

(41)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.269/92

Date of Order: 20.12.93

BETWEEN :

Chena Ram

.. Applicant.

A N D

1. The Director,
S.V.P.National Police Academy,
Hyderabad.

2. Union of India, rep. by
The Secretary, Ministry
of Home Affairs,
Central Secretariat,
New Delhi.

.. Respondents.

Counsel for the Applicant

.. Mrs.S.Thripurasundari &
Mr.P.N.Venkatachary

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

HON'BLE Mr.V.NEELADRI RAO : VICE-CHAIRMAN

HON'BLE Mr.R.RANGARAJAN : MEMBER (ADMN.)

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OA 269/92

J U D G E M E N T

(As per Shri Justice V. Neeladri Rao, Vice-Chairman)

This O.A. was filed praying for a direction to R-1 to treat the applicant as Veterinary Compounder from March 1990 on a regular basis with all consequential benefits.

2. The applicant joined service in the National Police Academy, Hyderabad of which R-1 is the Director, on 7-11-⁷⁰~~90~~ as Veterinary Dresser. He belongs to Scheduled Caste. Applications were called for the post of Veterinary Compounder in the said Academy and the last date for receipt of the applications was 20-8-90. The technical qualification required for the said post is a ^{Veterinary} Certificate from any recognised institute. The in-service candidates are also eligible for the said post. The applicant was within the age ~~g~~ in view of the age relaxation given for S/C candidates. He also applied for the said post.

3. The applicant completed the Veterinary Dresser Basic Course from 25-8-86 to 31-1-87 at the R.V.C. Centre and School, Meerut Cantonment.

4. The applicant was not considered for the post of Veterinary Compounder on the ground that he is not possessing the Certificate from a recognised institute which is one of the requisite qualifications for the post of Veterinary Compounder. It is contended for the

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22/10/92

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applicant that the Certificate issued on the basis of the training undergone by the applicant in R.V.C. Centre and School, Meerut Cantt. for more than five months can be treated as the Certificate issued by the recognised institute. It is not for the Court or the Tribunal to consider as to whether any particular training or certificate given by any institute can be treated as equivalent to the certificate issued by a recognised institute. The learned counsel for the applicant stated that no recognised institute issues a veterinary ~~compounder~~ certificate. The learned counsel for the respondents had taken time for furnishing a list of the recognised institutes but the same is not produced. If in fact there is no recognised institute in India ~~compounder~~ issuing veterinary/certificates, then it is a matter for amendment of the recruitment rules and it is not a matter for a direction to the respondents to treat the training undergone by the applicant as equivalent to the certificate prescribed as the requisite qualification for the said post as per the recruitment rules.

5. It is stated that the applicant's services are being utilised as Compounder from March 1990 on payment of Rs.50/- per month as honorarium but on that basis the applicant cannot claim that he should be appointed as Veterinary Compounder when he is not having the

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requisite qualification as per the recruitment rules.

6. It is next urged that till now no S/C candidate with the requisite qualification is available for the post of Veterinary Compounder. That is also a matter for consideration by the concerned authority as to whether it is desirable to relax the recruitment rules in regard to the requisite technical qualification without compromising in regard to the efficiency of the employee for the said post. It is a matter for the administration and not a matter for consideration by the court/tribunal.

7. For the reasons stated above, this O.A. is dismissed. ~~No costs.~~ *ordered for consideration as referred to.*

[Signature]
(R.Rangarajan)
Member/Admn.

[Signature]
(V.Neeladri Rao)
Vice-Chairman

Dated: 20.12.93.

mhb/

[Signature]
Deputy Registrar (Judl.)

Copy to:-

1. The Director, S.V.P. National Police Academy, Hyderabad.
2. The Secretary, Ministry of Home Affairs, Central Secretariat, Union of India, New Delhi.
3. One copy to Mrs. S. Thiripurasundari, advocate, 11-6-868, Redhill Hyderabad.
4. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Ram/-

[Handwritten notes]
19/12/93
25/12/93

TYPED BY *Rm*

6.A-269/92
COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHI : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (J)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER (A)

Dated: 22/12/-1993

ORDER/JUDGMENT: _____

~~M.A./R.A./C.A.No.~~

O.A.No.

in

269/99

T.A.No.

(W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

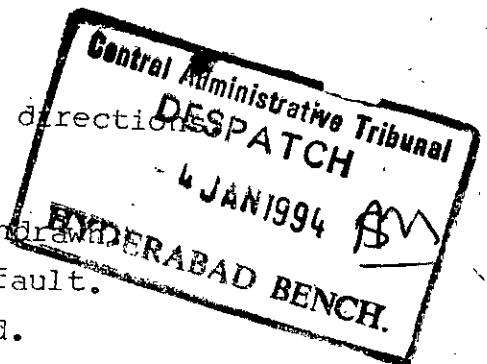
Dismissed.

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered.

No order as to costs.



pvm.

[Handwritten signature]
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