

Central Administrative Tribunal
Principal Bench
New Delhi

O.A.No.255/2017

Order Reserved on: 23.01.2017
Order pronounced on 25.01.2017

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Shri K. N. Shrivastava, Member (A)

Sandeep Dabas
S/o Sh. Sultan Singh
Aged 35 years
Candidate for the post of Asstt Coach. (Group-C)
R/o House No.27, Bus Stand
Vill-Chandpur Dabas
Delhi – 110 081. Applicant

(By Advocate: Sh. Shyam Moorjani with Sh. Manjeet Singh Reen)

Versus

Union of India & Others : through

1. The Secretary
Ministry of Sport and Youth Affairs
Shastri Bhawan
New Delhi.

2. Through: The Secretary
Sports Authority of India
Jawaharlal Nehru Stadium
(Complex), East Gate
Gate No.10, Lodhi Road
New Delhi – 110 003.

... Respondents

ORDER

By V. Ajay Kumar, Member (J):

Heard the learned counsel for the applicant.

2. The 2nd respondent-Sports Authority of India (in short, SAI), issued Annexure A1-Notice inviting applications for appointment of Assistant Coaches in various disciplines.
3. Para 2.0 of the said Notice provides for age and qualifications, as under:

"2.0 AGE & QUALIFICATIONS:

The candidate should possess the following qualifications for on-line registration of application:

Age Limit	21 to 30 years as on last date of application i.e. 1.12.2016
Minimum Educational Qualification/Professional Qualification	Essential (a) Diploma in coaching from SAI/NS-NIS or from any* other recognized Indian/Foreign University. OR (b) Participation in Asian Games/World Championship with Certificate Course in Coaching. (c) Qualification and participation in Olympic Games Desirable – B.P.Ed.

*For Rowing, Canoeing & Kayaking diploma in Water Sports with achievement will be considered."

4. The applicant, who is 35 years old and over-aged as per the aforesaid Notice, for applying for appointment of Assistant Coaches, as the age limit prescribed is 21 to 30 years, as on the last date of

application, i.e., 01.12.2016, filed the OA, seeking the following relief(s):

"8.1 That this Hon'ble Tribunal may graciously be pleased to allow this original application set-aside the column no.2.0 of Age & qualification fix by the respondent no.2 with all consequential benefits.

8.2 That this Hon'ble Tribunal may graciously be pleased to allow this Original Application directing the respondent no.2 fixing the reasonable higher age limit of 42 years in revised Notification for Assistant Coach post considering the other states notification, age of obtaining Diploma qualification, and allow the applicant to participate in the Selection and recruitment without any discrimination.

8.3 That any other or further relief which this Hon'ble Tribunal may be deem fit and proper under the circumstances of the case may also be granted in favour of the applicant.

8.4 That the cost of the proceedings may also be awarded in the favour of the applicant."

5. It is his case that the Sports Authority of India issues Diplomas in sports coaching and for obtaining the said Diploma, the age limit prescribed is 20 to 35 years and once the age limit to obtain the Diploma is upto 35 years, fixing the age for appointment as Assistant Coach for which one of the required qualification is Diploma in Coaching from SAI at 21 to 30 years is irrational, unreasonable and unsustainable.

6. Firstly, it is the prerogative of any employer to fix the essential educational qualifications, age limits, etc. for any post under their control. The only restriction is that if there are statutory recruitment rules, providing certain age limits and essential qualifications, no employer can fix the age limit or the essential qualification, contrary to the statutory rules. It is not the case of the applicant that the age limit of 21 to 30 years prescribed in the impugned Notice is contrary to the

age limit provided under the statutory rules for the post of Assistant Coach.

7. The applicant also failed to show any valid reason to set aside the Column No.2.0 of the impugned Annexure A1-Notice, as claimed by him.

8. In the circumstances and for the aforesaid reasons, the OA is devoid of any merit and accordingly the same is dismissed. No costs.

(K. N. Shrivastava)
Member (A)

(V. Ajay Kumar)
Member (J)

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