

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH
CIRCUIT SITTING AT RANCHI
OA/051/00043/19

Date of Order: 09.01.2019

CORAM

**HON'BLE MR. JAYESH V. BHARAVIA, JUDICIAL MEMBER
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER**

Nitish Raj Singh, aged 18 years S/o Bhudeo Chandra Singh, resident of Village-Chakulia, PO- Kashijharia, PS- Pindra Jora, Bokaro District- Bokaro, Jharkhand.

..... **Applicant.**

By Advocate: - Mr. M.A. Khan

-Versus-

1. The General Manager (P&A), Steel Authority of India Limited, Bokaro Steel Plant, PO & PS- Bokaro, District- Bokaro-827103.
2. The Assistant General Manager (Personnel), Bokaro Steel Plant, Bokaro Steel City, PO & PS- Bokaro, District- Bokaro-827103.
3. The Director, Land & Rehabilitation Project, Bokaro Steel City, PO & PS- Bokaro, District- Bokaro-827103.

..... Respondents.

By Advocate: - Mr. Prabhat Kumar

ORDER
[ORAL]

Per Dinesh Sharma, A.M:- The case of the applicant is that he is the dependent son of his father Bhudeo Chandra Singh whose land was acquired by the respondents for factory and applications were invited by the respondents for descendent dependents of land losers for apprenticeship training by a notification dated 30.06.2016. Though the applicant applied in response to this notice his application was rejected with remarks “wrong information given to the applicant”.

The applicant approached this Tribunal in OA 459/2018 which was disposed of by directing the respondents to pass a reasoned and speaking order. The applicant preferred an application before the concerned authority on 18.09.2018 and his

claim has been rejected again by order dated 16.10.2018. The relevant portion of the order where the reason for rejection is shown is reproduced below:-

“7. Subsequently, a letter vide no. Pers/IR/2017-1399 dated 02.12.2017 was sent to DPLR, Bokaro for verification of eligibility of decedents of displaced persons. In response to letter of SAIL, BSL a verified list was communicated by DLR, Bokaro vide letter no. 94 dated 30.01.2018 wherein the family no. of Shri Nitish Raj Singh was 207-1 and not 206 as declared by him at the time of online application.

8. It was clearly stated in the original notice dated 30.07.2016 that “data/information once submitted online during the application stage shall not be allowed to change. It is also mentioned in the said notice that incomplete/incorrect applications are liable to be rejected.”

2. The matter was taken up at the admission stage itself. The learned counsel for the respondents appeared and orally argued that the reason given in the speaking reasoned order referred at Annexure A/9 of OA is sufficient reason for rejection. The advocate for the applicant, however, further argued that this small mistake happened because number 206 was the original number given to the applicant's father and this was later changed to 207-1. Rejection of his application on the basis of this minor error should not have been done.

3. After hearing both the parties at the admission stage, it is very clear that though the applicant fulfills all the criteria for grant of apprenticeship his application has been rejected on the ground of a minor error in mentioning the correct family number of the displaced person. It is not the claim of the respondents that the applicant's father was not a displaced person. They have also not questioned (in their reasoned order at A/9) his eligibility for apprenticeship on any other ground. Since it is *prima facie* clear that the applicant is a descendent family member of a person whose land was acquired, his application should not have been rejected only on this technical ground especially when the respondents

have no doubt about his father being a displaced person. Since the apprenticeship is being granted to meet the social responsibility on account of difficulties caused due to displacement that has occurred on account of the respondents' action, taking a very technical approach in this matter is not desirable. Hence, we consider it appropriate to dispose of this application at this stage with a direction to the respondents to consider the application of the applicant, if his father Bhudeo Chandra Singh is one of the displaced persons as per the records maintained by the relevant authorities, even though there might have been a mistake, in writing the number correctly, at the time of online application. The OA is disposed of accordingly. No order as to costs.

[Dinesh Sharma]
Administrative Member
Srk.

[Jayesh V. Bhairavia]
Judicial Member