

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 2180/89

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DATE OF DECISION 02-11-1989.

Shri S. Jawahar Applicant (s)

Shri K. Ram Kumar with Advocate for the Applicant (s)
Shri Sanjay Kumar

Versus

Union Public Service Respondent (s)
Commission & Others

Shri M.L. Verma Advocat for the Respondent (s)

CORAM :

The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN(J)

The Hon'ble Mr. I.K. PASGOTRA, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Yes*
2. To be referred to the Reporter or not ? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *No*
4. To be circulated to all Benches of the Tribunal ? *No*

JUDGEMENT

(The Judgment of the Bench delivered by Hon'ble
Shri P.K. Kartha, Vice Chairman(J))

The applicant who has passed the preliminary examination for admission to Civil Services (Main) Examination to be held *one* in the from 3rd November, 1989 onwards has filed this application/Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying that the impugned letter dated 12.10.89 issued by respondent No.1 (Union Public Service Commission) be quashed and that he be permitted to appear in the said examination. He has also prayed that respondent No.3 (the Ministry of Human Resources) be directed to recognise the three year professional Diploma in Hotel Management as equivalent to professional and technical degree. Further, he has prayed for a direction to respondent No.4 (Ministry of Tourism) which is administratively concerned with the holding of three year diploma course in Hotel Management to take up with the Central Government the matter of recognition of Diploma in Hotel Management as equivalent to professional/

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technical degree for purposes of public employment. The applicant has also sought for an interim order to the effect that respondent Nos. 1 and 2 should be directed to allow him to appear in the examination commencing on 3rd November, 1989.

2. The application was listed for admission on 1.11.1989 when we perused the records and heard the learned counsel of both parties. The admitted factual position is that the applicant does not hold any degree of any university or any other educational institution. He has only passed a three years diploma course in Hotel Management conducted by the Institute of Hotel Management.

3. Under the rules for Civil Services Examination held by the Union Public Service Commission, a candidate must hold a degree of any university or other educational Institutions or possess an equivalent qualification. However, in exceptional cases, the Union Public Service Commission may treat a candidate who does not ^{possess} a degree of any university, as qualified candidate provided that he has passed examination conducted by other Institutions, the standard of which in the opinion of the Commission justifies his admission to the examination. Candidates ^{possessing} professional and technical qualifications ^{which} are recognised by the Government as equivalent to professional and technical degree would also be eligible for admission to the examination.

4. As the applicant is only holding a diploma, the Union Public Service Commission vide their letter dated 12.10.1989 informed him that his application has been rejected on the ground that he is educationally ineligible.

5. The Ministry of Education and Social Welfare has brought out a Brochure containing the list of technical and professional qualifications recognised by the Government

of India. Diploma in Hotel Management has not been recognised by the Government for recruitment to superior posts or subordinate posts under the Central Government.

6. In view of the above, we see no prima facie case in admitting the present application. The application is, therefore, rejected at the admission stage itself. We do not, however, express any opinion on the question whether the respondents should recognise the three year Diploma in Hotel Management as the same is a purely policy matter. The parties will bear their own costs.

I.K. Rasgotra
(I.K. RASGOTRA) 2/11/89
MEMBER (A)

P.K. Kartha
2/11/89
(P.K. KARTHA)
VICE CHAIRMAN (J)