

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

(16)

OA 946/1991, this 3rd May, 1995

Hon'ble Shri Justice S.C. Mathur, Chairman
Hon'ble Shri P.T.Thiruvengadam, Member(A)

Shri Brahm Pal
M/Home Affairs, New Seelampur, Delhi .. Applicant

(By Smt. Meera Bhatia, Advocate - Not present)

versus

Secretary
Ministry of Home Affairs, New Delhi .. Respondent

(By Shri P.P. Khurana, Advocate - Not present)

ORDER(oral)

Shri Justice S.C. Mathur

This case was taken up in the revised call. No one appeared from either side. We ~~decide~~ proceed to decide the case on merits after perusal of the record.

2. The applicant is aggrieved by his reversion from the post of Junior Reception Officer to the post of Sepoy in the Ministry of Home Affairs. The applicant says that no show cause notice was issued to him and therefore the reversion order is bad in law.

3. In the reply filed on behalf of the respondents, it has been pointed out that the applicant's substantive post was Sepoy. For promotion to the post of Junior Reception Officer, the academic qualification of Matric pass was required. The applicant passed Matric examination conducted by the Board of Adult Education & Training. On the basis of this qualification the applicant was appointed as Junior Reception Officer. Later on, it came to the notice of the

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Department that the matric qualification from the said Board has not been recognised by the Government of India. It was considered that the applicant was lacking the prescribed qualification and this was the basis for his reversion.

4. The applicant has not placed on record any order recognising the Matric examination conducted by the Board of Adult Education & Training. On the contrary, the respondent has placed on record a copy of the letter dated 21st April, 1985 issued by the Under Secretary to the Government of India, Ministry of Home Affairs. In this it has been stated that the Board of Adult Education & Training is not a recognised Board/Institute to conduct matriculation examination nor is its certificate recognised by the Govt. of India/Delhi Admin./Central Board of Secondary Education. It has also been mentioned in this letter that the said Board is reported to be a bogus/commercial institution. In view of this position, we are of the opinion that no case for interference has been made out. It also appears from the record that the post of Junior Reception Officer was an ex-cadre post.

5. The application is accordingly dismissed. There shall be no order as to costs. Interim order if any operating shall stand discharged.

P.T. Thiruvengadam

(P.T. Thiruvengadam)
Member(A)

S.C. Mathur

(S.C. Mathur)
Chairman

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