

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 99/2000

Friday this the 17th day of November, 2000.

CORAM

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER
HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. M.I.Musthak Ahmed
C/o Karunanidhi
Chirackaparambil House
Palathuruthu
Kochi - 20.
2. L.Linu Pillai
Vaigundam House
Alumkadavu P.O.
Karunagapalli
Quilon District.

...Applicants

By advocate Mr.T.C.Govindaswamy

Versus

1. Union of India represented by
Secretary, Ministry of Railways
Rail Bhavan, New Delhi.
2. The General Manager
Southern Railway
Headquarters Office
Park Town P.O.
Madras-3.
3. The Chairman
Railway Recruitment Board
Chennai.
4. The Chairman
Railway Recruitment Board
Trivandrum.
5. The Chairman
Railway Recruitment Board
Bangalore.

...Respondents

By advocate Mrs. Sumathi Dandapani.

The application having been heard on 17th November, 2000,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER

Applicants seek to quash Annexure A3 and to declare
that they are entitled to be considered for appointment
against vacancies referred to in A3 in preference to direct
recruitment and also to direct the respondents accordingly.

2. First applicant has successfully undergone the three year

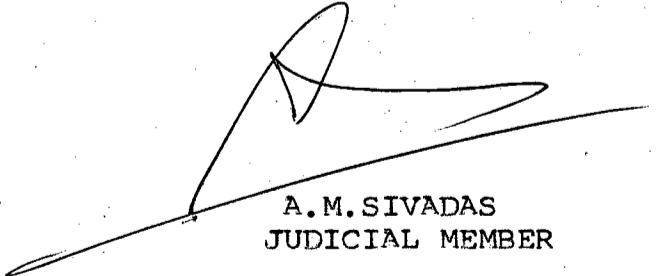
apprenticeship in the trade of Millwright Maintenance Mechanic and the second applicant has successfully undergone the three year apprenticeship course in the trade of Mechanic (Diesel). Applicants were entitled to be considered for appointment against skilled vacancies in the respective trade. Respondents were giving preference to candidates like the applicants over direct recruitment and considering them for temporary/regular appointment in Group-D vacancies. Respondents have issued A-3 notification in which the minimum qualification is shown to be 8th class pass with course completed Act Apprentices/III being a desirable qualification. A3 is ultravires of the rules and instructions on the subject.

2. Respondents have filed a detailed reply statement.
3. Learned counsel appearing for the respondents drew our attention to a common order passed by the Madras Bench of this Tribunal in OA Nos.971/99, 991/99, 1051/99 and 1197/99. The said common order has dealt with various questions including the question raised in this original application. After an elaborate discussion of all the aspects, the Madras Bench dismissed all OAs.
4. Since the said order of the Madras Bench applies squarely to the facts of this case, we are following the same. The result is that this OA is to be dismissed.
5. Accordingly, this Original Application is dismissed.

Dated 17th November, 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A. M. SIVADAS
JUDICIAL MEMBER

aa.

Annexure referred to in this order:

A-3: True copy of the joint Employment Notice No.03/99 dated 1.5.99 issued by the 3rd respondent.