

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.978/1998

New Delhi, this 28th day of November, 2000

Hon'ble Shri Kuldip Singh, Member(J)
Hon'ble Shri M.P. Singh, Member(A)

Harshvardhan Sharma
109, New Alok, Near Kalson Factory
Meerut Road, Hapur-245101 ... Applicant

(By Ms. Ritu Jain, Advocate)

versus

Govt. of NCT of Delhi, through

1. Chief Secretary
5, Sham Nath Marg, Delhi
2. Director of Education
Old Secretariat Building, Delh ... Respondents

(By Mrs. Jasmine Ahmed, Advocate)

ORDER(oral)

By Shri Kuldip Singh

The applicant in this OA is seeking directions to the respondents to consider his eligibility for appointment to the post of TGT (Natural Science) {TGT(NS), for short} in accordance with the advertisement dated 21.1.97. Applicant claims that in response to the aforesaid advertisement he applied for the post of TGT(NS) as he is possessing the requisite qualification required for the post in terms of the advertisement. He appeared in the recruitment cell on 23.9.97 and got verification of all the original documents done. However when the respondents declared the names of the selected candidates, his name was not included in the said list. Though he made several representations he has not received any reply. Therefore he has filed the present OA.

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2. Respondents in their counter affidavit have stated that the candidature of the applicant was rejected as it was not covered under existing R/Rules of TGT, i.e. he did B.Sc.(Agri) whereas in the R/Rules, agriculture is not a main subject for TGT(NS) category. As per the R/Rules, 1997 for the post of TGT (NS) a candidate should possess a degree or equivalent from a recognised university securing 45% marks in Physics, chemistry, biology, botany and zoology. Since the applicant has done B.Sc.(Agri) his candidature does not cover under the provisions of R/Rules, 1997.

3. Applicant has also filed rejoinder stating that in the R/Rules of 1993, agriculture is prescribed to be one amongst the main subjects whereas in advertisement agriculture is not included in the category of main subjects at all. He has also cited the judgement dated 2.6.97 in OA No.1238/96 in which direction was given to the respondents for reviewing the eligibility of the applicant therein for appointment to the post of TGT(NS) in accordance with the ~~amended~~ ^{by} R/Rs of 1963. Therefore he should also be considered for appointment to the post of TGT(NS) on the same analogy.


4. We have heard the learned counsel for the parties and perused the records.

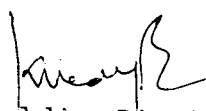
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5. The main relief asked for by the applicant is that he may be considered for appointment in accordance with the R/Rules issued by the respondents in 1993. However we find that in the R/Rules of 1997, agriculture is not the main subject for TGT(NS). It clearly states that a candidate should have passed Bachelor Degree from a recognised university in two school subjects, of which atleast one out of the following, viz. English, Maths, chemistry, zoology, botany etc. at elective level and there is no mention of agriculture. We have also gone through the judgement cited by the applicant but we find is not applicable to the case of the applicant.

6. Even in the advertisement issued in the Employment News which is at page 13 of the OA, in the column of Essential qualification, Degree of B.Sc.(Agr.) is conspicuously missing, which shows that the qualifications of the applicant are not even in confirmity with the advertisement. Hence the applicant has no case to ask for being considered even in accordance with the advertisement as it has been prayed.

7. Hence we find that the OA has no merits and the same is liable to be rejected. We do so accordingly. No costs.


(M.P. Singh)
Member(A)


(Kuldip Singh)
Member(J)

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