

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.805/2016

New Delhi, this the 05th day of May, 2016

Hon'ble Mr. P.K. Basu, Member (A)

Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

1. Tara Chand,
Aged about 56 years,
S/o Pd. Vishnu Dutt,
R/o A-201/6, Vipin Garden,
Uttam Nagar, New Delhi.
2. Om Prakash,
Aged about 57 years
S/o Sh. Rattan Singh
R/o 105-A, Humanyun Pur,
S.J. Enclave, New Delhi-29.
3. Tirth Ram
Aged about 57 years
S/o Late Sh. Babu Lal
R/o 16/342-E, Tank Road,
Karol Bagh, New Delhi-5
4. Jai Kishan,
Aged about 57 years
S/o Sh. Balu Ram,
R/o Village & Post –Sahabad Mohammadpur,
New Delhi-61. Applicants

(All the applicants are working as conductor)

(By Advocate : Mr.M.K.Bhardwaj)

Versus

1. Delhi Transport Corporation,
Through Chairman-cum-MD,
DTC Hqrs., I.P. Estate
New Delhi-110002.
2. The Manager (Pers.),
Through CMD, DTC
Delhi Transport Corporation
I.P. Estate, New Delhi-110002. Respondents

(By Advocate : Mr. Ajesh Luthra)

ORDER (ORAL)

Hon'ble Mr. P.K. Basu, Member (A)

Learned counsel for the applicants states that the challenge is against the list dated 18.02.2016 for promotion of eligible Conductors to the post of Ticket Tally Clerk (T.T.C) as per their entitlement, wherein their names have not been included on the ground that they did not possess qualification equivalent to 10 + 2/ Senior Secondary, which is the required qualification as per the Recruitment Rules.

It is further stated that the applicants had passed the higher secondary examination, which was in vogue before the 10+ 2 pattern was introduced. Before the 10+2 pattern, to get admission for graduation courses, the higher secondary system was prevailing and students after passing higher secondary (11th Class) were eligible to get admission in graduation course. Thus, the higher secondary qualification would have to be treated as equivalent to 10+2 /12th Class

Learned counsel for the respondents has given a detailed reply and stated that no such plea has been taken by the applicants before the respondents and this may be the first time before this Tribunal they have stated that the respondents have declared them ineligible for appointment to the post of T.T.C. merely because they had passed higher secondary examination and not 10+ 2/ Senior Secondary.

In view of the above, OA is disposed of with a direction to the applicants to file a detailed representation before the competent authority for

consideration of their cases giving complete facts. Once the respondents receive such representation of the applicants, they shall decide the same within a period of six weeks from the date of receipt of copy of the same. OA is accordingly disposed of. No costs.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P.K. Basu)
Member A)

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