

C. A. T. Bench, JAIPUR

Date of Order

CP 92/94(OA 13/91)

Orders

12.1.95

None present on/behalf of the applicant.

Mr. Manish Bhandari : Counsel for the respondents.

The Tribunal had passed an order in O.A. No. 13/91 on 2.12.93 wherein two directions were given to the respondents. One related to fixation of responsibility of the officers who apparently committed irregularities in the recruitment proceedings and taking action against them after giving them an opportunity of being heard. The other direction was that each of the applicants should be paid Rs. 200/- as damages on account of wastage of his time, expenditure incurred by him and inconvenience caused to him on account of appearing in the examination which was subsequently cancelled on account of irregularities. There was a further direction that the compensation to be paid should be recovered from the officers who were responsible for the irregularities in a suitable proportion to be fixed by the respondents, Railways.

2. Suo Motu contempt proceedings were initiated against the respondents by the Tribunal on the ground that the directions of the Tribunal had not been complied with. The matter was heard from time to time and the respondents have been apprising the Tribunal about the steps being taken by them for implementation of the directions of the Tribunal. The learned counsel for the respondents explained today that in spite of notices issued by them to the persons who were prima facie found to have committed irregularities in the recruitment proceedings, they have not come forward to deposit the amount of damages demanded from them.

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He adds that the respondents propose to initiate ~~disciplinary~~ ^{appropriate formal} proceedings in accordance with the rules against the officials who have been found prima facie guilty in this regard. This would be both with a view to ~~comply~~ ^{complying} with the directions of the Tribunal for taking action against the officials who have committed irregularities and regarding recovery of the amount of damages to be paid to the ~~persons~~ ^{Candidates} who had participated in the recruitment proceedings.

3. The other aspect of the Tribunal's order was that compensation of Rs. 300/- per candidate should be paid. The learned counsel for the respondents states that so far as only seven persons have come forward to claim Rs. 300/- each. This, according to him, is in spite of the fact that wide publicity was given that they can come forward and claim the amount of Rs. 300/- each from the Railway Authorities. Since the names and addresses of the persons who had appeared in the recruitment test were not available, they had given wide publicity in newspapers which circulate in the regions from which the candidates could be expected to have come.

4. We take note of the assurance given by the learned counsel for the respondents that appropriate ~~disciplinary~~ ^{formal} action would be taken against the officials who were prima facie responsible for committing the irregularities. We are satisfied that sufficient publicity has been given by the respondents to inform the candidates that they can come forward

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	<p>Contd.....2/</p> <p>to collect Rs.300/- each by way of damages from the Railway Authorities.</p> <p>5. In the circumstances, the contempt notices are discharged.</p> <p>(O.P. SHARMA) Administrative Member</p> <p>(GOPAL KRISHNA) Member(Judicial)</p>	<p>- 3 -</p> <p>Contd. - proceeding are contempt notices and</p> <p>only sent to the app. - C & P C & U rd 9331 & 9332 25/1/95.</p>