

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BENGALURU**

ORIGINAL APPLICATION NO.170/00314/2019

DATED THIS THE 6TH DAY OF NOVEMBER, 2019

HON'BLE DR.K.B.SURESH	...MEMBER(J)
HON'BLE SHRI C.V. SANKAR	...MEMBER(A)

Kishore R,
S/o Rajakumar. S,
Aged about 23 years,
Residing at House No.489, 6th Cross,
Chamundeswari Railway Layout,
K.R.S. Main Road,
Mettagali Post,
Mysore-570 016.

...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. Kishore. R of S.W. Railway, Mysuru Stat/District/Division is an active member of Field Marshal K.M. Cariappa Scout Group Since 12 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 52 to 57, we quote:

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

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

SL NO	PARTICULAR	DATE	VENUE
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 Kishore. R 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	Participated in All India standard judging camp	03.02.2015 to 07.02.2015	Bhubaneswar
7	Participated in Thinking Day Celebration	21.02.2015 to 22.02.2015	Group den, Mysuru
8	Participated in Received DRM at railway station	18.04.2015	Railway Station, Mysuru
9	Participated in Group outing at Balamuri	21.04.2015	Balamuri, Mysuru
10	Participated in Group meeting	26.04.2015	Group den, Mysuru
11	Participated in Group outing at Srirangapatna	01.05.2015 to 02.05.2015	Srirangapatna, Mysuru
12	Participated in Cleanliness camp	06.06.2015	Railway Station, Mysuru
13	Participated in LC gate awareness and cleanliness camp at NJD & CMR	08.06.2015 to 09.06.2015	Nanjangud & Chamarajanagar
14	Participated in Trekking camp for Scouts & Roves	11.07.2015 to 14.07.2015	Kodachadri, Shimoga District
15	Participated in skill development course	15.07.2015 to 19.07.2015	Chennai
16	Participated in Independence day parade	15.08.2015	Division & Ashokapuram
17	Participated in specialized pioneering course	21.08.2015 to 25.08.2015	STC, Hubballi
18	Participated in Swachbharathabhiyan	02.09.2015	Railway Station, Mysuru
19	Participated in SURF SMART Regional	19.09.2015 to	STC, Dodaballapur

	Level Training of Trainers	20.09.2015	
20	Participated in Swachbharathabhiyan	09.10.2015 to 10.10.2015	Nanjangud & Chamarajanagara
21	Participated in Kumaraparvatha camp	18.12.2015 to 20.12.2015	Kukkesubramanya

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

This is to certify that Shri Kishore. R Rover of Field Marshal K.M. Cariappa Scout group/ Mysuru had taken part in following Scouting Activities in the year 2016.

SL NO	PARTICULAR	DATE	VENUE
1	17 th All India Jamborette	04.01.2016 to 08.01.2016	NF Railway, Maligon, Guwhati, Assam
2	Participated in Kunthibetta	30.01.2016 to 31.01.2016	Pandavapura Mysuru
3	Participated in Republic day celebration	26.01.2016	Division & Ashokapuram
4	Participated in 118 th birthday celebration of F.M. Cariappa	31.01.2016	Group den Mysuru
5	Participated in Thinking Day Celebration	22.02.2016	Group den
6	Group meeting	10.04.2016	Group den, Mysuru
7	Participated in Annual Group Camp	16.04.2016 to 20.04.2016	STC, Rameshwaram
8	Participated in World Environment Day Celebration	05.06.2016	Railway Hospital
9	Participated in Regional Level Disaster preparedness cum management program	06.07.2016 to 10.07.2016	Bengaluru
10	Participated in Independence day	13.08.2016 to	Railway Ground,

	Celebration	15.08.2016	Mysuru
11	Inter Divisional Drama Competition	11.11.2016	Chamundi Club, Mysuru
12	Group Level Trekking camp	18.12.2016	Chamundi hills
13	Rendered Service for 17 th National Jamboree, Mysuru	26.12.2016 to 31.12.2016	Mysuru Railway Station

THE SOUTH WESTERN RAILWAY STATE BHARAT SCOUT & GUIDES,

MYSURU DISTRICT

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 Kishore. R 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 120 th birthday celebration of F.M. Cariappa	31.01.2018	Group den Mysuru
3	Participated in District Rally	16.02.2018 to 17.02.2018	District Training Centre/VRC/MYS
4	Participated in Thinking Day Celebration	22.02.2018	Group den
5	Participated in 3 rd State Rally	23.02.2018 to 25.02.2018	Hubballi
6	Participated in Group meeting	18.03.2018	Group den Mysuru
7	Participated in Railway Week Celebration	18.04.2018	Railway Kalyana Mantapa
8	Participated in Railway Week Celebration	19.04.2018	NIE, College, Ashokpuram
9	Participated in Environment day	05.06.2018	Mysuru Railway Station
10	Participated in group camp	28.07.2018 to 30.07.2018	Talaguppa, Shivamogga
11	Collection of donation from passengers for flood relief effected in Kerala and Kodagu	16.08.2018 to 20.08.2018	Mysuru Railway Station
12	Relief material hand over to Kerala Asst. Commissioner	22.08.2018 to 23.08.2018	Kottiyam, Kerala
13	Relief material handovered to Kodagu District Assistant Commissioner	25.08.2018	Kodagu, Karnataka

14	Taken feedback from passenger regarding Swatch Bharath	16.09.2018	Mysore Station	Railway
15	Taken feedback from passenger regarding Swatch Bharath	23.09.2018	Mysore Station	Railway
16	Nukad Nataka was performed on the occasion of Gandhi Jayanthi	02.10.2018	Railway station Mysore Nanjangud	&
17	Rendered service in Mysore Dasara	19.10.2018	Mysore	
18	Participated in District Rally	06.11.2018 to 08.11.2018	Group Den	

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. 170/0314/2019

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.
