

(Open Court)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

(4)

Dated, Allahabad, this 2nd February, 2001

CORAM : Hon'ble Mr.S. Dayal, Member(A)
Hon'ble Mr.Rafiq Uddin, Member(J)

Original Application No.941/2000

1. Manoj Kumar Singh
Son of Shri Aniruddh Prasad Singh
resident of House No.95-C/7 Chak Niratul,
Allahabad
2. Udai Veer Singh
Son of Shri Dhan Ram,
resident of House No.378 Mewati Tola, Etawah,
Distt. Etawah
3. Vinod Kumar
Son of Sri Gaya Prasad,
resident of Village & Post Chakwa Bujurg,
District Etawah
4. Krishna Gopal
Son of Sri Mohal Lal
resident of Sarai Lawariya,
Mumaish Road, Raghuvir Puri,
Police Chauki Ke Pal, Aligarh

.....Applicants

Counsel for the Applicants : Shri O.P.Singh

VERSUS

1. Union of India through the General Manager,
Northern Railway, Baroda House, New Delhi
2. Divisional Railway Manager,
Northern Railway, Allahabad Division, Allahabad
3. Senior Divisional Electrical Engineer
(Rolling Stock), Northern Railway, Fazalganj,
Kanpur

.....Respondents

Counsel for the Respondents: Shri A.C.Mishra

ORDER (Open Court)

(Order by Hon'ble Mr.S. Dayal, Member(A))

This application has been filed for direction to
the Respondents to provide job in Electrical Division

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of the Respondents on the post of Electrician to the applicants taking into consideration of the apprenticeship training of the applicants.

There are 4 applicants in this case. The case is that they were selected for apprenticeship training by the Respondents and they completed their apprenticeship training successfully on the post of Electrician under the Respondents. They were issued Apprenticeship Certificate by the National Council for Vocational Training after their trade test conducted in December, 1998. 2 of the applicants are said to belong to the category of Scheduled Castes Community. The applicants on the basis of their Certificates now claim that they should be provided jobs on the post of Electrician in the Railways. They have in this connection drawn attention to the Memo. dated 10.10.1973. Learned Counsel for the Respondents has mentioned that the applicants should be entitled to the benefits of instructions issued by the Railway Board vide letter NO.E(NG)-II/96/RR-1/34 dated 26.8.1996 which provides that when ^{the department} ~~advertisises~~ [✓] for direct recruitment if any apprentice comes forward for employment along with other candidates who are not apprentices, the candidates having apprenticeship training in Railway Board will be given preference over other candidates who are not apprentices. Learned Counsel for the Respondents has also stated that at present no vacancy is available and the applicants can make their applications as and when vacancies become available and are informed to the public. The Railway Board has issued this instructions in pursuance of judgement of Hon'ble Supreme Court

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Learned Counsel for the applicant states that direction may be issued to the Respondents to give benefits to the applicants in the light of judgement of the Appex Court as referred to by the Learned Counsel for the Respondents. We do not consider it necessary to issue such directions because the judgement lays down the law of the land and is to be complied with by all.

We, therefore, find that the relief claimed by the applicants is not admissible in the form it is claimed. The applicants may apply as and when the vacancies of posts are advertised by the Railway Deptt. The applicant stands disposed of.

No order as to cost.



JM



AM

kkc