

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH : NEW DELHI

O.A. No. 2554/89

New Delhi this 20th Day of May 1994

HON'BLE MR. J.P. Sharma, Member (J)  
HON'BLE Mr. B.K. Singh, Member (A)

Shri Bharat Singh,  
Son of Shri Lila Dhar,  
Resident of 1/489 A Chhawani,  
Aligarh.

Shri K.K. Sethi,  
Son of Shri W.D. Sethi,  
Resident of 1680/C-2, Govindpuri Extension,  
Kalkaji,  
New Delhi-110 019.

Shri Sunil Kant Gaur,  
Sr. Draftsman (S&T),  
R.T.S. Tilak Bridge,  
New Delhi.

... Applicants

(By Advocate Shri V.P. Sharma)

Vs.

1. Union of India through  
the General Manager,  
Northern Railway,  
Baroda House, New Delhi.
2. The Secretary,  
Railway Board,  
Rail Bhawan, New Delhi
3. Satya B. Kapoor, Sr. D/Man (S&T),  
Northern Railway,  
Baroda House,  
New Delhi.
4. Shri Avinash Chand; and
5. Shri K.K. Saran  
SR. Draftsman,  
Northern Railway,  
Baroda House,  
New Delhi.
6. Shri Hari Shankar Gupta,  
Sr. Draftsman,  
Northern Railway,  
Aligarh.
7. Shri Daulat Ram,  
Sr. Draftsman,  
RTS (S&T), Tilak Bridge,  
New Delhi.

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8. Shri Vishnu Singh,  
Sr. Draftsman (S&T),  
Northern Railway,  
Baroda House,  
New Delhi.

... Respondents

O R D E R

Hon'ble Mr. J.P. Sharma

The applicants are working as Sr. Draftsman in the Northern Railway, Baroda House, New Delhi. In the year 1986, Railway Recruitment Board, Chandigarh invited applications for selection and appointment of Apprentice Draftsman. The applicants were selected and were given an Offer of Appointment as Apprentice Draftsman vide Annexure A-9 dated 17.8.1987. Offer of appointment goes to show that after clearing the medical examination they will be put as Apprentice Draftsman (S&T). It was specifically provided that after the completion of the training, there is no guarantee for their absorption in the service. If there was a vacancy after the completion of the training, they will be given appointment in the scale of Rs. 525-700. The period of training was to be for a duration of one year. The grievance of the applicant is that they were not given at the time of initial engagement the pay at Rs.1400/- per month and that the period of training should have been one year and not for two years as they are not governed by the letter of the Railway Board dated 17.9.1987. The applicants, therefore, prayed for the grant of the reliefs that the applicants are entitled for stipend as per the terms and conditions in the letter of Offer of Appointment dated 7.8.1987 from the date of initial appointment as Apprentice Draftsman in the scale of Rs.1400-2300.

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They may be also allowed arrears of stipend. It is, also, prayed that the respondents be directed that the training for the applicants be treated for one year and the seniority of the applicants to be taken into account from the date of completion of one year's apprentice training and one year be granted for the purpose of seniority, Pension and other benefits.

2. At the time of hearing the learned counsel for the applicant, Shri V.P. Sharma, did not press the relief for the payment of Rs. 1400/- per month from the date of initial engagement. Thus, the application with regard to that relief has not been considered and the relief prayed for is disallowed. The application, is therefore, confined whether the period of training of the applicants should be one year or two years. The applicants made representations and by the Order dated 21.11.1988 they were informed that the training period cannot be curtailed as per the General Manager (P) New Delhi letter No. PS9187 against Item No. 35 as decided by the Deputy C.S.T.E. Headquarters.


3. The respondents contested this application but none appeared at the time of hearing from the side of the respondents. When the case was heard on 17.5.1994, the learned counsel for the applicant, Shri V.P. Sharma, wanted time to file a circular of the Railway Board to show that the training period for Apprentice Draftsman S&T in the railways is one year. The office has reported that Shri V.P. Sharma has not filed any such circular and as directed in the Order Sheet of 17.5.1994 the case is being disposed of on the basis of the pleadings of the parties and documents on record, taking into account the arguments submitted by the learned counsel for the

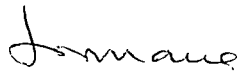
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applicant.

4. The Offer of Appointment of the applicants is dated 7.8.1987. The Railway Board Circular is dated 19.2.1987 on the subject of the revision of rates of stipend to Apprentice and Trainees of Railways. Along with this there is a schedule at Sl.No. IV, Item No.35 for draftsman 'B' in Mechanical and Electrical and S&T Department, diploma holders the period of training is two years. In para 4.4 of the counter, the respondents have taken a stand, that the training period cannot be curtailed in view of the PS No. 9187 and a copy of that is also enclosed with that counter. Further in the Railway Board <sup>Circular</sup> dated 19.2.1987 referred to above there is a specific mention of period of training as two years and the learned counsel for the applicant, Shri V.P. Sharma, in spite of the opportunity afforded has not shown any provision contrary to the above that the period of training has been one year. The letter of the Railway Board is dated 19.2.1987 and the Offer of Appointment is August 1987 and it will, therefore, be a part of the service condition of appointment for training purpose as Draftsman Apprentice. The applicants, therefore, have no case.

5. The present application is, therefore, dismissed as devoid of merit leaving the parties to bear their own costs.

  
(B.K. Singh)  
Member(A)

  
(J.P. Sharma)  
Member(J)

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