

Central Administrative Tribunal
Principal Bench, New Delhi

OA No.1295/2016

New Delhi, this the 14th day of November, 2019

Hon'ble Mr. S.N.Terdal, Member (Judicial)
Hon'ble Mr.A.K. Bishnoi, Member (Administrative)

Neeraj, Aged -23 Years
S/o Sh. Ashok Kumar,
R/o Vill & PO Khizarpur Ahir,
Tesh. Gannaur, Distt. Sonipat (Haryana) -Applicant

(By Advocate: Mr. Yogesh Sharma)

Versus

1. Union of India through the Secretary
Ministry of Railways, Govt. of India
(Railway Recruitment Boards) Railway Board,
Rail Bhawan, New Delhi.
2. The General Manager,
Northern Railway, Baroda House,
New Delhi
3. The Chairman
Railway Recruitment Board,
Railway Colony, Near Railway Station,
Chandigarh) - Respondents

(By Advocate: Mr. Kripa Shankar Prasad)

O R D E R (ORAL)

By Hon'ble Mr. S.N. Terdal, Member(J):-

Heard Mr. Yogesh Sharma learned counsel for the applicant and Mr. Kripa Shankar Prasad counsel for the respondents as well.

2. The relief(s) prayed in this OA are as under:-

"1) That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents not declaring the final result of the applicant in the selection for the post of ALP in respect of Centralized Employment Notice No. 1/2014 is totally illegal, arbitrary and discriminatory and consequently pass an order directing the respondents to declare the result of the applicant for his appointment to the post of ALP and also consider the case of the applicant for his appointment with all consequential benefits from the date of appointment of other selected candidates from the same selection including the seniority fixation of pay etc."

3. At the time of hearing we noticed that short question involved in this OA is the validity of ITI Apprentice course alleged to have undergone the applicant in the Diesel Mechanic trade, which is whether approved by the NCVT/SCVT particularly in view of the fact that in the said certificate it was not mentioned whether it was approved by NCVT or SCVT. The respondents in their counter affidavit stated that it is required to be verified. The relevant averment made by the respondents in this regard is extracted below:-

"iv) In order to confirm the validity of the course passed by the Petitioner Shri Neeraj, he was extended an opportunity vide this office letter no. RRB/CDG/CEM-01/2014 dated 21.10.2015 (copy enclosed as Annexure R-5) to produce a certificate from Institute that the course passed by him is approved by NCVT/SCVT. On 29.10.2015, Shri Neeraj had produced a certificate issued by the Institute bearing No. 000136 dated 27.10.2015 (copy enclosed as Annexure R-6 & 8A). On perusal of this certificate, nowhere is mentioned that whether certificate in Diesel Mechanic passed by Shri Neeraj (Petitioner) is approved by NCVT/SCVT or not. Further, the University, vide their certificate bearing No. 2415 dated 28.10.2015 (copy enclosed as Annexure R-7) mentioned that the Certificate in Diesel Mechanic course of IASE (D) University, Sardarshahr may be treated as equivalent to ITI course as the course contents /syllabus are almost same but the confirmation regarding approval of NCVT/SCVT for this course is still not clear and whether this is an ITI trade/Act Apprentice course, the fact remains not verified.

Hence, the result of the candidate was withheld for further scrutiny."

4. In view of the submissions made by the respondents and averments as extracted above, we direct the respondents to take a final view on the said certificate submitted by the applicant and if found approved, declare the result under intimation to him within a period of two months from the date of receipt of a certified copy of this order. No order as to the costs.
5. The OA is disposed of with the above directions accordingly.

(A.K.Bishnoi)
Member(A)

(S.N. Terdal)
Member (J)

/mk/