

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 471/94

Friday, this the 13th day of January, 1995

CORAM:

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR. S. P. BISWAS, ADMINISTRATIVE MEMBER

1. P. R. Sudha W/o R. Rajan
Technician, Telephone Exchange
Trunk Installation, Panampilli Nagar
Ernakulam
2. K. R. Renuka, W/o Satheesh Chandra Kumar
Technician, Telephone Exchange
Nedumangad, Trivandrum

Applicant

By Advocate Mr. M.R.Rajendran Nair

VS.

1. Union of India represented by Secretary
to Government, Ministry of Communications
New Delhi
2. The Chairman, Telecom Commission,
New Delhi
3. Chief General Manager, Telecom.
Kerala Circle, Trivandrum

Respondents

By Advocate Mr. T.P.M. Ibrahim Khan, SCGSC

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

Applicants technicians in the Telecom. Department aspiring for promotion as Telecom Technical Assistants, challenge A-4 rules by which they have been rendered ineligible. The rules in force prior to A-4 prescribed diplomas in Electrical, Mechanical, Radio, Telecommunications, Electronics Engineering and Instrumentation Technology as qualification for promotion. Diploma in Instrumentation Technology was left out of A-4 rules. Hence, applicants who hold diplomas in Instrumentation became ineligible for promotion.

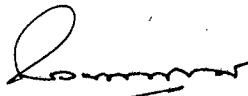
2. According to learned counsel for applicants, a diploma in Instrumentation is as good, if not better, than the

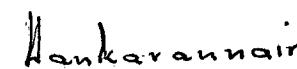
other diplomas recognised as eligible qualification. Quite apart from that, it is not for the Tribunal to decide on qualifications essential for a job. But, a decision regarding qualifications, is a decision to be taken only by an expert body. Even all departmental officers may not have the requisite skill or knowledge to decide such matters. Technology has made vast advances and new technological advances are on the way. Qualifications for a job, requirements for manning the job and allied matters must be decided upon by experts. The government must be having expert agencies, to deal with such matters.

3. Applicants' grievances in this direction must be considered by the competent authority considering also experts' opinion on technical matters. Second respondent will take a decision on A-7 in consultation with experts within four months from today.

4. Application is disposed of as aforesaid. NO costs.

Dated the 13th January, 1995.


S. P. BISWAS
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

Kmn 13195

List of Annexures

Annexure A4: True copy of the notification dated 22-7-1991, issued by Assistant Director General(STC)

Annexure A 7: True copy of the representation dated 13-12-93 submitted by the 1st applicant to the Director Telecom, New Delhi.