

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 891/89

New Delhi, dated the 4th March, 1994

Hon'ble Sh.N.V.Krishnan, Vice Chairman(A)

Hon'ble Sh.B.S. Hegde, Member(Judicial)

Shri Manoj Kumar Mishra,
S/o Ramakant Mishra,
R/o Village & P.O. Gurwalia
Distt. West Champaran Bihar

... Applicant

(None for the applicant)

Versus

1. Commissioner of Police,
Delhi Police, PHQ,
Indraprath Marg,
New Delhi

2. Deputy Commissioner of Police,
III Bn. Delhi Armed Police New
Police Lines, Kingway Camp, N/Delhi

... Respondents

(By Advocate Mrs. Avnish Ahlawat)

ORDER(ORAL)

(Hon'ble Sh. N.V.Krishnan, Vice Chairman(A)

has

None for the applicant, though this case/been
called out twice. Mrs. Avnish Ahlawat, counsel for the
respondents.

2. As this case has been listed at serial No.10
in today's cause list with a note to the counsel that
the first 10 cases are posted preemptorily for final
hearing, we have heard the learned counsel for the
respondents in the absence of the applicant and we proceed

to pass final orders.

3. The grievance of the applicant is that he has been informed by the impugned letter dated 1.12.1988 (Ann.M) of the IInd respondent (Dy. Commissioner of Police III BN: DAP Delhi) that his entry for recruitment to the post of Constable in Delhi Police is cancelled as Madhyama Examination certificate is not equivalent to Matriculation Examination. Therefore, the only issue is whether this cancellation is justified on this ground

4. Admittedly, the educational qualifications stipulated is that the candidates should have passed in Matriculation examination. The applicant did not have this qualification. He had passed Madhyama Examination of the Bihar Sanskrit Shiksha Board. He has produced Ann.L certificate) from that Board dated 29.11.88 stating that this examination is equivalent to the Matriculation examination conducted by the Bihar School Examination Board.

5. Respondents have stated as follows:-

"The application of the candidate along with the notification/documents were sent in original again to the Education Advisor to the Commissioner of Police, Delhi with the request to examine the education certificate of candidate Shri Manoj Kumar Mishra with reference to the notification/documents submitted by Sh. Manoj Kumar Mishra and give his fresh application in this regard. The Education Advisor to Commissioner of Police, Delhi reported that on examination of various documents submitted by the candidate, it is found that :-

- (1) That the Madhyama examination of the Bihar Sanskrit Shiksha Board has been equated by the 'Bihar Govt.' with Matriculation but for the purpose of higher learning and for appointment of Sanskrit teacher/Inspection staff in Institutions teaching Sanskrit only.
- (2) The Central Govt. has so far not recognised these qualifications equivalent to Matriculation in general set up for the purpose of appointment in Central Government/Delhi Administration.

6. No rejoinder is filed.

7. It is thus clear, that the aforesaid

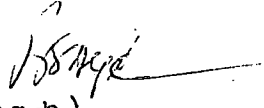
Madhyama examination has not been recognised as

equivalent to Matriculation for purpose of appointment

under the Central Government/Delhi Administration

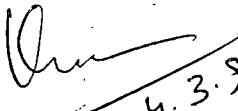
We, therefore, do not find any merit in the O.A. and

therefore, it is dismissed.


(B.S. Hegde)

Member(J)

sk


4.3.84
(N.V. Krishnan)

Vice Chairman(A)