

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 17th day of May, 2004.

Original Application No. 710 of 2000.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.
Hon'ble Mr. S.K. Hajra, Member- A.

Pradeep Singh Yadav S/o Sri Nanku Yadav,
R/o Vill. Chhabilepur, Post- Manauri,
Distt. Allahabad.

.....Applicant

Counsel for the applicant :- Sri N.L. Srivastava

V E R S U S

1. Union of India, M/o Railways, New Delhi
through its Secretary.
2. Chairman, Railway Recruitment Board,
Northern Railway, D.R.M Office Campus,
Naval Yusuf Road, Allahabad.
3. General Manager (P), Northern Railway,
Head Quarter Office, Baroda House, New Delhi.
4. Chief Personnel Officer/Chief Karmik Adhikari,
Head Quarter Office, Baroda House, New Delhi.

.....Respondents

Counsel for the respondents :- Sri A.V. Srivastava

O R D E R

Hon'ble Mr. Justice S.R. Singh, VC.

The applicant, it is alleged, appeared in Vocational Course in Railway Commercial, a job linked course launched by Central Board of Secondary Education (CBSE) in collaboration with the Ministry of Railways and National Council of Education Research and Training (NCERT). The course, it may be pointed out, was introduced as a pilot project in five selected centres in the country for the academic year 1991-92. It is specifically provided in the catalogue (Annexure- 1) that

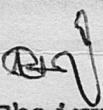
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students who pass this course by securing atleast 55% (45% for SC/ST) marks in 'Railway Commercial Working' as well as in the aggregate in the subjects at Sl. No. 1,2,4,5 and 6 of the catalogue aforesaid will be offered appointment as Commercial Clerks or Ticket Collectors in the Railways in scale of pay Rs. 975-1540, Rs. 950-1500 plus other admissible allowances like DA, HRA, CCA etc. at the rates specified from time to time, subject to medical examination as per prescribed standards and other formalities which are required to be cleared before entry into Government service. In para-11 of the CA, it is conceded that the applicant was successful in the Vocational Course. It is further submitted that after passing 10+2 examination in the year 1996, the applicant "did not report to the Railway Authorities for the purpose just after the declaration of 10+2 result, he was not offered appointment". It is further alleged in para 12 of the CA that for the first time, the applicant approached the Railway Administration in November, 1998.

2. Having heard counsel for the parties, we are of the view that since the scheme specifically visualised that the students who pass the vocational course by securing prescribed marks, will be offered appointment to the post of Commercial Clerk/ Ticket Collectors. Mere failure on the part of the applicant to approach the Railway administration will not take away his right to be offered appointment in accordance with the scheme. In the circumstances, therefore, the applicant is entitled to the reliefs claimed herein.

3. Accordingly the O.A succeeds and is allowed. The respondent are directed to offer appointment to the applicant to the post of Commercial Clerk/Ticket Collector on the basis of result of the examination held in 1996 within a period of three month from the date of communication of this order. No costs.

Somnath K. Nayak
Member - A.


Vice-Chairman.