

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BENGALURU**

ORIGINAL APPLICATION NO.170/00312/2019

DATED THIS THE 6TH DAY OF NOVEMBER, 2019

**HON'BLE DR.K.B.SURESH
HON'BLE SHRI C.V. SANKAR**

**...MEMBER(J)
...MEMBER(A)**

Harish B,
S/o Late Babu .J,
Aged about 24 years,
Residing at House No.113/B,
Vontikoppal Railway Quarter,
Yadavgi,
Mysore-570 020.

...Applicant

(By Advocate Shri Izzhar Ahmed)

Vs.

1.Assistant Personnel Officer
Head Quarter
Railway Recruitment Cell
South Western Railway,
Old GM's Office Building
2nd Floor, Club Road,
Hubli-580 023.

2.Union of India,
Through the General Manager,
South Western Railway,
Gadag Road,
Hubli-20.

...Respondents

(By Standing Counsel Shri J. Bhaskar Reddy for Respondents)

O R D E R (ORAL)

HON'BLE DR.K.B.SURESH ...MEMBER(J)

Heard. The matter is in a very short compass. As Shri Bhaskar Reddy, learned counsel for the respondents submits, after great discussion at the bar that the issue of 2.1(b) qualification means that applicant should have been in active participation for the

last 5 years. The applicant has produced active participation certificate, which is at page 16, which we quote:

"CERTIFICATE OF ACTIVENESS

Certificate No.011/SWR/BS&G/Mys

This is to certify that, Shri./Smt./Kum. Harish.B of S.W. Railway, Mysuru Stat/District/Division is an active member of Field Marshal K.M. Cariappa Scout Group Since 13 years duly registered with the State/District Association.

Date 19.01.2019

Place Mysore.

-sd/-

Group Leader(S/G)

-sd/-

DOC(S/G)

-sd/-

DC(S/G)

2. The wordings of this certificate means that from 2014 onwards the applicant would have had some participation on an active basis in the Scouts. Page 49 to 54, we quote:

THE SOUTH WESTERN RAILWAY STATE BHARAT SCOUT & GUIDES,
MYSURU DISTRICT
CERTIFICATE

This is to certify that Shri Harish B Rover of Field Marshal K.M. Cariappa Scout group/ Mysuru had taken part in following Scouting Activities in the year 2014.

SL	PARTICULAR	DATE	VENUE
NO			
1	Participated in Group meeting	05.01.2014	Group den Mysuru
2	Participated in Republic day celebration	26.01.2014	Division & Ashokapuram
3	Participated in 116 th birthday celebration of F.M. Cariappa	31.01.2014	Group den Mysuru
4	Thinking Day Celebration	22.02.2014	Group den

5	Participated in Trekking camp at Kemangundi	12.04.2014 To 14.04.2014	Chikmangalore
6	Participated in World Environment Day	05.06.2014	Group den
7	Participated in Surprise fortress check at DVG	21.05.2014	Railway Station, Mysuru
8	Participated in Trekking camp	18.07.2014 to 21.07.2014	Agumbe & Kudremukh
9	Participated in MR'S Program at Mysuru	13.07.2014	Division office, Mysuru
10	Participated in Independence day parade	15.08.2014	Division & Ashokapuram
11	Participated in Trekking camp at Dodhsagar	30.08.2014 to 31.08.2014	Dodhsagar falls, Hubli
12	Participated in Cycle rally Mysuru to Chamarajanagar	26.09.2014 to 28.09.2014	Mysuru to Mysuru to Chamarajanagara
13	Participated in Cleanliness drive	02.10.2014	Bhadravathi
14	Participated in National integration day at Mysore	25.11.2014	Mysuru
15	Participated in Ticket checking	03.12.2014	Railway station, Mysuru
16	Participated in Trekking camp at Kumara parvatha	25.12.2014 to 27.12.2014	Kukkesubramanya

THE SOUTH WESTERN RAILWAY STATE BHARAT SCOUT & GUIDES,
MYSURU DISTRICT

CERTIFICATE

This is to certify that Shri Harish B Rover of Field Marshal K.M. Cariappa Scout group/ Mysuru had taken part in following Scouting Activities in the year 2015.

SL	PARTICULAR	DATE	VENUE
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NO

1	Participated in Group meeting	21.01.2015	Group den Mysuru
2	Participated in Band practice at railway ground	23.01.2015 to 25.01.2015	Railway ground, Mysuru
3	Participated in Republic day parade	26.01.2015	Division & Ashokapuram
4	Participated in 117 th birthday celebration of F.M. Cariappa	31.01.2015	Group den Mysuru
5	Participated in LC gate awareness camp at Chitradurga	28.01.2015 to 29.01.2015	Chitradurga
6	Thinking Day Celebration	21.02.2015 to 22.02.2015	Group den, Mysuru
7	Participated in Received DRM at railway station	18.04.2015	Railway Station, Mysuru
8	Participated in Group outing at Balamuri	21.04.2015	Balamuri, Mysuru
9	Participated in Group meeting	26.04.2015	Group den, Mysuru
10	Participated in Group outing at Srirangapatna	01.05.2015 to 02.05.2015	Srirangapatna, Mysuru
11	Participated in Cleanliness camp	06.06.2015	Railway Station, Mysuru
12	Participated in LC gate awareness and cleanliness camp at NJD & CMR	08.06.2015 to 09.06.2015	Nanjangud & Chamarajanagar
13	Participated in Trekking camp for Scouts & Roves	11.07.2015 to 14.07.2015	Kodachadri, Shimoga District
14	Participated in Independence day parade	15.08.2015	Division & Ashokapuram
15	Participated in specialized pioneering course	21.08.2015 to 25.08.2015	STC, Hubballi
16	Participated in Swachbharathabhiyan	02.09.2015	Railway Station, Mysuru
17	Participated in SURF SMART Regional Level Training of Trainers	19.09.2015 to 20.09.2015	STC, Dodaballapur
18	Participated in Swachbharathabhiyan	09.10.2015 to 10.10.2015	Nanjangud & Chamarajanagara
19	Participated in Kumaraparvatha camp	18.12.2015 to	Kukkesubramanya

