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Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.678/2021
MA No.890/2021

This the 26th day of March, 2021

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A K Bishnoi, Member (A)

1. Mr. Parvesh Kumar, Aged 32,
S/o Sh. Ajit Singh,
8-P, Auchandi Road,
Vill-Bawana,
North – West Delhi
Delhi-110039
2. Puneet Kumar,
S/o Sh. Gulab Singh,
House No.140,
Mohan Ram Patti,
VPO Ujwa,
Delhi-110073
3. Jitender,
R/o B-559, Dakshinpuri,
Deoli, Delhi-110062
4. Sunny Kumar,
S/o Sh. Ashok Kumar,
R/o Old Cold Store Gautampuri,
Dadri,
Gautam Budh Nagar-203207
Uttar Pradesh
5. Amit Khatri,
S/o Sh. Karambir,
226, Mandir Wali Gali,
Taj Pur Kalan,
Delhi-110036

- Applicants

(Ms. Amita Singh Kalkal, Advocate)

Versus

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1. Delhi Subordinate Services Selection Board,
Through its Secretary,
FC-18, Institutional Area,
Karkardooma, Delhi-110032
2. Government of NCT of Delhi,
Through its Secretary,
Department of Planning,
Vikas Bhawan, A-Block,
2nd Floor, IP Estate,
New Delhi, Delhi-110002 - Respondents.

(Ms. Esha Mazumdar, Advocate)

O R D E R (Oral)

Justice L. Narasimha Reddy:

The respondents issued Advertisement No.1/2017 for the post of Statistical Assistant in the Delhi Administration, with Code No.4/2017. The qualifications stipulated therein are Post Graduate degree in Statistics/ Operational Research/Mathematical Statistics/Applied Statistics or Post Graduate Degree in Economics/Mathematics/Commerce (with Statistics as one of the subjects/paper in Post-Graduation/Graduation Level. A note was added to the effect that the subject Statistics would include the subject of Quantitative Method/Techniques or Costing & Statistics/Basic Statics/Business Statistics/Introduction of Statistics etc. at Graduation/Post Graduation level. The applicants are Post Graduates in Business Administration (MBA). They responded to the advertisement, but their candidature was rejected

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through notice dated 28.01.2021, stating that they do not possess the prescribed educational qualifications. This OA is filed, challenging the said notification, so far as it is concerned with the applicants.

2. Learned counsel for the applicants, Ms. Amita Singh Kalkal, submits that though the Post Graduate Degree possessed by the applicants is in Business Administration, it is equivalent to Commerce and the curriculum includes study in Statistics and other related subjects. She submits that the respondents were not justified in rejecting the candidature of the applicants.

3. Ms. Esha Mazumdar, learned counsel for the respondents, on the other hand, submits that the educational qualifications stipulated in the advertisement as well as in the recruitment rules, are very clear and by no stretch of imagination, the MBA can be equated to M.Com or other qualifications stipulated in the advertisement.

4. The only question that arises for consideration in this OA is as to whether the applicants are qualified to apply for the post of Statistical Assistants. The qualifications stipulated for the post read as under:-

“Post Graduate Degree in Statistics/Operational research/Mathematical Statistics/Applies statistics Or Post Graduate Degree in Economics/Mathematics/

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Commerce (with Statistics as one of the subject/papers in Post Graduation/Graduation level).



5. It is not the case of the applicant that they possess any of the qualifications mentioned above. On the other hand, they possess MBA and it does not figure anywhere in the list. Whatever be the content of the subject studied by the applicants in the MBA, once that Degree does not find place in the recruitment rules, there is no question of the applicants being considered as eligible, or as holding the prescribed qualifications.

6. Learned counsel for the applicants submits that the curriculum of MBA includes many subjects, relating to Statistics. Even if that is true, the MBA cannot be equated to M.Com or other qualifications stipulated in the advertisement.

7. We do not find any merit in the OA and it is accordingly dismissed. Pending MA also stands disposed of.

There shall be no order as to costs.

(A K Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/lg/jyoti/