

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.69/03

Monday this the 3rd day of November 2003

C O R A M :

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER

Manchu V.
"Sivodayam",
Near Circle Office,
Kazhakuttom,
Thiruvananthapuram.

Applicant

(By Advocate Mr.P.C.Haridas)

Versus

1. Union of India represented by
its Secretary,
Ministry of Labour and Rehabilitation,
New Delhi.
2. The Director of Training,
Women's Occupational Training
Director General of Employment & Training,
Ministry of Labour,
Shravansakthi Bhavan,
New Delhi.
3. Regional Director,
Regional Director of Apprenticeship Training,
Guinday, Government of India,
Madras-32.
4. Principal,
Regional Vocational Training Institute for Women
Kazhakuttom, Thiruvananthapuram. Respondents

(By Advocate Mr.C.B.Sreekumar,ACGSC)

This application having been heard on 3rd November 2003
the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN


The applicant was a candidate for selection and empanelment as an Instructor for Secretarial Practice pursuant to a notification issued by the 2nd respondent in Employment News 14-20 December 2002. The qualification prescribed for being empanelled was degree or diploma as recognised by AICTE in the relevant field or POT (Principle of teaching) certificate issued

by NCVT. Atleast three years Industrial/Teaching/Training experience is also necessary. The applicant who possesses the requisite qualification applied producing Annexure A-2 certificate of experience issued on 12.6.2000 from the Regional Vocational Training Institute for women. Finding that she was not being called for interview the applicant has filed the application for a direction to the respondents to consider the applicant for empanelment as Instructor declaring that she is eligible and qualified.

2. Pursuant to the interim order dated 29.1.03 the applicant was also interviewed provisionally subject to the outcome of the O.A.

3. The respondents contend that the applicant did not have minimum three years experience, industrial/teaching/training and therefore is not eligible to be considered for empanellment to work as Guest Lecturer for two hours a day during 1995 to 2001 does not satisfy the criteria of eligibility prescribed under the Recruitment Rules.

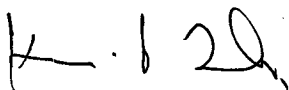
4. We have perused the material available on record and have heard Shri.P.C.Haridas, learned counsel for the applicant and Shri.C.B.Sreekumar, ACGSC learned counsel for the respondents. Shri.P.C.Haridas with considerable vehemence argued that the applicant having been put to work over a period of five years from 1995 to 2000, it is unjust to contend that the applicant did not have atleast three years experience and therefore rejection of the candidature of the applicant has to be held arbitrary and irrational. Learned counsel for the respondents on the other hand argued that Annexure A-2 certificate produced by the



applicant does not show that the applicant has been engaged continuously for five years from 1995 onwards. It reveals that the applicant had been engaged only when regular Instructors were on leave that too at the rate of two hours per day which does not satisfy the stipulated period of experience of atleast three years.

5. On a careful scrutiny of the materials available on record and considering the arguments of the learned counsel, we are not able to find any infirmity in the action of the respondents in rejecting the candidature of the applicant as the applicant has not established that she has the requisite minimum experience of three years part time Guest Lecturership during 1995 to 2001, as and when regular staff are on leave cannot be equated to experience for three years. The application therefore is devoid of merit. In the result the application is dismissed leaving the parties to bear their costs.

(Dated the 3rd day of November 2003)



H.P.DAS
ADMINISTRATIVE MEMBER



A.V.HARIDASAN
VICE CHAIRMAN

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