

(34)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.410/92.

Date of Judgement 1.9.1992.

V.Anjaneyulu

.. Applicant

Vs.

1. The Telecom. District,
Engineer, Telecommunications,
Mahabubnagar Division-50.

2. The Chief General Manager,
Telecommunications,
A.P.Circle, Hyderabad-500001.

3. The Chairman,
Telecom. Commission,
Sanchar Bhavan,
New Delhi.

.. Respondents

Counsel for the Applicant : Shri J.Parthasarathi

Counsel for the Respondents : Shri N.V.Ramana, Addl. CGSC

CORAM:

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri C.J.Roy : Member(J)

X Judgement as per Hon'ble Shri R.Balasubramanian, Member(A)

This application has been filed by Shri V.Anjaneyulu against the Telecom. District Engineer, Telecommunications, Mahabubnagar Division-50 & 2 others under section 19 of the Administrative Tribunals Act, 1985 praying for a direction to the respondents to select him as Telecom. Technical Assistant and depute him for training.

2. The applicant joined the Telecom. Department as a Technician on 15.6.82. He underwent the theoretical training for 9 months and practical training for 3 months before appointment as a Technician. The Govt. of India issued a notification dt. 22.7.91 constituting the cadre of Telecom. Technical Assistants (TTAs for short). The applicant represented that he possesses all the qualifications and that he should be selected. It is his case that the 2 Year Diploma

Page

To

1. The Telecom. District Engineer,
Telecommunications, Mahabubnagar Division-50.
2. The Chief General Manager,
Telecommunications, A.P. Circle, Hyderabad-1.
3. The Chairman, Telecom, Commission,
Sanchar Bhavan, New Delhi.
4. One copy to Mr. J. Parthasarathi, Advocate
Rly Qurs, 144 South Lalaguda, Secunderabad.
5. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
6. one spare copy

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which he holds was treated on the same footing as those of Diploma Holders with 3 years since they were given an additional increment. It is also his case that he had undergone apprenticeship for one year conducted by the Govt. of India through its National Council for Training in Vocational Trade. He, therefore, contends that he has the requisite qualifications and that he should be selected.

The request was, however, turned down and hence this application.

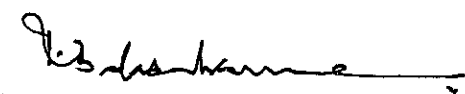
3. The respondents have filed a counter affidavit opposing the application. Their main point is that the applicant does not have a 3 Year Diploma in Engineering and, therefore, he is not eligible to be selected as TTA.


4. We have examined the case and heard the rival sides.

5. The applicant wants to be deemed to be possessing 3 Year Diploma Course because:

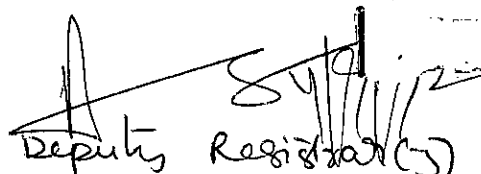
- (a) no distinction was made between 2 Year Diploma Holders and 3 Year Diploma Holders while granting advance increments.
- (b) he had undergone apprenticeship for 1 Year conducted through the National Council for Training in Vocational Trade.
- (c) the syllabus of the Diploma Course he passed is the same as that for the TTA Recruitment Examination.

It is not necessary for us to go into these contentions. Various courts have repeatedly held that the Government has the right to stipulate qualifications for various jobs. In as much as the applicant does not possess the required qualification, he cannot be treated as eligible, based on the parallels he draws. Hence, we dismiss the application at the admission stage itself with no order as to costs.


(R. Balasubramanian)
Member (A).


(C. J. Roy)
Member (J).

Dated 1st Sept. 92


Deputy Registrar (J).

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE MR.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:
MEMBER (J)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (J)

Dated: 1 - 9 - 1992

~~ORDER~~ / JUDGMENT

~~R.A./C.A./M.A. No.~~

~~in~~

O.A. No.

610/92

T.A. No.

~~(M.P. No.)~~

Admitted and interim directions
issued

Allowed:

Disposed of with directions

Dismissed at admission stage

Dismissed as withdrawn

Dismissed for default

M.A. Ordered / Rejected

No orders as to costs.

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