

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO.1321/98

New Delhi, this the 25th day of April, 1999

Hon'ble Shri R.K. Ahooja, Member (A)

(10)

Shri Prem Pal Singh,
S/o Shri Chhidda Singh,
R/o Quarter No.48B, Delhi Cantt,
Delhi Applicant
(Shri Umesh Singh, Advocate)

Versus

1. General Manager,
Northern Railway,
Copernicus Marg,
Baroda House, New Delhi
2. Station Master,
Northern Railway,
Delhi Cantt, Delhi
3. Divisional Personnel Officer,
DRM Office, Northern Railway,
Bikaner Respondents

(Shri R.L. Dhawan, Advcocate)

O R D E R

The applicant while working as Assistant Station Master in the grade of Rs.1200-2040, submitted his option for the post of Assistant Yard Master in the grade of Rs.1400-2300. While doing so he undertook to forgo all the benefits of the cadre of Assistant Station Master. The applicant appeared for the selection for the post of Assistant Yard Master in 1995 and was selected. Though on panel for the post of Assistant Yard Master in 1996 he got the post as such only in March, 1998. In the mean time, he was promoted as Assistant Station Master in the higher grade of Rs.1400-2300, which after 1.1.96 was revised to the grade of Rs.5000-8000. His grievance is that though he joined as Assistant Yard Master in May, 1998, the respondents are requiring him to go back as Assistant Station Master and get

reverted to the post of Assistant Station Master (Rs.1200-2040) since revised to Rs.4500-7000 and only thereafter to rejoin as Assistant Yard Master. The applicant submits that this would entail his leaving the present place of posting, i.e. Delhi Cantonment where he has already been allotted a family quarter and his children are also admitted in the local schools.

11

2. Having heard the counsel, I find that the respondents are being /ritualistic in their approach and putting the applicant to inconvenience for no valid reasons. The learned counsel for the respondents Shri Dhawan has vehemently argued that as only Assistant Station Masters in the grade of Rs.4500-7000 are eligible for the post of Assistant Yard Master in the grade of Rs.5000-8000, he became ineligible for posting in the same grade as Assistant Station Master. Therefore, the only way he could come as Assistant Yard Master would be if he went back to the lower grade of Assistant Station Master. For this reason it was necessary that he should go back to his old place of posting, get reverted to a lower post and then come back as Assistant Yard Master. This seems a strange way of doing things. Apart from the inconvenience caused to the applicant, it would also be an additional financial burden both to the applicant as well as to the Railways. The applicant when he applied for the post of Assistant Yard Master was eligible to do so. His ~~turn~~ for appointment as Assistant Yard Master did not come for nearly three years. In 1996 he got promoted in the same grade as Assistant Station Master. He will be entitled to his seniority as Assistant Yard Master from the date he joined that post. He is also entitled to the protection of his pay as Assistant Station Master. Therefore, there is no

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need for going through the ritual of sending him back to his old place of posting reverting him and then promoting him as Assistant Yard Master. So long as the applicant is not given any benefit of seniority from the date he was promoted in the higher grade of Assistant Station Master, no occasion arises of having him go through the ordeal of reverting him back to the lower grade.

(12)

3. The O.A. is accordingly allowed. Respondents are directed to allow the applicant to continue as Assistant Yard Master. They would, however, be at liberty to fix his pay and seniority as Assistant Yard Master in accordance with the rules.

R. K. Ahuja
(R. K. AHOOJA)
MEMBER (A)

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