

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 10TH DAY OF JANUARY 1997

Original Application No. 1364 of 1996

HON.MR.S.DAS GUPTA, MEMBER(A)

HON.MR.T.L.VERMA, MEMBER(J)

Wasim Ahmed Khan S/o Shri Abdul
Latif Khan, r/o 134 Khaildar,
Fatehpur(U.P.)

Applicant

BY ADVOCATE SHRI P.K. MISHRA

Versus

1. Union of India through Secretary
Ministry of Broadcasting and
Information, Govt. of India 'A' Wing,
Shastri Bhawan, New Delhi-110 001
2. Chief Engineer(Northern Zone)
Akashvani Evam Doordarshan, Jam
Nagar House, Shahjahan Road, New Delhi -110 001
3. Chief Engineer Prashikshan Staff
Prashikshan Sansthan(T) Akashvani
Kingsway, Delhi-110 009
4. Maha Nideshak, All India Radio
Akashvani Bhawan, Parliament
Street New Delhi- 110 001
5. Maha Nideshak, Doordarshan,
Mandi House, New Delhi 110 001
6. Superintending Engineer(Adhikshan
Abhiyanta), Akashvani Z-9 Daya Nand
Marg, Allahabad 211 001

Respondents

O R D E R(oral)

HON.MR. S.DAS GUPTA, MEMBER(A)

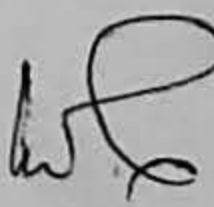
This application has been filed seeking a direction to the respondents to consider the appointment of the applicant on the post of Engineering Asstt. in All India Radio/Doordarshan, in accordance with the law laid down by the Hon'ble Supreme Court in the case of U.P. State Road Transport Corporation Vs.U.P. Parivahan Nigam Shishuks Berozgar Sangh.

2. The applicant's case is that after obtaining Diploma in Electronics he was an Apprentice Trainee in All India Radio Allahabad under the provisions of the Apprentices Act, 1961 and he has completed apprentice training successfully. The further case of the applicant is that a large number of vacancies are available in the Organisation and also he has represented for being considered for one of the vacancies. No action has been taken by the respondents so far.

3. The law laid down by the Hon'ble Supreme Court is that the apprentices trained by a department shall get preference over open market candidates in the matter of regular appointment. The respondents may or may not have vacancies in the department, but it is for them to decide whether to fill such vacancies or not. We cannot direct them to fill up the vacancies. More over, we are of the view that no cause of action has arisen so far, as it not is the case of the applicant that the vacancies have been filled and the applicant has been ignored. Also, the representation stated to have been submitted by him was in September, 96 and only about four months have been elapsed since then. The application is, therefore, premature and not maintainable before the Tribunal. The same is disposed of accordingly.

4. Nothing in this order however, shall preclude the respondents from considering the representation of the applicant stated to have been submitted and to pass appropriate orders thereon.


MEMBER(J)


MEMBER(A)

Dated: 10th of January, 1997