

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00478-00479/2018

DATED THIS THE 15TH DAY OF JUNE, 2018

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)

1. Smt Liya Achankunju
W/o Joseph Antony
Aged about 31 years (30 years 10 months)
Resident of
Yenthankuzhi House,
Kanjiramala, PPM Post,
Punalur, Kollam District
Kerala – 691 332

2. Smt Anette Varghese
W/o Rakesh A
Aged about 33 years
Resident of Lakshmi, Palodepacha Post
Nedumangadu Taluk
Trivandrum District
Kerala – 695562

...Applicants

(By Advocate M/s Subbarao & Co)

Vs.

1. Union of India

Rep. By its Principal Secretary to Government
Ministry of Health & Family Welfare
New Delhi – 110 001

2. National Institute of Mental Health

& Neuro Sciences,
Institute of National Importance
Represented by its Director
Hosur Road,
Bengaluru – 560 029

...Respondents

(By Shri K. Prabhakar, Counsel for Respondent No.2)

O R D E R (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J))

Heard. MA No. 256/2018 for advancement is allowed. We have examined the results. Apparently one candidate had got 24 marks and the other candidate had got 6 marks. The most they could have asked for in the OA was to be able to appear in the examination. That they have done and failed.

2. But before leaving this forum, we would declare that in future NIMHANS has to follow Government directives and there cannot be any exception. The age for qualification will be 35 years as per the Government notification and not according to any governing body decision of the NIMHANS. The learned counsel for the respondents produces a notification issued by All India Institute

of Medical Sciences. It has no relevance or any value. They also need to follow Government directives. If the Government has said the age has to be 35, then all Government entities must follow that to the letter including the NIMHANS and the AIIMS. As the applicants have no merit, the OA is dismissed. But we expect the governing bodies of NIMHANS to act fast and change the notification. They shall do so within the next 2 months.

3. The OA is dismissed. No order as to costs.

(PRASANNA KUMAR PRADHAN)

(DR.K.B.SURESH)

MEMBER (A)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00478-00479/2018

Annexure A1 Copy of the degree certificate dated 31.03.2012 issued by RGUHS, Karnataka to the 1st applicant

Annexure A2 Copy of the registration certificate dated 02.05.2018 issued by the Kerala Nurses & Midwives Council

Annexure A3 Copy of the degree certificate issued to the 2nd applicant by the

Kerala University certifying that she has passed B.Sc Nursing in 2nd class in the examination held in October 2007

Annexure A4 Copy of the registration certificate dated 19.07.2013 issued by the Kerala Nurses & Midwives Council

Annexure A5 Copy of the recruitment notification dated 28.03.2018 issued by the 2nd respondent

Annexure A6 Copy of the National Institute of Mental Health & Neuro Sciences (Bangalore) Rules, 2013

Annexure A7 Copy of the Schedule VI of Regulation of NIMHANS

Annexure A8 Copy of the Rules regulating method and recruitment to the post of Nursing Officer

Annexure A9 Copy of the RTI application submitted by the 1st applicant

Annexure A10 Copy of the letter dated 12.04.2018

Annexure A11 Copy of the notification downloaded from the website of JIPMERG for recruitment to the post of Nursing Officer

Annexure A12 Copy of the notification No. April 2017 issued by the National Institute of Tuberculosis

Annexure A13 Copy of the advertisement issued by LGB Regional Institute of Mental Health

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