment rules for the post of TGT in "(1) Science 'A' (Physics,

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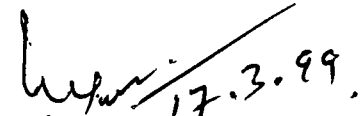
Chemistry, and Mathematics) (2) Science 'B' (Chemistry, Botany and Zoology) (3) Commerce (4) Agriculture and (5) General (Social Studies, English)...." 21

8. Furthermore, some mistakes committed by them in the past cannot bind the respondents to continue to repeat the same. The respondents, as mentioned above, seem to have taken a decision not to consider persons holding the degree in Agriculture for the posts of TGT. This decision does not appear to be arbitrary or irrational. This Tribunal, therefore, has no reason to interfere with this decision.

9. ^{On} ~~For~~ the aforementioned facts and circumstances, we find no merit in this O.A. The O.A. is accordingly dismissed. No costs.


(S.P. Biswas.)
Member (A)

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(T.N. Bhat)
Member (J)
17.3.99.