

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

OA No. 260/2001

MA 844/2001.

(8)

New Delhi: this the 23<sup>rd</sup> day of October, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A).

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Jarnail Singh,  
S/o Sardar Sant Singh,  
Fireman II,

Delhi Sarai Rohilla,  
Delhi-6

.....Applicant.

(By Advocate: Shri D.K. Sammi)

Versus

Union of India  
through

1. General Manager,  
Northern Railway,  
Baroda House,  
New Delhi-1.
2. Divisional Railway Manager,  
Northern Railway,  
Bikaner Division, DRM Office,  
Bikaner (Raj)
3. Divisional Mechanical Engineer (P),  
Northern Railway,  
Bikaner Divn. DRM Office,  
Bikaner (Raj)
4. Divisional Personnel Officer,  
Northern Railway,  
Bikaner Divn. DRM Office,  
Bikaner (Raj).
5. Sh. Nathu Ram,  
Sr. Sec. Engineer (Loco)/  
Loco Foreman,  
Northern Railway,  
Delhi Sarai Rohilla.

....Respondents.

(By Advocate: Shri P.M. Ahlawat)

ORDER

S.R. Adige, VC (A)

Applicant seeks promotion as Diesel Assistant (Rs. 3050-4590) at Delhi Sarai Rohilla w.e.f. December, 1997 with consequential benefits, including seniority above one Shri Rattan Lal.

(9)

2. Heard both sides.

3. As per applicant's own averments he joined Indian Railways in 1980. As a result of progressive dieselisation and consequent closure of Loco Shed Delhi Sarai Rohilla, applicant and other Firemen Grade II opted for inter divisional transfer on redeployment to Ambala Division for posting as Diesel Assistant (Rs.825-1200) upon successful screening, passing of psychological tests and completion of required training vide respondents' letter dated 10.12.97 (Annexure-A-1). Applicant was relieved on 17.12.97, but upon reporting at Ambala on 19.12.97 (Annexure-A-4) was returned back owing to non-completion of 47 weeks' training programme, as well as absence of vigilance clearance etc. Thereafter applicant was again asked to proceed to Ambala on 5.3.98 (Annexure-A-3) and upon reporting there, was posted as Fireman Gr.II vide notice dated 9.3.98 (Annexure-A-5) which made it clear that applicant would not be entitled to any TA/DA and joining time as he had been transferred on his own request and would be promoted as Diesel Assistant only after completing necessary training and other courses.

4. Respondents state that applicant however did joint duty in response to notice dated 9.3.98 and remained absent from 10.3.98 till 16.11.98 vide Notice dated 17.11.98 (Annexure-R-1).

5. Eventually by DRM Bikaner's order dated 3.8.2000 (Annexure-A7) applicant upon being screened and passing the psychological and other tests was found suitable for deployment as Diesel Assistant and was directed to report to Ambala.

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6. Respondents in their replies to paras 5A to 5E of the OA themselves state that applicant who opted for Ambala Division is now willing to be posted in Delhi Division which is not possible unless he joins and seeks inter divisional transfer from Ambala to Delhi. As regards Shri Rattan Lal, respondents claim that applicant is junior to him.

7. Applicant in his written submissions state that he now cannot be transferred to another Division on promotion/redeployment because employees sent earlier to Ambala, and Delhi, by applicant's parent Division i.e. Bikaner Division have been called back to Bikaner Division vide letter dated 8.2.2001 because of shortage of Diesel running staff.

8. We dispose of this OA with the direction that if applicant makes out a detailed, self-contained representation to respondents clearly spelling out each of his grievances within one month from the date of receipt of a copy of this order, respondents should dispose of that representation by a detailed, speaking and reasoned order in accordance with rules and instructions under intimation to applicant within 2 months of its receipt.

9. OA is disposed of as in para 8 above. No costs.

A.Vedavalli  
( DR.A.VEDAVALLI )  
MEMBER (J)

S.R.Adige  
( S.R.ADIGE )  
VICE CHAIRMAN (A).