

**CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH**

**OA/020/00301/2015**

HYDERABAD, this the 29<sup>th</sup> day of March, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member  
Hon'ble Mr. B.V. Sudhakar, Admn. Member**



1. Annapu Hari Krishna,  
S/o Shri Annapu Bhaskara Rao,  
Age 25 years, Occ. Unemployee,  
R/o Dharmapuram Village & Post,  
S.M.Puram (Via), Ponduru Mandal,  
Srikakulam District, Andhra Pradesh-532402,  
Hall Ticket No.32800100.
2. Paila Simha Chalam S/o. Paila Gumpa Swami,  
Age 25 years, Occ. Unemployee,  
R/o Konda Rejeru Village, Kasipatnam Post,  
Makkuva Mandal, Vizianagaram District,  
Andhra Pradesh-535547,  
Hall Ticket No.42800146.
3. Raju Guramana S/o. Aadeyya,  
Age 25 years, Occ. Unemployee,  
R/o Palavalasa Village, Rottavalasa Post,  
Sarubuttili Mandal, Srikakulam District,  
Andhra Pradesh-532190,  
Hall Ticket No.42800079.
4. Mandadi Appala Naidu S/o. Shri Mandadi Narayana,  
Age 27 years, Occ. Unemployee,  
R/o Vedulavalasa Village & Post, Garividi Mandal,  
Vizianagaram District, Andhra Pradesh-535128,  
Hall Ticket No.12800186.
5. Gonapa Venkatakumar, S/o. Shri Ramayya,  
Age 31 years, Occ. Unemployee,  
R/o Govt. Hospital Road, Kavity (VIL/PO/MD),  
Srikakulam District,  
Andhra Pradesh-532322,  
Hall Ticket No.52800014.
6. Rokalla Ramarao, S/o. Shri Prakasharao,  
Age 34 years, Occ. Unemployee,  
R/o Jalla Palli Village, Narisipuram Post,  
Nandigam Mandal, Srikakulam District,  
Andhra Pradesh – 532302,  
Hall Ticket No.42800075.



7. Panjala Chandrasheker, S/o. Shri Venkatesham,  
 Age 29 years, Occ. Unemployee,  
 R/o H.No.2-85, Bibinagar Village & Mandal,  
 Nalgonda District, Telangana State-508126.  
 Hall Ticket No.42800058.

8. Malsuru Bomma S/o. Mangaiah,  
 Age 32 years, Occ. Unemployee,  
 R/o Mothey Village & Post & Mandal,  
 Nalgonda District, Telangana State -508212,  
 Hall Ticket No.12800065.

9. Sangepu Laxman S/o. Shri Satyanarayana,  
 Age 27 years, Occ. Unemployee,  
 R/o H.No.3-42, Narsing Batla Village,  
 Nalgonda Mandal, Nalgonda District,  
 Telangana State-508244,  
 Hall Ticket No.22800054.

10. Kagitapalli Ravi S/o Appala Naidu,  
 Age 25 years, Occ. Unemployee,  
 R/o H.No.14-288, Indranagar Colony,  
 Palakonda Village & Mandal,  
 Srikakulam District, Andhra Pradesh,  
 Hall Ticket No.52800079.

...Applicants

(By Advocate: Mr. Ranjith Kumar)

Vs.

Union of India Rep by

1. The South Central Railway,  
 Rep. by its Chairman/RRC/SCR,  
 Railway Recruitment Cell,  
 1<sup>st</sup> Floor, 'C' Block, Rail Nilayam,  
 Secunderabad, Telangana State-500 071.

2. The Deputy Chief Personal Officer,  
 Railway Recruitment Cell,  
 1<sup>st</sup> Floor, 'C' Block, Rail Nilayam,  
 Secunderabad, Telangana State-500 071.

3. The Assistant Personal Officer (Recruitment),  
 (APO/RRC/SCR),  
 Railway Recruitment Cell, 1<sup>st</sup> Floor, 'C' Block,  
 Rail Nilayam, Secunderabad,  
 Telangana State-500 071.

....Respondents

(By Advocate : Mr. D. Madhava Reddy, SC for Railways)

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**ORAL ORDER**  
**(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)**

**Through Video Conferencing:**

2. The OA is filed in regard to the selection of the applicants in Group D cadre against notification dated 17.8.2012 issued by the respondents.
3. Brief facts of the case are that the applicants, who are physically challenged in regard to vision, applied for the posts of Group D against notification dated 17.8.2012, for which a corrigendum was issued on 24.9.2013 in order to fill up backlog vacancies pertaining to physically challenged category. Applicants passed the written exam and thereafter they were called for document verification and Medical Examination. In the Medical Examination they were found unfit and on appeal, a re-medical check was done with the same result. Aggrieved the OA is filed.
4. The contentions of the applicants are that they got their eye sight checked by Government doctors, who found them to be fit for doing the job. Hence, the respondents need to consider their selection.
5. Respondents *per contra* state in their reply statement that as per the terms and conditions of the notification, medical examination was done and found the applicants to be unfit both at the primary and the appeal stage. The doctor certificates produced by the applicants are not valid. The rejection is as per rules.
6. There was no representation for the parties. As the OA is of the year 2015 and the subject matter pertains to selection pursuant to a notification issued in 2012, any further delay would not be in the interest of justice and

hence the matter was taken up for adjudication. We perused the pleadings on record in detail.

7. I. The dispute is about the non selection of the applicants to the post of Group 'D' against notification/corrigendum dated 17.8.2012/ 24.9.2013 respectively. Applicants passed the written exam and when called for document verification/ medical examination, they were found unfit under Visually Handicapped quota in the medical examination by the Railway Doctor vide medical report dated 2.5.2014. Applicants thereupon challenged the medical report by enclosing the medical reports (A-1 Pages 51 to 60) issued by Doctors at Andhra Medical College, Visakhapatnam; Govt. Regional Eye Hospital, Visakhapatnam; Community Health Centre, Cheepurupalli, VZM Dist; RIMS General Hospital, Srikakulam; Sarojini Devi Eye Hospital, Hyderabad; CHC, Kodad, Nalgonda Dist; Dist. Hqrs. Hospital, Nalgonda. As there is a provision in the Rules for appeal, applicants were advised to appeal and on appeal the re-medical was done on 29.10.2014 wherein the applicants were again found to be unfit. The re-examination was done by a committee consisting of 3 doctors one of whom is an ophthalmologist. The clause 2.5 (i) of the notification makes it clear that the selected candidates would be subjected to medical examination by the Railway Medical Authority. At para 7.1 of the notification it was mentioned that the candidates should carefully read the instructions to make sure that they are eligible to appear for the said post. Further, as per para 222 (1) of IREC, no person can be substantively appointed to a permanent post without clearing the medical examination. Thus, as is clear from the above, since the applicants failed in the medical examination, they could



not be selected. The respondents have acted as per the conditions of the notification and therefore, we do not find any error in their decision in not offering appointments to the Group 'D' posts applied for. The medical certificates enclosed by the applicants to the OA at page Nos. 51 – 60 (Annexure A-VI) do not indicate as to which posts the applicants are found to be medically fit. Applicants are to be examined as per the medical standards of respondents organization and for which, Railway medical authorities are the competent ones to examine and decide. Hence, the certificates issued by the doctors without referring to the medical standards of respondents organization would not be of much assistance to the applicants.

II. In view of the aforesaid, having found no merit in the OA, we dismiss it with no order as to costs.



**(B.V.SUDHAKAR)**  
**ADMINISTRATIVE MEMBER**

**(ASHISH KALIA)**  
**JUDICIAL MEMBER**

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