

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

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D.A.No.379/1994

New Delhi, This the 26th Day of July 1994

Hon'ble Shri P.T.Thiruvenagadam, Member(A)

Shri Sodan Singh
Record Sorter
E S I Corporation
Jr 286, Sector 56, Noida.

..Applicant

By Shri K B S Rajan, Advocate

Versus

1. The Union of India Through
Secretary, Ministry of Labour
Shram Shakti Bhawan, New Delhi.
2. The Regional Director
Employees State Insurance Corporation
Rajendra Place
New Delhi 8.

..Respondents

By Shri G R Nayyar, Advocate

O R D E R (Oral)

Hon'ble Shri P.T.Thiruvenagadam, Member(A)

1. The applicant in this DA passed the Board of adult education and training - matriculation standard examination 1989, after obtaining permission from the department for pursuing the studies with the said Board. A copy of the certificate issued by the Board (Annexure B to DA) certifying that the applicant has passed the examination of the Board in May 1989 was produced by the applicant and accordingly a relevant entry was made in the service Register on 14.12.1989 (Annexure C to DA). However, on 17.10.90

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an order was issued by the respondents to the effect that the entry made on 14.12.89 is cancelled in view of the office memorandum issued by Ministry of Human Resources Development (Department of Education), As per which the certificate issued by the Board of Adult education and Training is not ~~to be~~ recognised. This OA has been filed praying for various reliefs including retention of the entry with regard to the passing of the examination conducted by the said Board as well as for treating the qualification as equivalent to Matriculation and for consequential benefits. However, at the time of arguments, the learned counsel for the applicant restricted the prayer for relief only to the issue regarding the retention of entry into service register. He further prayed that he may be given liberty to file a fresh OA with regard to the other reliefs as and when the applicant feels to do so.

2. In view of the above I do not consider it necessary to go into the equivalent or otherwise of the examination conducted by the Board equally as it is not necessary to go into the orders passed by this Tribunal in OA 2654/90 on 22.2.91 and in OA 1434/91 on 1.11.91. The only relief which is being pressed is that the relevant entry with regard to the passing of the Board examination in April/May 89 as originally made by the respondents on 14.12.89 vide Annexure C to OA should be allowed to stand without being cancelled. This is a reasonable prayer. An employee during service acquires various qualifications and approaches the department concerned for necessary entry in the service register with the hope that at the time of further promotions his case would get due preferential

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consideration vis a vis other personnel. Such qualifications may be purely academic or professional or of ~~any~~ general nature. Instructions generally provide for such qualifications to be entered in service register and accordingly it was rightly entered by the respondents in the service register of the applicant as intimated by their office order dated 14.12.89. Such entry regarding qualifications does not give rise to issues regarding what are the equivalent qualification. These are separate matters to be considered by the department based on the rules and regulations.

3. Under the circumstances I direct the respondents to restore the entry as already made by them on 14.12.89 with regard to the qualification acquired by the applicant by passing the Board of adult education and training examination held in 1989. The applicant is also given liberty to file a fresh CA with regard to any consequential benefits which he may be denied to him on acquisition of the above qualification. With the above direction the OA is disposed of. No costs.

P. J. Thil.

24/7/95

(P.T. THIRUVENGADAM)
Member (A)

LCP