

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA No. 2127/93

New Delhi, this the 15th day of July, 1999

HON'BLE MR. JUSTICE V.RAJAGOPALA REDDY, VICE CHAIRMAN (J)
HON'BLE MR. R.K. AHOOJA, MEMBER (A)

In the matter of:

Anil Kumar Saini
TCM Grade III
Northern Railway Trunk Exchange
DRM Office, New Delhi. Applicant
(None).

Vs.

1. Union of India
through the General Manager,
Northern Railway
Baroda House, New Delhi.
2. The Divisional Railway Manager,
DRM's Office, State Entry Road,
New Delhi.
3. The Divisional Personnel Officer,
Northern Railway,
DRM's Office, New Delhi. Respondents
(None).

ORDER (ORAL)

BY R.K.AHOOJA, MEMBER (A)

None appears on behalf of the parties. Since this is an old case of 1993, it is being disposed of as per Rule 15 & 16 of CAT (Procedure) Rules, 1985.

2. The applicant who is a Telecom Maintainer TCM Grade-III in Northern Railway Trunk Exchange in the matter came before the Tribunal is aggrieved by the direction given to him to appear in the trade test for ascertaining his suitability for appointment as TCM Grade-II. The applicant submits that the post of TCM Grade-II has been created as per the restructuring of certain group C & D categories notified as per Ministry of Railways order dated 27.1.93. In para 4 of that order it

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has been stated that where the post has to be filled up by selection the procedure for selection will be modified in such a case to the extent that the selection will be based only on scrutiny of service records and confidential reports without holding written or viva voce test. The applicant contends that this is a one time exception given in respect of posts created on account of restructuring of the Group C & D cadres and therefore he is not liable to take the trade test. We notice from the respondents' reply that the applicant had already appeared in the trade test along with others and the result was awaited. We also find from the pleadings before us that it is not confirmed that the post in question was a selection post. Normally trade tests are conducted in order to find out whether the employee possesses the requisite skills for the higher post. It is not a selection in the sense that only meritorious candidates may be appointed in the higher post. In that view of the matter the trade test is meant to ascertain that the employee has the basic qualification and skill to hold the post. In any case the applicant has already undergone the trade test. We can only presume, since the OA has not been pressed and none has appeared, that he is satisfied with the result of the trade test.

3. In view of the above discussion we find no ground for any interference. OA is, accordingly, dismissed.

R.K. Ahuja
(R.K. AHOOJA)
Member (A)

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V.Rajagopala Reddy
(V.RAJAGOPALA REDDY)
Vice Chairman (J)