

Central Administrative Tribunal
Principal Bench

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O.A.No.1115/95

Hon'ble Shri R.K.Ahooja, Member(A)
Hon'ble Shri Syed Khalid Idris Naqvi, Member(J)

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

1. All India Station Masters Association
through Shri L.N.Yadav
Zonal Secretary
All India Station Masters Association
Northern Zone
State Entry Road
Cannaught Place
New Delhi.
2. Shri V.K.Tripathi
relieving ASM
Delhi Queinz Road Railway Station
Delhi & Divisional President of All
India Station Master's Association.
3. Hari Shanker
Asstt. Station Master
Delhi Sarai Rohilla
Delhi (President All India Station Masters
Association, Delhi Rewari Branch).
4. Kirti Pal Sawgney
Officiating Station Superintendent
Gurgaon
Northern Railway. Applicants
(By Shri A.K.Bhardwaj, Advocate)

Vs.

1. Union of India through
The General Manager
Baroda House
New Delhi.
2. The Divisional Railway Manager
Bikaner Division
Northern Railway
DRM Office
Bikaner
Rajasthan.
3. The Divisional Personnel Officer
DRM Office
Bikaner Division
Northern Railway
Biakner, Rajasthan.
4. Shri Man Singh
Yard Master
Railway Station
Delhi,
Bikaner Division
Northern Railway.

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5. Sone Lal
Yard Master
Bikaner Division
Northern Railway
Railway Station
Rewari, HR.

6. Harikishan Meena
Yard Master
Northern Railway
Bikaner Division
Railway Station
Rewari
Haryana. Respondents

(By Shri P.S.Mahendru, Advocate)

O R D E R (Oral)

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

Applicant No.1 claims to be an Association of All India Station Masters Association and Applicants No.2 to 4 are the members of that Association. The case of the applicant is that the respondents have wrongly made Traffic Inspectors working in the scale of Rs.1600-2660 and Yard Masters in the grade of Rs.1600-2660 eligible for the post of Deputy Station Superintendent (Grade-Rs.2000-3200) along with the Assistant Station Masters/Station Masters in the grade of Rs.1600-2660. The applicants state that as a result the Assistant Station Masters/Station Masters are not getting the benefit of the creation of new posts consequent to the restructuring of the cadres. The applicants submit that the post of Deputy Station Superintendent/Station Master is an operational post and only the applicants have the requisite experience in connection with the safety, efficiency and punctuality in running of the trains. The restructuring had also taken place in response to the demand of the applicants for creation of new posts in order to remove stagnation. They further submit that the number of posts available to Yard Masters in the Grade of Rs.2000-3200 and Rs.2575-3500 have also been

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varied providing them enhanced avenues for further promotions in their own cadres. Their grievance is that the respondents have despite these facts promoted a number of Yard Masters as Deputy Station Superintendent in Bikaner Division. They have now come before the Tribunal with the prayer that Annexure-A1 dated 10.3.1995, orders of the Divisional Railway Manager, Bikaner promoting certain Yard Masters be quashed and the respondents be directed to fill all the posts of Deputy Station Master from amongst Assistant Station Masters/Station Masters.

2. The respondents have resisted the claim of the applicants apart from taking a preliminary objection regarding the representative status of Applicant No.1. On merits they submit that the channel of promotion to the Grade 2000-3200 is through combined seniority of Station Masters/Traffic Inspectors and Yard Masters and there has been no departure from the earlier policy decision of filling up the posts of Deputy Station Superintendents from the said combined seniority list.

3. We have heard the learned counsel on either side and have also gone through the record. We find from Annexure-R1 that the existing channel of promotion to the post of Rs.2000-3200 is through the combined seniority list of the three categories of Traffic Inspectors/Yard Masters/Station Masters. Thus the impugned order of the DRM, Bikaner is in consonance with the existing instructions in regard to the promotions to the post of Deputy Station Superintendent. It is true that the new posts have

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been created in order to remove the stagnation in various cadres but there is no indication from the pleadings of the applicants that stagnation is more acute in the cadre of the Station Masters than that of Yard Masters and Traffic Inspectors. As to the points raised by the applicants that it would not be proper from the point of view of the railway safety that Yard Masters should be promoted as Deputy Station Superintendents, we do not consider that Tribunal can express any opinion on the point. The responsibility in regard to the railway safety lies with the Railway Board, ~~in their wisdom~~ ^{or} ~~Yard Masters and the Tribunal~~ The Tribunal cannot substitute its opinion in a matter which is essentially of a technical and policy nature. We also take note of the observations made by the learned counsel for the respondents that all those who are selected as Deputy Station Superintendents have to undergo rigorous training. In any case it is clear from Annexure-R1 that selection to the post of Deputy Station Superintendent is through a positive act of selection involving both written and viva-voce test.

4. In view of the above discussion, we do not find any ground for interference, the OA is accordingly dismissed. No costs.

(S. K. Naqvi)
(SYED KHALID IDRIS NAQVI)
MEMBER(J)

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

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