

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, GULESTAN BUILDING
6, PRESCOT ROAD, MUMBAI - 400 001
ORIGINAL APPLICATION No.1062/1992

FRIDAY, THIS THE 2ND DAY OF JULY, 1999

SHRI JUSTICE S. VENKATARAMAN .. VICE CHAIRMAN
SHRI S.K. GHOSAL .. MEMBER (A)

Shri Bhaskar Barku Dhepe,
Naval Armament Inspectorate,
NAD Karanja, Uran Dist.Raigad,
R/a 674/4, Chunabhatti, NAD Colony,
Uran, Dist, Raigad - 400 704. .. Applicant

(By Advocate Shri D.V. Gangal)

Vs.

1. The Union of India, through
the Chief of the Naval Staff,
Naval Head Quarters, R.K.Puram,
New Delhi.
2. The Flag Officer Commanding-in-Chief,
Western Naval Command, S.B. Road,
Bombay - 400 023.
3. The Admiral Superintendent,
Naval Dockyard, Lion Gate,
S.B. Road, Bombay - 400 023.
4. The Chief Inspector of Naval Armament,
Naval Armament Inspectorate,
Naval Dockyard, Gun Gate, S.B. Road,
Bombay - 400 023. .. Respondents

(By Standing Counsel Shri V.S. Masurkar)

ORDER

Justice S. Venkataraman, Vice Chairman :

The applicant had originally filed the application for a direction to the Respondents to hold direct

recruitment to the post of Foreman. During the pendency of this application, the Respondents held direct recruitment for the post of Foreman in 1993-94. The applicant who is working as Senior Chargeman (Mech.) in Naval Armament Inspectorate had applied for the post in 1993 and it is stated that he did not succeed.

2. The grievance of the applicant that is now sought to be urged by means of Miscellaneous Petition No.368/1995, 14/99 and 111/99, is that though he had applied for the post of Foreman (Power) in the Naval Dockyard, his application was rejected for two reasons, that the 1st reason is that his application was received on 22.10.1994, beyond the last date fixed for filing applications, i.e., 30.9.1994 and the other reason is that he does not have the requisite experience in the appropriate field.

3. The applicant's case is that actually notification calling for applications was received in the Naval Armament Inspectorate only on 1.10.1994 and that it was not even published and that however, the applicant coming to know about the notification, he submitted his application on 22.10.1994. It is no doubt true that it ~~would~~ appear that the notification was received in the Naval Armament Inspectorate on 1.10.1994. When a notification is issued calling for applications and that notification is published in various units and by various means, the

fact that in one unit the notification is received late cannot be a reason to extend the last date fixed for receipt of applications. The eligibility with regard to age, etc., will all depend on the last date of the receipt of applications.

4. It is stated by the Respondents that this notification has been published in the Central Employment Exchange and various other forums. As such, the application of the applicant which was admittedly submitted long after the last date fixed for receipt of the applications could not have been accepted on the ground that the notification has been received in the Naval Armaments Inspectorate (NAI) on 1.10.1994.

5. With regard to the 2nd reason, there is a controversy between the applicant and the Respondents as to whether the applicant had the requisite experience. The notification stipulates that the candidate must have 5 years experience in the concerned trade. As the post in question was the post of Foreman (Power), the candidate has to possess training in the field of Power/Electricity. The applicant has tried to contend that he, working in Electrical Laboratory and doing the work of recalibration and that as such, he has the requisite experience in that field. The Respondents have contended that the work done

by the applicant ~~in~~ recaliberating in the Laboratory is not the same thing as the experience required in the trade of Power. The Respondents have also pointed out that the applicant in 1993, had mentioned against ~~column~~ ^{meant} made for Technical Qualifications, including training, ~~he had mentioned~~ that he had 3 years apprenticeship in Electrical trade (Navaid Fitter) and had produced a certificate which would show that he was an apprentice in the trade of Navaid Fitter only. However, in the application which he had now given, he has stated that he was an apprentice in Electrical trade which on his own showing is false.

6. Be that as it may, the experience that is required for the post of Foreman (Power) is quite different from the experience which a Senior Chargeman Mech. may have while working in a Laboratory containing some electrical equipments. We do not think that rejection of the application calls for interference by this Tribunal.

7. For the above reasons, this application is rejected. All the pending M.As. stand disposed of.

(S.K. GHOSAL)
MEMBER (A)

(S. VENKATARAMAN)
VICE CHAIRMAN