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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

AT CALCUTTA

O.A. No. 351/1160 /A&N/ 2018
M: A-351/580/A&N/2018

In the matter of

An application under Section 19 of the
Administrative Tribunal Act, 1985

And

In the matter of :

1. Miss Priyanka Karmakar

D/o Shri Chandan Karmakar,
R/o New Wandoor,
Ferrargunj Teshil,
South Andaman
Pin code: 744105.

2. Miss Seema Paul

D/o Shri Manindra Paul,
R/o Naya Sahar,
Ferrargunj Teshil,
South Andaman. - 744104

3. Miss J Swetha,

D/o Shri J. Kanna,
R/o Sisty Nagar,
Port Blair Tehsil,
South Andaman. - 744104

✓/d

4. Mr. Ankita Kumar Toppo,
S/o Patrik Toppo,
R/o Shadipur,
Port Blair Tehsil,
South Andaman. -744104

5. Miss Papiya Das,
D/o Parimal Das,
Diglipur,
Diglipur Tehsil,
North Andaman. -744104.

6. Miss Ranjana,
D/o Shri Rajeswaran,
R/o Prothrapur,
Port Balir,
South Andaman. -744104.

7. Miss Anju,
D/o Shri Shyamjeet,
R/o Duthline,
Port Blair Tehsil,
South Andaman. -744104.

8. Miss Y. Kusum,
D/o Shri Y. Vijay Rao,
R/o Bathubasthi,
Port Blair Tehsil,
South Andaman. -744104.

9. Miss. Lincy George,
D/o George Varghese,
R/o Haddo,
Port Blair Tehsil,
South Andaman. -744104.

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Vd

10. Mr. Sudhesh Nishanth,
S/o P. Prasanth,
R/o Shadipur,
Port Blair Tehsil,
South Andaman. -744104,

11. Miss. Silpi Guha,
D/o Bimal,
R/o Diglipur,
Diglipur Tehsil,
North Andaman. -744104.

12. Miss Bandhana,
D/o Late R.K. Sarkar,
R/o Garacharama,
Port Blair Tehsil,
South Andaman. -744104

13. Mr. Mohammed Sahil,
S/o Amin Sharif,
R/o Mithakhari,
Ferrargunj Tehsil,
South Andaman. -744104.

14. Mr. Sumit Mandal,
S/o Swapan Mandal,
R/o Machi Line,
Port Blair Tehsil,
South Andaman. -744104

15. Mr. Anup Mandal,
S/o Apurbha Mandal,
R/o Machi Line,
Port Blair Tehsil,
South Andaman. -744104

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16. Miss. Minu Biswas,
D/o Monojit Biswas,
R/o collinpur,
Ferrargunj Tehsil,
South Andaman. -744104.

17. Miss Marline J. Arthur,
D/o. Shri Rakesh J. Arthur,
R/o Chakragaon,
Port Blair Tehsil,
South Andaman. -744104

18. Miss Sahasta Begam,
D/o Asraf Ali;
R/o Goalghar,
Port Blair,
South Andaman. -744104

19. Miss R. Arthi,
D/o Shri R. Rama Rao,
R/o Dhanikhari,
Ferargunj Tehsil,
South Andaman. -744104

20. Miss Sheela Bai,
D/o Shri Vidhyadhar Das,
R/o Diglipur,
Diglipur Tehsil,
North Andaman. -744104

21. Miss Deepa Biswas,
D/o Paritosh Biswas,
R/o Diglipur,
Diglipur Tehsil,
North Andaman. -744104

✓ All

22. Miss Mumeeta Mondal,
D/o Bikash Mondal,
R/o Kadatalam
Middle Andaman. - 744104

23. Mr. Sujoi Biswas,
S/o Sunil Biswas,
R/o Billiground,
Rangat Tehsil,
Middle Andaman. - 744104

24. Mr. Kangkan Mondal,
S/o Karthik Mondal,
R/o Chouldari,
Ferrargunj Tehsil,
South Andaman. - 744102

25. Miss Priya Singh,
D/o Late Ram Ratan Singh,
R/o Pahargaon,
Port Blair Tehsil,
South Andaman. - 744102

26. Miss Nitha Singh,
D/o Ram Singh,
R/o Lamba Line,
Port Blair Tehsil,
South Andaman. - 744101

27. Miss K.K. Umaiba
D/o Late K.K. Abdul Salam,
R/o Wimberlygunj,
Ferrargunj Tehsil,
South Andaman. - 744101

28. Miss Tanuja Baroi,
D/o Biswasnath Baroi,
R/o Rangat,
Rangat Tehsil,
Middle Andaman. - 744114

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29. Miss S. Sri Laxmi,
D/o S. Appa Rao,
R/o Mayabunder,
North Andaman. -744101

