

**Central Administrative Tribunal  
Principal Bench**

**O.A. No. 2018/2014**

New Delhi this the 04th day of May, 2017

**Hon'ble Sh. Shekhar Agarwal, Member (A)  
Hon'ble Sh. Raj Vir Sharma, Member (J)**

Sudip Majumder, Aged-39 years,  
S/o Sh. H.K. Majumder  
Working as Mech. Gr.I, in the  
Office of DDGM (UI), Workshop Unit,  
New Delhi  
R/o Flat No.19, Mausam Apartment,  
West Enclave, Pitampura, New Delhi-34

....Applicant

(By Advocate: Mr. Yogesh Sharma )

Vs.

1. Union of India through the Secretary,  
Ministry of Earth Science,  
Govt. of INdia, Mausam Bhawan  
New Delhi.
2. The Director General of Meteorology  
India Meteorological Department  
Mausam Bhawan, Lodhi Road,  
New Delhi.

....Respondents

(By Advocate: Mr. Rajinder Nischal )

**ORDER (ORAL)**

**Mr. Shekhar Agarwal, Member (A)**

Heard the parties. The applicant was a candidate for the post of Scientific Assistant under the 10% LDCE quota. The conditions of eligibility and minimum essential qualifications prescribed for the aforesaid examination were as follows :-

“2. Conditions of Eligibility & Minimum Essential Educational Qualification : Five (5) years of regular service in any Group 'C' post now below the level of PB-I and possessing the minimum essential educational qualifications (as on 31<sup>st</sup> March, 2014) of Bachelor's Degree in Science (with Physics as one of the subject)/Computer Science/Information Technology /Computer Applications or Diploma in Electronics and Telecommunication

**Engineering from a recognized Institution/University or equivalent, provided**

- (i) The qualifying Degree or diploma referred above is in First Class (60% marks) or 6.75 CGPA on a 10 point scale;
- (ii) The qualifying Degree or diploma referred above is of three (3) years duration: &
- (iii) The applicant has passed 10+2 Examination from a Recognized Board or equivalent in Science with Physics and Mathematics as core subjects.

Applicants who fail to acquire the prescribed educational qualification/regular service period referred above as on the last date of receipt of applications i.e. 31<sup>st</sup> March, 2014 will not be eligible and need not apply."

2. The applicant possesses Diploma in Electronics from Jamia Millia Islamia University. His candidature was, however, rejected on the ground that he does not have the Diploma in Electronics & Telecommunications Engineering from a recognised Institution/University or equivalent.

3. Learned counsel for the applicant Sh. Yogesh Sharma argued that the Diploma which the applicant possesses was equivalent to the Diploma in Electronics & Telecommunications Engineering mentioned in the Recruitment Rules. The respondents, however, have not taken any steps to determine this equivalence nor have consulted any expert body before rejecting applicant's candidature.

4. Learned counsel for the applicant further argued that the applicant would be satisfied if the respondents were directed to refer this matter to any competent authority such as AICTE and obtain their opinion regarding equivalence of the Diploma possessed by him with the prescribed qualification. Thereafter, the case can be decided in accordance with opinion received. The aforesaid submission was not opposed by learned counsel for the respondents.

5. Accordingly, we dispose of this OA with a direction to the respondents to refer this matter to AICTE and obtain their opinion regarding equivalence of the Diploma possessed by the applicant with the prescribed qualifications. In case the equivalence is established then his candidature may be processed further. In case he is found fit then he may be given appointment with consequential benefits of seniority and pay fixation. This exercise be completed within a period of eight weeks from today.

**(Raj Vir Sharma)**  
**Member (J)**

**(Shekhar Agarwal)**  
**Member (A)**

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