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**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
Order reserved on: 30.04.2015

**ORIGINAL APPLICATION NO. 060/00854/2014
Chandigarh, this the 1st day of May, 2015**

...

**CORAM: HON'BLE MS. RAJWANT SANDHU, MEMBER (A)
HON'BLE DR. BRAHM A. AGRAWAL, MEMBER (J)**

...

Sunil Sihag son of Sarwan Kumar, resident of VPO Beenjhbayala,
Tehsil Palampur, District Sri Ganganagar (Rajasthan).

BY ADVOCATE: SHRI RAMAN SINGH DHANDA

...APPLICANT

VERSUS

1. Union of India, through Home Secretary, U.T. Chandigarh.
2. Secretary, RSPB, Railway Board, Room No. 452, Rail Bhawan, New Delhi-110001.
3. The Deputy Chief Personnel Officer, Diesel Loco Modernisation Works, Patiala.
4. Hon'ble General Secretary, DMW Sports Association, DMW, Patiala.

...RESPONDENTS

BY ADVOCATE: SHRI YOGESH PUTNEY

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ORDER**HON'BLE DR. BRAHM A. AGRAWAL, MEMBER(J):-**

The Diesel Loco Modernisation Works, Patiala advertised in Employment News of 1-7 October 2011 two posts of Helper for recruitment under sport (cricket) quota (Annexure A-1). The said advertisement, besides minimum sport standard, prescribed the minimum educational qualification as under:

"10th Pass or ITI or its Equivalent"

2. The applicant's candidature for the aforesaid post was rejected on the ground that his qualification, i.e., "Adeeb" from Jamia Urdu, Aligarh (vide Annexure A-5) was not equivalent to 10th Pass ("matriculation") as per the norms of the Council of Boards of School Education in India, New Delhi because the said institution was not a recognized one. The respondent no. 3's letter dated 17.07.2014 (Annexure A-4) rejecting the applicant's representation in the matter has been challenged through the instant O.A. The applicant, besides praying that the said letter be set aside, further prays that the respondents be directed to consider him in service



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w.e.f. 05.03.2012 and that all consequential benefits be extended to him.

3. We have heard the learned counsel for the parties, perused the pleadings as well as the rulings cited by them, and given our thoughtful consideration to the matter.

4. In support of his contention that "Adeeb" is equivalent to matriculation, the learned counsel for the applicant relies on the judgment dated 07.12.1995 of the hon'ble Supreme Court in Syeed Ahmad Vs Secretary, Ministry of Health and F.W. [1997 (11) SCC 529], Rajasthan Secondary Education Board's 'Eligibility Certificate' dated 23.10.2010 (Annexure A-7) and the Jamia Urdu's Office Order dated 27.09.2010.

5. Per contra, the learned counsel for the respondents relies on the judgment dated 20.01.2006 of the hon'ble Rajasthan High Court in State of Rajasthan Vs. Firdos Tarannum [RLW 2006 (1) Raj 827] as well as two Orders of the Jaipur Bench of this Tribunal dated 09.01.2013 in the O.A. No. 471/2010 (Ram Gopal Meena Vs. UOI and Ors.) and dated 25.07.2012 in the O.A. NO. 77/2011 (Kalu Ram Meena Vs. UOI and Ors.); the Tribunal's Orders have followed the

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judgment of the hon'ble Rajasthan High Court, which has held as under:

"...the degrees issued by the Zamiya Urdu, Aligarh would be hit by the orders of the Central Government and that of the State of Rajasthan whereby the Degrees and Certificates issued by such Institution which are not established under the law are not recognized for the purpose of appointment."

6. The applicant's reliance on the Jamia Urdu's Office Order dated 27.09.2010 and Annexure A-7 is misplaced as the former document is self-serving and the latter one is merely regarding eligibility for entry in the Board's senior secondary level class-11. As for the aforesaid judgment of the hon'ble Supreme Court, it may be noted that the hon'ble Court held that the qualification "Adeeb-e-Mahir" was equivalent to "matriculation with proficiency in Urdu" in the context of the qualifications required for the post of Pharmacist (Unani), the advertisement for which had prescribed "Matriculation with proficiency in Urdu or equivalent Oriental Qualification in Urdu/Arabic/Persian". In the present case, the consideration related to "Adeeb" being projected as equivalent to matriculation per se and the institution in question being a non-recognised one at the relevant time, i.e., 2011-12.

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7. In the light of the above, we find no infirmity in the view taken by the respondents and feel that the O.A. is devoid of merits. The same is, therefore, dismissed. No order as to costs.

B. A. Agarwal
(DR. BRAHM A. AGRAWAL)
MEMBER(J)

Rajwant Sandhu
(RAJWANT SANDHU)
MEMBER(A)

Dated: 01.5.2015
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