

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 181/00644/2019

Thursday, this the 29th day of August, 2019.

CORAM:

HON'BLE Mr. ASHISH KALIA, JUDICIAL MEMBER

1. Arshad Suhail A,
S/o. Ashik K.I,
Keelailom House,
Agathy Island, Lakshadweep – 682 553.
2. Mohammed Yaseem K., 22 years,
S/o. Usman, Komalam,
Near North Childrens' Park,
Kavarathy, Lakshadweep – 682 555.
3. Thoufee N.P,
S/o. T.P. Koya,
Thittiyapada Home, Kalpeni,
Lakshadweep – 682 557. - Applicants

[By Advocate Mr. Harikumar G. Nair]

Versus

1. Union of India, represented by Secretary (Culture),
Ministry of Home, Shastri Bhavan,
New Delhi – 110 001.
2. Administrator,
Lakshadweep Administration,
Kavarathy, Lakshadweep – 682 555.
3. The Director,
Animal Husbandry, Department of Animal Husbandry,
Lakshadweep Administration, Kavarathy Island,
Lakshadweep – 682 555. - Respondents

[By Advocates : Mr. Sreedutt. S, ACGSC for R-1
Mr. S. Manu for R-2&3]

The application having been heard on 29.08.2019, the Tribunal
on the same day delivered the following:

ORDER

Per: Ashish Kalia, Judicial Member

Heard the learned counsel for the applicant.

2. Mr. Sreedutt. S, ACGSC takes notice on behalf of Respondent No. 1 and Mr. S. Manu for R-2 and 3.

3. The applicants are the natives of Lakshadweep Island, who have obtained Degrees in Bachelor of Science (Poultry Production and Business Management) from Kerala Veterinary and Animal Science University. As per the existing Recruitment Rules, the qualification prescribed is 10+2. So, the applicant are ineligible for applying to this post since they are holding Degree. Thus, they have challenged the Recruitment Rules by submitting that Degree should also be a part of the qualification for the said post. They have made representations to the respondents (Annexure A-8 & A-9), which are still pending. The applicants also submits that till then the selection should be postponed.

4. On the otherhand, learned counsel for the Lakshadweep Administration submits that the representation can be considered by the appropriate authority. But he opposed for grant of any interim order postponing the selection.

5. Heard both counsel at length. This Tribunal is of the view that the applicants are having better qualification for the said post. Thus, the

Competent Authority may take appropriate decision prior to the holding of selection. With the above direction, the O.A is disposed of. There shall be no order as to costs.

(Dated, 29th August, 2019.)

(ASHISH KALIA)
JUDICIAL MEMBER

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Applicant's Annexures

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| Annexure A-1 | - | True copy of certificate issued by the Registrar, Kerala Veterinary and Animal Science University Pukode, Wayanad to the 1 st applicant. |
| Annexure A-2 | - | True copy of certificate issued from Mithranikethan Krishi Vigyan Kendra to the 1 st applicant. |
| Annexure A-3 | - | True copy of Certificate issued by the Registrar, Kerala Veterinary and Animal Science University Pukode, Wayanad to the 2 nd applicant. |
| Annexure A-4 | - | True copy of Certificate issued from Mithranikethan Krishi Vigyan Kendra to the 2 nd applicant. |
| Annexure A-5 | - | True copy of certificate issued by the Registrar, Kerala Veterinary and Animal Science University Pukode, Wayanad to the 3 rd applicant. |
| Annexure A-6 | - | True copy of Certificate issued from Mithranikethan Krishi Vigyan Kendra to the 3 rd applicant. |
| Annexure A-7 | - | True copy of Lakshadweep Gazette dated 15.12.2010. |
| Annexure A-8 | - | True copy of representation dated 27.02.2019 submitted by the 1 st applicant's father before the 2 nd respondent. |
| Annexure A-9 | - | True copy of representation dated 24.06.2019 before the 3 rd respondent, submitted by the 1 st applicant's father. |
| Annexure A-10 | - | True copy of Employment Notice along with the corrigendum dated 23.07.2019. |
| Annexure A-11 | - | True copy of letter dated 31.01.2019 from the officer in charge of College of Avian Sciences and Management to the 2 nd respondent. |
| Annexure A-12 | - | True copy of Recruitment Rules published in the gazette of Government of Pondicherry. |
| Annexure A-13 | - | True copy of application submitted by the 1 st applicant before the 3 rd respondent. |
| Annexure A-14 | - | True copy of application submitted by the 2 nd applicant before the 3 rd respondent. |
| Annexure A-15 | - | True copy of applications submitted by the 3 rd applicant before the 3 rd respondent. |

Annexures of Respondents

NIL