30. Miss Manandini Biswas,
D/o Nakul Biswas,
R/o Mayabunder,
North Andaman. -744101

31. Miss Monita Howlader
D/o Anil Howlader,
R/o Mayabunder,
North Andaman. -744101

32. Miss Priti Biswas,
D/o Parul Biswas,
R/o Ram Nagar,
Diglipur Tehsil,
North Andaman. 744102

33. Miss Tripti Mondal,
D/o Dwarik Mondal,
R/o Kishori Nagar,
Diglipur Tehsil, North Andaman. 744102

34. Miss Shusmita Mondal,
D/o Sunil Mondal,
R/o Rangat,
Rangat Tehsil,
Middle Andaman. -744102

35. Miss Mubina Tabassum,
D/o P. Mammu,
R/o Makapahad,
Port Blair Tehsil,
South Andaman. 744101

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36. Miss Sagarika Joydhar,
D/o Rabindranath Joydhar,
R/o Chouldari,
Ferrargunj Tehsil,
South Andaman. -744011

37. Miss Rajni,
D/o Shri Koley Oran,
R/o Brookshabad,
Port Blair Tehsil,
South Andaman. -744101

38. Mr. Sagar Baroi,
S/o Shri Sanjit Baroi,
R/o Manpur,
Ferrargunj Tehsil,
South Andaman. 744104

39. Mr. Sadeep Dutta,
S/o Shri Sanjit Dutta,
R/o Bathubasthi,
Port Blair Tehsil,
South Andaman. -744104

40. Mr. Arun Kumar Mondal,
S/o Shri Subol Mondal,
R/o Diglipur,]
North Andaman. -744104

41. Miss Papia Das,
D/o Shri Das,
R/o Diglipur,
North Andaman. -744104

42. Shri Sujit Roy,
S/o Swapan Roy,
R/o Diglipur,
North Andaman. -744104

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43. Miss Raziya Hussain

D/o Shri Hussain,
R/o Rangat,
Middle Andaman. -744104

44. Miss Vidya,

D/o Shri Kannan,
R/o Garacharaman,
Port Blair Tehsil,
South Andaman. -744104

45. Miss Sagrika Toppo,

D/o Shri Romanush Toppo,
R/o Delanipur,
Port Blair Tehsil,
South Andaman. -7441101

46. Mr. Naseer,

S/o Shri Hussain,
R/o Calcut,
Port Blair Tehsil,
South Andaman. -744001,

47. Mr. Swapna Bala,

S/o Late Ramanikanth Bala,
R/o Rangat,
Middle Andaman. -744101

48. Mr. Sapan Das,

S/o Shri Netai Das, ~~ED~~
R/o Diglipur,
North Andaman. -744101

49. Mr. Rajendra Das,

S/o. Narayan Das
R/o Manglutan,
Ferrargunj Tehsil,
South Andaman. -744101

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50. Mr. T. Praveen,
S/o P.Vasu
R/o Garacharama
Port Blair Tehsil,
South Andaman District.

