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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,

ORDER SHEET

COURT NO. : 1

22.05.2017

O.A./260/709/2016

G V RAMANA
-V/S-
M/O RAILWAYS

ITEM NO:6

FOR APPLICANTS(S) Adv. : Mr. P.R.J.Dash

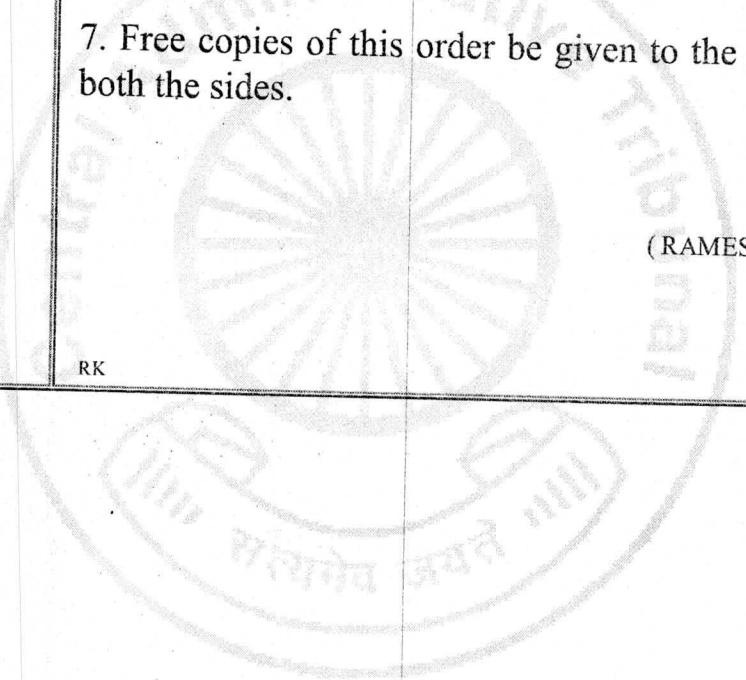
FOR RESPONDENTS(S) Adv.: Mr. T.Rath

Notes of The Registry	Order of The Tribunal
	<p>Heard Mr. P.R.J.Dash, Ld. Counsel for the applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served and perused the material placed on record.</p> <p>2. Mr. Dash, Ld. Counsel for the applicant, has submitted that the applicant, who is residing in Srikakulam in the State of Andhra Pradesh, has made a representation dated 09.03.2016 to the General Manager, E.Co.Railways, Chandrasekharpur, Bhubaneswar and other authorities in the E.Co.Railway making a prayer for offering him appointment as substitute under the Railway Board letter dated 17.09.2010, which describes the rule for appointment of substitutes in the Railways. Although the applicant is residing in the State of Andhra Pradesh but since he has made an application to the General Manager, E.Co.Railways, at Bhubaneswar, I allow this O.A. to be agitated before this Bench of the Tribunal on the point of territorial jurisdiction.</p> <p>3. Mr. T.Rath, Ld. Standing Counsel for the Railways, however, submitted that the RBE No. 137/2010 dated 17.09.2010 is only a guideline enabling the Railways to recruit substitutes in case of requirement. In the present case, no such requirement has been shown. There is also no advertisement of recruitment of substitutes. If any application has been made to the General Manager, E.Co.Railways, that may be looked into and disposed of but, strictly speaking, a direction is not required to be issued to the General Manager.</p> <p>4. I have considered the submissions of the Ld. Counsels for both the sides. I am of the view that the representation of the applicant is a general application mentioning the educational qualification and the need for employment to the applicant. Although, there is a reference to the Railway Board letter</p>



dated 17.09.2010, nowhere it is indicated whether the Railway authorities have invited any such application for recruitment of substitutes. Therefore, at the stage of admission without going into the merit of the matter, a simple direction only can be issued to the General Manager, i.e. Respondent No.2, to consider the representation as per the existing rules and instructions in case of such matter and dispose it of with a reasoned and speaking order to be communicated to the applicant within a period of three months from the date of receipt of copy of this order. Ordered accordingly.

5. With the aforesaid observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.
6. Copy of this order along with paper book be communicated to Respondent No. 2 by Speed Post at the cost of the applicant, for which Ld. Counsel for the applicant will file the postal requisites by 24.05.2017.
7. Free copies of this order be given to the Ld. Counsels for both the sides.


(RAMESH CHANDRA MISRA)
MEMBER (A)