

Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.954/2018

Wednesday, this the 28th day of February 2018

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)

Neha Gaur w/o Gaurav Kumar
d/o Shailender Gaur
aged 28 years
Post – Asstt. Teacher
TGT (Computer Science) Group B
Resident of : 24/2 Bhola Nath Nagar
Behind Geeta Bhawan, Shadara, Delhi- 110 032

..Applicant

(Ms. Anubha Bhardwaj, Advocate)

Versus

1. Govt. of NCT of Delhi
Through Chief Secretary
Delhi Secretariat, IP Estate, Delhi – 110 002
2. Directorate of Education
Old Secretariat, Near Vidhan Sabha
Civil Lines, New Delhi – 110 054
3. Delhi Subordinate Service Selection Board
FC-18, Institutional Area, Karkardooma, Delhi

..Respondents

O R D E R (ORAL)

Justice Permod Kohli:

The applicant is possessed of the qualification of M.Tech. (Electronics & Communication). She applied for the post of TGT (Computer Science) represented by Post Code No.192/14 under general category in response to an Advertisement No.01/14. She was granted admit card and allowed to participate in the examination. She has secured 102.75 marks out of 196 marks. It is stated that the cut-off marks for the said examination are 90. The candidature of the applicant has been rejected vide Rejection Notice

No.209 dated 10.11.2017 (Annexure A-1) on the ground “Not having requisite qualification as per Recruitment Rules”. The applicant has brought to our notice the Recruitment Rules for the post of TGT (Computer Science) wherein the qualifications prescribed are (i) Bachelors Degree in Computer Application (BCA) from a recognized university or Graduation in Computer Science from a recognized university or BE/B. Tech. (Computer Science / Information Technology) from a recognized university. There is another qualification, which is not relevant for purposes of the present O.A. The applicant claims to have studied all the relevant subjects / papers in B. Tech. and M. Tech. (Electronics & Communication).

2. The moot question that arises is whether the qualification possessed by the applicant is an equivalent one, as prescribed under the Recruitment Rules and notified in the Advertisement. This Tribunal has no competence to decide about the equivalence of the qualification. It is for the expert body, like All India Council for Technical Education (AICTE) to decide the equivalence. The applicant has neither approached the respondents nor the AICTE seeking their opinion on the equivalence of the qualification.

3. In this scenario, learned counsel for applicant seeks to withdraw this O.A. with liberty to make a representation to the respondents as well as to AICTE seeking their opinion on the equivalence of the qualification. Prayer allowed.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

February 28, 2018
/sunil/