20.12.2015

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MYSURU DISTRICT
CERTIFICATE

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SL NO	PARTICULAR	DATE	VENUE
1	Participated in Kunthibetta	30.01.2016 to 31.01.2016	Pandavapura Mysuru
2	Participated in Republic day celebration	26.01.2016	Division & Ashokapuram
3	Participated in 118 th birthday celebration of F.M. Cariappa	31.01.2016	Group den Mysuru
4	Participated in Thinking Day Celebration	22.02.2016	Group den
5	Group meeting	10.04.2016	Group den, Mysuru
6	Participated in Annual Group Camp	16.04.2016 to 20.04.2016	STC, Rameshwaram
7	Participated in World Environment Day Celebration	05.06.2016	Railway Hospital
8	Participated in Regional Level Disaster preparedness cum management program	06.07.2016 to 10.07.2016	Bengaluru
9	Participated in Independence day Celebration	13.08.2016 to 15.08.2016	Railway Ground, Mysuru
10	Inter Divisional Drama Competition	11.11.2016	Chamundi Club, Mysuru
11	Group Level Trekking camp	18.12.2016	Chamundi hills
12	Rendered Service for 17 th National Jamboree, Mysuru	26.12.2016 to 31.12.2016	Mysuru Railway Station

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CERTIFICATE

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SL NO	PARTICULAR	DATE	VENUE
1	Rendered Service for 17 th National Jamboree, Mysuru	01.01.2017 to 06.01.2017	Mysuru Railway Station
2	Participated in Republic day celebration	26.01.2017	Division & Ashokapuram
3	Group Level Trekking Camp at Yadakumari (Western Ghat) to Subramanya Road	26.01.2017 to 28.01.2017	Yadakumari
4	Participated in 119 th birthday celebration of F.M. Cariappa	31.01.2017	Group den Mysuru
5	Participated in Thinking Day Celebration	22.02.2017	Group den
6	Rendered Service for Railway Week Celebration (Mysore)	12.04.2017	Railway Kalayana Mantapam
7	Rendered Service for Railway Week Celebration (Ashoka Puram)	19.04.2017	National Institute of Engineering College, Mysuru
8	Participated in Independence day Celebration	15.08.2017	Division & Ashokapuram
9	Participated in All faith prayer on the occasion of Gandhi Jayanthi	02.10.2017	Group den
10	Participated in foundation day	07.11.2017	Divisional office
11	Participated in SURF SMART	30.12.2017	STC, Bengaluru

THE SOUTH WESTERN RAILWAY STATE BHARAT SCOUT & GUIDES,

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CERTIFICATE

This is to certify that Shri Harish B Rover of Field Marshal K.M. Cariappa Scout group/ Mysuru had taken part in following Scouting Activities in the year 2018.

SL NO	PARTICULAR	DATE	VENUE
1	Participated in Republic day celebration	26.01.2018	Division & Ashokapuram
2	Participated in 18 th All Indian Railway Jamborette,	06.01.2018 to 11.01.2018	E.coast Rly Bhubaneswar
3	Participated in 120 th birthday celebration of F.M. Cariappa	31.01.2018	Group den Mysuru
4	Participated in District Rally	16.02.2018 to 17.02.2018	Group den
5	Participated in Thinking Day Celebration	22.02.2018	Group den
6	Participated in 3 rd State Rally	23.02.2018 to 25.02.2018	Hubballi
7	Participated in Group meeting	18.03.2018	Group den Mysuru
8	Participated in Railway Week Celebration	18.04.2018	Railway Kalyana Mantapa
9	Participated in Environment day	05.06.2018	Mysuru Railway Station
10	Participated in group camp	28.07.2018 to 30.07.2018	Shivamogga
11	Fund raising for flood relief Kodagu and Kerala	17.08.2018 to 20.08.2018	Mysuru Railway Station
12	Relief material handovered to Kottam AC	22.08.2018 to 23.08.2018	Kerala
13	Relief material handovered to Kodagu AC	25.08.2018	Kodagu
14	Participated in District Rally	06.11.2018 to 08.11.2018	Group Den
15	Observance of Quami Ektha Week	24.11.18	Mysuru

3. Therefore, we declare that the applicant is qualified to come under the issue at para 2.1(b). Therefore, we will now allow the OA and direct the respondents to open the sealed cover and consider the eligibility of the applicant and if he has succeeded in the examination conducted, then he is to be granted appointment or pass such an order as the case may be.

4. OA allowed to the limited extent. No costs.

(C.V. SANKAR)
MEMBER(A)

(DR.K.B.SURESH)
MEMBER(J)

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Annexures referred to by the Applicant in O.A. No. 170/0312/2019

Annexure-A1: Copy of the notification dated 29.12.2018.

Annexure-A2: Copy of prescribed application form along with the certificates dated 23.01.2019.

Annexures with reply statement

Annexure-R1: Copy of letter No.BSG/SWR/12/Misc./2019-20 date: 03.04.2019.
