

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 181/00233/2020

Thursday, this the 13th day of August, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

K.M. Mohammed Naseem, aged 34 years,
 S/o. Attakoya, presently residing at 12/400 D, Naaz Villa,
 HMT Colony PO, Ernakulam District, Pin – 683 503,
 Phone - +91 9633130219. **Applicant**

(By Advocate : Mr. Shafik M. Abdul Khadir)

V e r s u s

1. Union of India, represented by the Administrator,
 Union Territory of Lakshadweep, Kavaratti, Pin – 682 555.
2. The Secretary (Services), UT of Lakshadweep Administration,
 Kavaratti, Pin – 682 555.
3. The Superintendent of Police, Union Territory of Lakshadweep,
 Kavaratti, Pin – 682 555. **Respondents**

(By Advocate : Mr. S. Manu)

This application having been heard on 13.08.2020 through video conferencing, the Tribunal on the same day delivered the following:

O R D E R (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard Advocate Mr. Shafik M. Abdul Khadir, appearing for the applicant and the Advocate appearing for the respondents through video conferencing.

2. Applicant is aggrieved by the respondent's refusal to formulate the sports quota appointments, a declared policy adopted by all welfare nations including India in a national level and all states in their respective regions. The applicant a native of Lakshadweep Island and he is an athlete. He is deprived of his due consideration ignoring all his contributions in the athletics field to the nation in general and to the Union Territory of Lakshadweep in particular. Therefore, he has filed the present OA seeking the following reliefs:

“(i) To call for the records relating to Annexure A1 to A15 and to declare that the applicant is entitled for the benefits of Annexure A8 and A13 and is entitled for an appointment under the 1st respondent in sports quota;

(ii) To direct the 2nd respondent to publish the notification based on A8 policy declared by the 1st respondent immediately;

(iii) To direct the respondents to consider the applicant for appointment in any appropriate posts under the UT of Lakshadweep Administration under sports quota, as per A18 and A13, preferably as Sub Inspector of Police/Marine Police/Coastal Police, if necessary by relaxing the age;

(iv) To issue such other appropriate orders or directions this Hon'ble Court may deem fit, just and proper in the circumstances of the case;

And

(v) To grant the costs of this Original Application.”

3. When the matter came up for consideration, it was submitted by the learned counsel for the applicant that he has given a representation Annexure A15 but so far respondents have not acted upon. He will be satisfied if the administration is directed to consider his representation in the light of Annexures A8 and A13 issued by the respondents within a time frame.

4. Learned counsel for the respondents submitted that he has no objection in considering and disposing of the representation filed by the applicant.

5. **In view of the limited relief sought by the applicant, without going into the merits of the case, we direct the competent authority (respondent No. 1) to consider and dispose of Annexure A15 representation in the light of the above Annexures A8 and A13 and the policy expressed in the above annexures by passing a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.**

6. The OA is disposed of as above at the admission stage itself. No costs.

**(K.V. EAPEN)
ADMINISTRATIVE MEMBER**

**(P. MADHAVAN)
JUDICIAL MEMBER**

“SA”

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APPLICANT'S ANNEXURES

Annexure A1 – True copy of a tabulated form of important prizes won by the applicant.

Annexure A2 – True copy of the certificates of the applicant in the IPSF International Meet.

Annexure A3 – True copy of the OM No. F. No. 1/2/LISSL/2005 dated 10.6.2005 issued by the Lakshadweep Administration.

Annexure A4 – True copy of the relevant extract of the Brochure of Directorate of Sports & Youth Affairs.

Annexure A5 – True copy of the relevant page of Lakshadweep Times dated 11.3.2008.

Annexure A6 – True copy of the letter No. F.10-1/AFI/10 dated 4.5.2010 of Athletics Federation of India.

Annexure A7 – True copy of the representation dated 6.7.2012 submitted by the applicant.

Annexure A8 – True copy of the OM F. No. 14034/01/2013-Estt(D) dated 3.10.2013 issued by the Ministry of Personnel.

Annexure A9 – True copy of the employment notice No. F. No. 1/31/2011-Estt(Pol) dated 31.10.2012 issued by the Lakshadweep Administration.

Annexure A10 – True copy of the relevant portion of the check list with applicant's name.

Annexure A11 – True copy of the representation dated 6.11.2012 submitted by the applicant.

Annexure A12 – True copy of the recruitment notification No. F. No. 1/31/2011-Estt(Pol) dated 22.3.2017 issued by the Lakshadweep Administration.

Annexure A13 – True copy of the notification No. F. No. 01/01/2017-Secy (Edn)/12-12 dated 14.11.2018 issued by the Secretary (Education).

Annexure A14 – True copy of the representation dated 11.7.2019 submitted by the applicant.

Annexure A15 – True copy of the representation dated 11.7.2019 submitted by the applicant.

Annexure A16 – True copy of the representation dated 28.2.2020 submitted by the applicant.

RESPONDENTS' ANNEXURES

Nil

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