

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA NO.3801/2011**

Order reserved on 11.08.2016  
Order pronounced on 19.08.2016

**HON'BLE SHRI P.K. BASU, MEMBER (A)**  
**HON'BLE DR B.A. AGRAWAL, MEMBER (J)**

Jai Prakash,  
S/o Sh. Raje Ram,  
1/4649/B/12-B, Gali No.11,  
Mandoli Road,  
New Modern Shahdara,  
New Delhi-23.

...Applicant

(By Advocate: Mr. Sachin Chauhan)

**VERSUS**

1. All India Institute of Medical Sciences  
Through the Director, AIIMS,  
Ansari Nagar, New Delhi.
2. The Dy. Director (Admin.),  
All India Institute of Medical Sciences,  
Ansari Nagar, New Delhi.
3. The Administrative Officer,  
Recruitment Cell,  
All India Institute of Medical Sciences,  
Ansari Nagar, New Delhi.

...Respondents

(By Advocate: Shri R.K. Gupta)

**:ORDER:**

**DR BRAHM AVTAR AGRAWAL, Member (J):**

This OA relates to the claim of the applicant for the post of Assistant Security Officer in the AIIMS, sought to be filled up,

vide the advertisement issued in 2010 (Annexure A-11). The applicant is an ex-serviceman and had joined the AIIMS as a Security-cum-Fire Guard Grade II after availing of the benefit of age-relaxation. The RRs for the post of Assistant Security Officer lay down essential educational qualification, both for direct recruitment and promotion, as Degree of a recognized University or its equivalent (vide Annexures A-1 and A-8 colly). The applicant was denied the post of Assistant Security Officer owing to lack of clarification as to his educational qualification.

2. We have heard the learned counsel for the parties, perused the pleadings and given our thoughtful consideration to the matter.

3. The 'Education Certificate' of the applicant, issued by the Army, reads as under:

'This is to certify that as per item No.1444 of Employment and Re-settlement Opportunities Bulletin 59 of Jan-Feb 1977 issued by the Ministry of Defence, Directorate of General Re-settlement, New Delhi-11 as amended vide Gazette of India No.15012/8/82-Estt (D) Government of India, Ministry of Personnel, Public Grievances and Pension dated 12 February 1986, the Kendriya Sainik Board at its 11<sup>th</sup> meeting on 30<sup>th</sup> April 1976 under the chairmanship of Hon'ble Defence Minister and attended by the Chief Ministers decided that a Matriculate Ex-Serviceman with 15 years service is to be deemed educationally qualified for reserved posts where the required qualification is 'Degree'.

In consideration of the above, No.13941538 Rank Naik Name Jai Prakash Trade Amb Asst Unit AMC having 15 years of service fulfils the above condition and may be considered as 'Graduate' for reserved post where the required qualification is "Degree".'

4. The above certificate itself makes it clear that it is relevant only for reserved posts, i.e., posts reserved for ex-servicemen, vide the Ex-Servicemen (Re-employment in Central Civil Services and Posts) Rules 1979. The post in question is stated to be an unreserved post. Therefore, the aforesaid 'Education Certificate' would not enure to the benefit of the applicant. Further, the post in question is a Group 'B' post, vide Annexure A-8 colly, whereas the said benefit is available only in respect of Group 'C' posts, vide rule 6(4) of the said Rules of 1979.

5. In the light of the above, we are of the view that the OA is devoid of merits. The same is, therefore, dismissed. No order as to costs.

**(DR BRAHM AVTAR AGRAWAL)**  
**MEMBER (J)**

**(P.K. BASU)**  
**MEMBER (A)**

/JK/