



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

OA - 350/00140/2017

PARTICULARS OF THE APPLICANTS:

1. Vakil Kumar, son of Jagdish Prasad Yadav, aged about 39 years, residing at Salkhna Chakla, Post Office - Salkhna Bazar, District - Saharsa, Pin 852 126, State - Bihar
2. Monoj Kumar, son of Ramsagar Prasad Yadav, aged about 35 years, residing at Village, P.O. and District - Lakhisaroy, State Bihar, Pin 811311
3. Prithwish Sanfui, son of Nirapada Sanfui, aged about 39 years, residing at Village Pañch Para, Post Office - Hotar, Dist - 24 paraganas, Pin 743610.
4. Shishu Kumar Sinha, son of Doprasad, aged about 30 years, residing at Neora Colony, Qtr No. 575/D, Post Office - Khagaul, District - Patna, Bihar, Pin 801 105
5. Ajoy Kumar, son of Surendra Prasad, aged about 39 years, residing at House no. DT 1421, Post Office - Dhurwa, District - Ranchi, Jharkhand, Pin 834004

..... APPLICANTS

V E R S U S -

- i) Union of India, through the General Manager, Eastern Railway, Fairle Place, Kolkata 700001

Wle

ii) The Chief Personnel Officer, Eastern Railway, Fairle Place,
Kolkata 700001

iii) The Chairman, Railway Recruitment Cell, C. R. Avenue, Kolkata
700012

... RESPONDENTS

Alle

No. O.A. 350/00140/2017

Date of order: 27.6.2017

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member


For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. A.K. Guha, Counsel

ORDER (Oral)**A.K. Patnaik, Judicial Member:**

Heard Mr. A. Chakraborty, Ld. Counsel for the applicant and Mr. A.K. Guha, Ld. Counsel for the respondents.

2. Although this O.A. has been filed by five applicants but Mr. Chakraborty submitted that the Railways have not followed RBE No. 73/2008. As per the circular where the number of candidates available after document verification exceeds the number of vacancies, the panel finalized by Railway Recruitment Cell shall be equal to the number of vacancies only. The circular also stipulate that the Railway Administration after giving specific joining time to the selected candidates, if subsequently certifies that certain number of candidates have not turned up within the specific period, then another panel equal to the number of candidates who have not got employment will be supplied by the RRC. It is also mentioned that before calling for the replacement in lieu of the candidates who have not finally turned up for obtaining appointment, the CPO shall personally satisfy himself that the procedure for cancellation of the offer of appointment to the originally empanelled candidates has been strictly followed. The replacement panel shall include only such number of reserved/unreserved candidates who have not turned up as per the original panel. The Ld. Counsel for the applicant submits that in this case the RRC has failed to prepare the Replacement panel although more than 1000 candidates did not turn up to accept the offer of appointment. He further submitted that as



RBE No. 73 of 2008 was not followed properly, the applicants were debarred from getting appointment in the Railway for no fault of their own.

3. As I am not entering into the merits of the case, therefore, no separate petition for joint prosecution is required.

4. Mr. Chakraborty submitted that the applicants have preferred representations on 15.7.2016 addressed to the Chief Personnel Officer, Eastern Railway, Strand Road, Fairlie Place, Kolkata – 700 001 which is not yet considered. Therefore, without entering into the merits of the matter, the representations so preferred by the applicants dated 15.7.2016 at Annexure A-4 be considered and disposed of by way of a well-reasoned order within a period of two months from the date of receipt of a copy of this order particularly keeping in mind the provisions and to decide the applicability of RBE No. 73 of 2008 as per rules under communication to the applicant and if after such consideration, the applicants' grievance is found to be genuine, then expeditious steps may be taken within a further period of three months from the date of such consideration to extend the benefits to the applicant.

5. With the aforesaid observation and direction, the O.A. is disposed of.



(A.K. Patnaik)
Judicial Member