

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA NO. 340/96

HON. SHRI R.K. AHOOJA, MEMBER/A

THIS THE 17TH DAY OF DECEMBER, 1996.

DR. J.S. SAKSENA RAJ
s/o Lt. Shri Ram Babu Ram
r/o B-79 Anand Vihar
Delhi-92.

...APPLCANT

'By Advocate Shri S.C. Saxena'

VERSUS

1. Chairman
Railway Board
Ministry of Railways
Government of India

2. Secretary
Railway Board
Ministry of Railways
Government of India.

..RESPONDENTS

'By Advocate Ms. Sumbul Rizvi Khan'

OPPDR 'ORAL'

The applicant says that he joined the North-Eastern Railway in 1956. After getting successive promotions he was selected and promoted as Estate Supervisor in 1993, which is a Group C post. This post was later upgraded to Group B Gazetted service 'A-3'. He claims that on retirement he would have been entitled for three sets of first class complementary passes as he has already completed 25 years of railway service, which entitles railway servants retiring from gazetted posts to this facility.

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2. The respondents in their counter state that the applicant was promoted to Group B grade on an ad hoc basis w.e.f. 19.8.94 and he retired after four months in the same capacity. As per item 14 of column 3 of Schedule IV - Post Retirement Complementary Passes, the full benefit of post retirement complementary passes corresponding to the higher post is given either on regular promotion or in cases of ad hoc promotion if the officer has worked in that capacity for a minimum of three years. As the applicant had only officiated on ad hoc basis only for four months, this facility could not be extended to him.

3. I have heard the counsel on both sides. The ld. counsel for the applicant submits that the applicant was working against an ex-cadre post and therefore he was entitled to an exception. Further more, the respondents have removed the requirement of minimum qualifying service for this privilege in respect of those who are regularly promoted, but had not done so in respect of those who are given ad hoc promotion. I am unable to agree with this reasoning. Those who are promoted on regular basis constitute a class apart from those who are promoted on ad hoc basis. Ad hoc promotions are made only for meeting some specific short-term requirements, and those who are promoted on ad hoc basis do not have to undergo the same screening as those who are promoted on regular basis. The respondents are therefore perfectly entitled to

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make a classification on the basis of regular and ad hoc promotions. This being so, the applicant could not, in terms of the rules governing the grant of privilege passes, be extended the benefits of promotion given to Group B service where he only officiated on ad hoc basis for a period of four months.

4. I therefore, find no merit in the application and the same is accordingly dismissed. No costs.

P.K. Ahuja
P.K. AHUJA
MEMBER (A)

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