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**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
NEW DELHI

O.A. No. 700/90 199  
T.A. No.

DATE OF DECISION 7.6.1991

Shri Ved Prakash ~~Petitioner~~ Applicant

Applicant in person. ~~Advocate for the Petitioner(s)~~

Versus

Director, Central Road Research Institute, Respondent<sup>s</sup>  
Delhi & others.

Shri A.K.Chanana, Section ~~Advocate~~ for the Respondent(s)  
Officer

CORAM

The Hon'ble Mr. D.K.CHAKRAVORTY, MEMBER(A)

The Hon'ble Mr. T.S.OBEROI, MEMBER(J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No

JUDGEMENT

( JUDGEMENT OF THE BENCH DELIVERED BY HON'BLE  
MR. D.K.CHAKRAVORTY, MEMBER(A) )

The applicant, who is working as Helper 'B' in the office of Respondent No.1, has filed this application under Section 19 of the Administrative Tribunals Act, 1985 against the selection of a candidate for the post of Drilling Rig Operator and denying him the opportunity to sit in the trade test and interview held on 16.3.1990 although he is a fully eligible departmental candidate. He has prayed that the selection made for the post be quashed on grounds of discrimination and rejection of his appeal by a non-speaking order. He has also prayed for fresh selection by an impartial Selection Committee in which the applicant may be allowed to compete in the Trade Test as well as interview.

2. The short point for consideration in this application is whether the applicant was eligible for

consideration for the post of Drilling Rig Operator which was advertised under advertisement No.4/88 dated 1.11.88. There was only one post of Drilling Rig Operator in the scale of Rs.950-20-1400 and the qualifications, experience and job requirements for the post were as follows:-

" 1.Matriculation/SSLC plus III certificate of two years duration.

OR

2.Matriculation/SSLC plus two years experience.

OR

3.Holder of ITI Certificate of two years duration passed after passing Middle/8th class examination plus two years experience.

OR

4.Holder of one year III certificate after Middle/8th pass plus three years experience in the line.

Job requirements

Candidate must have 2 years experience of operating Rigs for drilling in Soil and Rocks in an organisation of repute."

3. The applicant joined the Central Road Research Institute in March 1972 as a daily wage helper and was made a regular employee as Helper 'A' in February, 1979. He was promoted to Helper 'B' in the scale of Rs.800-1150 in February, 1986.

4. The applicant had passed the High School Examination in 1982. He applied for the post as a departmental candidate. He claims that though he worked <sup>/only</sup> as a Helper, through sustained effort and hard <sup>3</sup> work in various projects using different drilling rig machines he has acquired sufficient <sup>/the</sup> knowledge and experience required for operating/drilling rigs of CRRRI. The name of the applicant was not, however, <sup>/trade test and</sup> included in the list of candidates called for/interview.

His representation for reconsideration was rejected without giving any reasons therefor.

5. The respondents have stated that the applicant does not have an III certificate and, does not have experience of holding independent charge of operating a Drilling Rig which is a sensitive and costly equipment and needs a really skilled person in this line to operate such a machine. He does not, have the requisite qualifications and experience required for the post of Drilling Rig Operator. The Screening Committee did not, therefore, find the applicant as eligible for being called for trade test or interview. Out of 12 applicants, 8 candidates were short listed for trade test and interview and one of them has duly been selected on merit for the job. The selected candidate has already joined the post.

6. We have heard the applicant and the Departmental representative and considered the rival contentions.

7. The Selection Committee was competent to prepare a list of eligible candidates for calling them for trade test and interview. After carefully going through the records, we do not find any merit in the contentions of the applicant. The application is accordingly, rejected. However, having regard to the length of service rendered by the applicant, we hope that, as and when a vacancy arises in an equivalent post to be filled up either by departmental promotion or through open competition, the respondents shall consider the suitability of the applicant for promotion or appointment to the same.

There will be no order as to costs.

*T.S. Oberoi*  
( T.S. OBEROI )  
MEMBER (J)

*D.K. Chakravorty*  
( D.K. CHAKRAVORTY )  
MEMBER (A) 7-6-1991