.... Applicants

Versus

- 1) The Union of India,
Service through the Secretary,
Ministry of Human Resource Development,
Shastri Bhawan,
New Delhi -110011.
- 2) The Secretary,
Central Board of Secondary Education,
Central Teacher Eligibility Test Unit,
PS 1-2, Institutional Area, I.P. Extension,
Patparganj, Delhi - 110092.
- 3) The Andaman and Nicobar Administration,
Service through the Lieutenant Governor,
Andaman and Nicobar Islands,
Raj Niwas, Port Blair- 744101
- 4) The Chief Secretary,
Andaman and Nicobar Administration,
Port Blair- 744101
- 5) The Secretary (Education),
Andaman and Nicobar Administration,
Port Blair. - 744101
- 6) The Director of Education,
Andaman and Nicobar Administration,
Port Blair. - 744101

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.O A /351/1160/ 2018
M.A.351/580/2018

Date of order: 06.08.2018

Coram : Hon'ble Mr. A. K. Patnaik, Judicial Member

For the applicant : Mr. P.C. Das, counsel

For the respondents : None

ORDER(Oral)

A. K. Patnaik, Judicial Member

This O.A. has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 challenging the impugned press note dated 16.07.2018(Annexure A/3) issued by the Directorate of Education, Andaman and Nicobar Administration inviting applications from Central Teacher Eligibility Test(CTET) passed candidates for the posts of Primary Teacher under Andaman & Nicobar Administration.

2. In the O.A. the applicants have sought the following reliefs:-

- "A) An order be passed directing the respondent authorities to postpone the recruitment process in terms of the press note dated 16.07.2018 till the publication of the result of the Central Teachers Eligibility Test Examination which is proposed to be conducted in 16.09.2018 in the interest of large number candidates;
- B) An order be passed, directing the respondent authorities to transmit the case record, so that after perusing the same conscientious justice may be rendered to the applicant directing the respondent authorities ;
- C) Cost of and incidentals of this application may be awarded to the applicant;
- D) Any other order/orders further order/orders as the Hon'ble Tribunal may deem fit and proper."

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3. The applicants have also filed an M.A.No.351/580/2018 seeking permission of this Tribunal to move the O.A. jointly under Rule 4(5)(a) of CAT(Procedure) Rules.

4. Heard Mr. P.C. Das, Id. counsel for the applicant. None appears for the official respondents.

5. The M.A. for joint prosecution is allowed.

6. Mr. P.C. Das, Id. counsel for the applicants submitted that for being selected as Primary Teacher the qualification of CTET is must, but some of the applicants are yet to obtain such certificate, therefore, the applicants have filed detailed representations to the Respondent No.7 on 05.03.2018 and 18.06.2018(Annexure A/4) requesting for delaying the recruitment of PST till the result of the CTET is declared. They have filed another representation to the Lieutenant Governor, Andaman & Nicobar Islands, Raj Niwas, Port Blair, but they received no response to their representations till date. Mr. Das further submitted that the applicants would be satisfied for the present if a direction is given to the Respondent No.7 or any other competent authority to consider and dispose of the representations of the applicants at Annexure A/4 and A/7 as per rules within a specific time frame.

7. Though no notice has been issued to the respondents, I think it would not be prejudicial to either of the parties, if the above prayer of the Id. counsel for the applicants is allowed.

8. Accordingly the Respondent No.7 i.e. the Deputy Director(Personnel), Directorate of Education, Andaman and Nicobar Administration, Port Blair or any other competent authority is directed to consider and dispose of the

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representations of the applicants at Annexure A/4 and A/7 by passing a well reasoned order as per rules and regulations governing the field within a period of six weeks from the date of receipt of this order and communicate the result to the applicants forthwith.

9. Mr. Das has prayed for interim relief protecting the interest of the applicants stating that the respondent authorities are going to conduct the selection test for the posts of Primary Teachers in pursuance of the notification dated 16.07.2018 at Annexure A/3 very soon and if such selection test takes place, the applicants would suffer from irreparable loss and injury.

10. I am satisfied with the submissions made by Id. counsel for the applicants. Accordingly the respondents are further directed not to proceed with the notification dated 16th July, 2018 (Annexure A/3) till the representations are disposed of and result is communicated to the applicants.



11. It is made clear that I have not gone into the merits of this case and all the points raised in the representations are kept open for consideration by the respondent authorities as per rules and regulations governing the field.

12. With the aforesaid observations and directions, the O.A. is disposed of at the stage of admission itself.

13. As prayed by Id. counsel for the applicants, a copy of this order along with the paper book be transmitted to Respondent No.7 by the Registry through speed post for which Id. counsel for the applicant shall deposit the cost within one week.

(A. K. Patnaik)
Judicial Member