

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH AT BANGALORE**

**ORIGINAL APPLICATION NO.170/00011/2019**

**DATED THIS THE 26<sup>TH</sup> DAY OF FEBRUARY, 2020**

**HON'BLE DR K B SURESH....MEMBER (J)  
HON'BLE SHRI C V SANKAR .....MEMBER (A)**

N.Kalimullah,  
S/o Late Noorulla,  
Aged 37 years,  
Track Maintainer Grade III  
O/o Senior Section Engineer (P.Way)  
South Western Railway,  
Dharmapuri (North)  
R/o C/o Sri.O.Zabirullah  
# 11, 8<sup>th</sup> Main, 5<sup>th</sup> Cross,  
Shamanna Garden,  
Bangalore-560 016.

...Applicant

(By Advocate Shri.K Shivakumar)

Vs.

1. Union of India  
Rep. by General Manager,  
South Western Railway,  
Hubli-580020.

2. Senior Divisional Personnel Officer,  
South Western Railway,  
Bangalore – 560 023.

...Respondents

(By Shri.N.Amaresh, Senior Panel Counsel)

**ORDER (ORAL)**

**HON'BLE DR K B SURESH, MEMBER (J)**

Heard. There is nothing in this matter. On our direction to get instructions in the matter, the Senior DPO files a memo which we quote:

**SOUTH WESTERN RAILWAY**

*Headquarter office, Personnel Department, Zonal Headquarters Building  
HUBBALLI-580 020*

*No.SWR(P)HQ/209/O.A.No.170/11/2019/NKM      Dated 10.02.2020*

*SR.DPO/SBC*

*Sub: OA No.170/11/2019 filed by Shri.N.Kalimullah, before the  
Honb'le Central Administrative Tribunal, Bengaluru*

*Ref: Sr.DPO/SBC letter No.B/P.209/OA/170/11/2019 dated  
20.02.2020.*

*With reference to the above subject, the case has been examined and hereby advised that, the Institution of Permanent Way Engineer (India) is not having recognition/affiliation of AICTE as per the information acquired from the website. Hence the diploma awarded by the institution cannot be considered as adequate qualification for promotion as per the Railway Board letter No.2012/CE-I/CT/0/20 dated 12/07/2013 the diploma awarded by Institution of Permanent Way Engineer (India) is only applicable in the case of contractual worker.*

*In view of the above, this is the clarification in regard to your above referred letter and take action accordingly.*

*Sd/-  
(T.Shivanna)  
SPO/Cadre.  
For Principal Chief Personnel Officer.*

2. It merely says that diploma may not be accepted because it does not have any affiliation to AICTE as per the information acquired from the website. Which website they have not mentioned, may be the website of AICTE themselves. But then the institution of Permanent Way Engineer (India) is internal institution of the

railways themselves and they train these people only for employment in railways and no other purpose. There cannot be any doubt that their own diploma is valid for their own employment.

3. Therefore, applicant is held to be eligible and a mandate is issued for the same, consequences of that will follow within the next two months. OA is allowed. No costs.

**(C V SANKAR)**  
**MEMBER (A)**

**(DR K B SURESH)**  
**MEMBER (J)**

/rsh/

**Annexures referred to by the applicant in OA No.170/00011/2018**

- Annexure A1: Copy of the Notification dated 06.11.2017
- Annexure A2: Copy of the eligibility list dated 12.03.2018
- Annexure A3: Copy of the communication dated 17.04.2018
- Annexure A4: Copy of the Circular dated 24.02.2011
- Annexure A5: Copy of the Memorandum dated 13.07.2018
- Annexure A6: Copy of the RTI reply dated 30.08.2018 & 24.10.2018
- Annexure A7: Copy of the Memorandum dated 25.10.2018
- Annexure A8: Copy of the representation dated 29.10.2018
- Annexure A9: Copy of the representation dated 27.10.2018
- Annexure A10: Copy of the representation dated 29.10.2018
- Annexure A11: Copy of the eligible/ineligible list
- Annexure A12: Copy of the letter dated 09.08.2016
- Annexure A13: Copy of the letter of Institution of Engineers
- Annexure A14: Copy of the Railway Board letter dated 12.07.2013

**Annexures referred to by the respondents**

- Annexure R1 Copy of the RBE No.120/2014
- Annexure R2 Copy of the reply to RTI dated 04.12.2018
- Annexure R3 Copy of the reply to RTI dated 04.12.2018