

Central Administrative Tribunal
Principal Bench

O.A. No. 1127 of 2000

New Delhi, dated this the 22nd January, 2002

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MR. SHAKAR RAJU, MEMBER (J)

Shri Rajender Kumar,
R/o C-3/170,
Sector 31,
NOIDA, U.P. .. Applicant

(None appeared)

Versus

1. Union of India through
the Secretary,
Ministry of Labour,
Directorate General of Employment &
Training,
Shram Shakti Bhawan,
Rafi Marg,
New Delhi-110001.
2. Director General,
Directorate General of Employment &
Training,
Shram Shakti Bhawan,
Rafi Marg,
New Delhi-110001.

(By Advocate: Shri D.S. Mahendru)

ORDER (Oral)

S.R. ADIGE, VC (A)

Applicant impugns Respondents' order dated 5.8.97 (Annexure A) cancelling his ad hoc appointment to the post of Dy. Director of Training on the ground that he does not possess the requisite educational qualifications for the post.

2. None appeared for applicant even on second call. Shri D.S. Mahendru appeared for respondents and has been heard.

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3. Admittedly applicant was promoted as Dy. Director of Training on ad hoc basis vide order dated 2.7.97. Upon it coming to the notice of Respondents that applicant did not possess the requisite educational qualifications for the post of Dy. Director of Training, respondents vide order dated 5.8.97 cancelled the aforesaid appointment, as a result of which applicant has been reverted to his substantive post of Assistant Director of Training.

4. In this connection the Recruitment Rules for the post of Dy. Director of Training (Annexure B) lays down certain essential educational qualifications, which are common to both direct recruits as well as promotees. These include a degree in engineering or technology of a recognised university or equivalent, or diploma in Engineering/Technology of a recognised Board of Technical Education or equivalent, in field/disciplines where degree qualifications are not awarded.

5. Applicant was working in the field of dress making, and respondents in para 4.5 of their reply have stated, that in the field of dress making the highest technical qualification available is diploma in dress making, and accordingly a candidate possessing diploma qualification in the discipline of dress making is eligible for promotion to the grade of Dy. Director of Training.

6. Respondents in Para 5 of their reply to the O.A. have averred that applicant does not possess the minimum essential technical qualification of diploma in dress making, and this averment of respondents has not been specifically denied by applicant in the corresponding paragraph in his rejoinder, and none has appeared on behalf applicant even on second call to rebut the same.

7. In the result the O.A. warrants no interference. It is dismissed. No costs.

S. Raju
(Shankar Raju)
Member (J)

karthik

S. Adige
(S.R. Adige)
Vice Chairman (A)