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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

O.A. NO. 2815/2001

M.A. NO. 2308/2001

New Delhi, this the 15th day of October, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman

Hon'ble Mr. Govindan S. Tampi, Member (A)

1. Nihal Singh S/O Tej Singh, S.S. NR
2. Prem Prakash S/o Sh. Samul Singh, RG ASM
3. Mahender Pal Singh S/o Laxman Singh, ASM
4. Satish Chander S/O Sh. Mul Chandra, ASM
5. Nathu Lal Sharma S/o Ram Karan Sharma, ASM

(All posted at N. Rly Station Siwani, Distt. Bhiwani)

6. Satya Dev Ram S/o Sh. Krishan Ram, ASM, NR Jhunpa
7. Suresh Kumar Mathur S/o Sh. Murli Dhar Sharma, RGASM
NR Jhunpa
8. Debu Ram Meena S/o Parta Ram Meena, SS NR Charaud
9. Babu Lal S/o Moola Ram, ASM, NR, Charaud.

.....Applicants.

(By Sh. V P Sharma, Advocate)

Versus

1. Union of India through the General Manager
Northern Railway Baroda House, New Delhi.
2. Tdhe Chairman,
Railway Board, Rail Bhawan, New Delhi
3. The Divisional Railway Manager,
Northern Railway, Bikaner Division,
Bikaner (Raj.)

.....Respondents.

ORDER (ORAL)

Sh. Govindan S. Tampi, Member (A)

Heard Sh. V P Sharma, learned counsel for the
applicant.

2. This OA has been filed against the order dated
21.9.2001 issued by Northern Railway, Bikaner Division,
whereunder the competent authority has accorded sanction with
administrative approval of the Chief Operating Manager and in
consultation with FA&CAO(F) for change in classification of

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30 posts of (1 SS and 2 ASMs) of for Sivani Rly. Station between SDLP-HSR Section (Bikaner Division) from "Continuous" to "Essentially Intermittent" . According to Sh. Sharma, learned counsel, this change over is harsh in that the applicant will be forced to perform the duties much beyond 8 hours.

3. We have carefully considered the matter. We find that classification of Railway employees has been ordered in Chapter XXV of the Indian Railways Act along with hours of work attached to each category on the basis of Justice Rajadhyakha Committee appointed by the Government for the purpose. The categories of the employees are Intensive, Essentially intermittent. Excluded Staff and Continuous with specific indications of duties to be performed. Depending on the Category to which an employee fell at any particular time he/she could have to perform prescribed hours of duties. After examining the situation in respect of Sivani Railway Station on SDLP/HSR Section in Northern Railway, Bikaner Dn., the competent authority, had taken a decision that 3 posts (1 SS and 2 ASMs) be transferred from continuous to "Essentially Intermittent" Category. This relates to the conversion of category of just 3 posts keeping in mind, the requirement of the Station and the movement taking place through the station. This order in fact is neither against any individual nor harsh specifically to any persons but has been ordered only in the interest of administration and also after examining the requirements. It cannot be the case of the applicant that he would posted at Sivani Station for all time to come. So long as he works in the said station he would have to perform the duties which would pass on to the next

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person. There is therefore no case to annul the categorisation ordered by the respondent - competent authority in correct exercise of its powers.

4. In the above view of the matter, the O.A. which is devoid of any merit is dismissed in limine.

(Govindan S. Tampi)
Member (A)

Patwal/

(Ashok Agarwal)
Chairman