

(16)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A. NO. 1314/93

Between:

Date of Order: 26.11.96.

K. Ananda Rao

...Applicant.

And

1. The Director General, Employment & Training, Ministry of Labour, Govt. of India, New Delhi - 110 001.
2. The Director, Advanced Training Institute, Vidyanagar, Hyderabad - 500 007
3. ATI-EPI Campus, Ramanthapur, Hyderabad - 500 013.
4. D. Venkata Swamy
5. Ch. U. Raju

...Respondents.

Counsel for the Applicant : Mr. C. Suryanarayana

Counsel for the Respondents : Mr. N. V. Raghava Reddy,

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (A)

THE HON'BLE SHRI B. S. JAI PARAMESHWAR : MEMBER (J)



contd...

JUDGEMENT

(17) X Oral order as per Hon'ble Shri B.S. Jai Parameshwar (MJ) X

None for the applicant. Heard Shri N.V.Raghava Reddy, learned standing counsel for the respondents 1-3. R-4&5 called absent though notice was served.

2. The applicant in this OA is an ex-serviceman. He was employed as Duftry in the office of the Respondent No.3. On 11.8.93 the respondent No.2 issued circular instructions No. 11013/12/93/Estt-I/75, dt. 11.8.93 (A-2), wherein the 2 posts of Workshop Attendants from amongst the Group 'D' staff of Hyderabad Units of the DG E&T was to be filled. As per this circular staff members who had passed VIII class Examination preferably with industrial experience were eligible to apply and they should submit their application to R-2 on or before 13.8.93 for preparing a list of eligible staff members and arranging for trade test.

3. Thereafter the department prepared the list of employees who are eligible for appearing for the trade test before the Respondent No.3. Details of employees appeared for the oral test for the post of Attendant on the basis of the list prepared is at A-3. As per this Annexure, the applicant is, no doubt, senior to R-4 & R-5. But he failed in the trade test whereas R-4 & R-5 passed in the trade test. Thus though the applicant is senior he could not be promoted as he had failed in the trade test. Though the applicant submits that he is an ex-serviceman that qualification has got no relevance for promotions to Workshop Attendant.

4. Thereafter the applicant has filed this application praying this Tribunal to call for the records relating to the impugned order dt. 5.10.93, to set aside the same and consequently directing Respondents 1-3 to make the promotions to the post of Workshop Attendant strictly in accordance with the recruitment rules and established practice.

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4. The respondents have not filed any counter. However, during the course of arguments the learned standing counsel respondents for 1-3 submitted that the trade test was conducted in accordance with the circular instructions and that the departmental promotions committee recommended the name of Respondent No. 4 and 5. The applicant though stated certain tests ^{given} made to him ~~are not relevant~~ during the test, that cannot take us to say that he fared well in the test. It is for the Committee to consider the suitability of the applicant for the post apart from the questions put to him during the test. We cannot find fault with the procedure adopted by the D.P.C. in selecting R-4 and R-5. From the material placed on record we are convinced that the selection of Respondents No. 4 & 5 is strictly in accordance with the rules and does not call for our interreference.

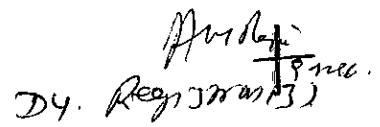
5. Hence there is no merit in this OA, ^{and} the same is dismissed accordingly. No costs.


(B.S. JAI PARAMESHWAR)
Member (Judl.)
26.11.96


(R. RANGARAJAN)
Member (Admn.)

Dated : 26th November, 1996

(Dictated in Open Court)


D.Y. Registrator

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Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN: M(A)
P.M. NO. D-5. *Jaiparaman m/s*

DATED: 26/11/93.

✓
ORDER/JUDGEMENT
R.A/C.P./M.A.NO.

O.A. NO. 1314/93

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

YLKR

II COURT

