



**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No. 1811/2020
M.A. No. 2346/2020**

This the 2nd day of December, 2020

(Through Video Conferencing)

**Hon'ble Mr. Pradeep Kumar, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Alok Swaroop Srivastava
S/o Sh. Ramnaryan Srivastava
Crew Controller
Age about 47 years,
R/o Flat No. G.F.-5,
Hno. E-201, Sector-9,
Vijay Nagar- Ghaziabad-201009

...Applicant

(By Advocate: Shri B C Nagar)

VERSUS

1. Union of India through the General Manager,
Northern Railway,
Baroda House, New Delhi
2. Division Railway Manager, DRM's Office,
State Entry Road,
New Delhi.

...Respondents

(By Advocate: Shri Krishan Kant Sharma)

ORDER (Oral)



Hon'ble Mr. Pradeep Kumar, Member (A):

The applicant, herein, was working as a Loco Pilot on Respondent railway. He was declared medically unfit for the duties of a Loco Pilot. He was declared Fit in medical category C-1 and below, and the respondents Railway re-deployed him to work as a Crew Controller.

The applicant is aggrieved with such re-deployment and filed this OA. He pleads that it is only those who are medically fit in Aye-Three, can be posted as a Crew Controller. He seeks directions to respondents to post him to a job fit for C1 and below.

2. On the last date of hearing, the applicant sought time to submit Policy Directives regarding posting of those in medical category C-1 and below, and more particularly that those in this category cannot be posted to the post of Crew Controller. The applicant has taken time and submitted Additional Documents.

3. Heard. The additional documents submitted by applicant do not testify to the averment in para 1 above.



What he has submitted, indicate that following posts are suitable for those in A-3 and C-1:

Medical Category	The suitable Posts
A-3	Loco Inspector, Jr Engineer/Sr Section Engineer-Carriage and Wagon, Permanent Way (Railway Track), Loco, Works, Signal & Telecom, Traffic Inspector, Trolley Man, Train Clerk, Bridge Inspectors
C-1	Section Controller, Booking Clerk, Parcel Clerk, Station Clerk, Commercial Inspector, Telephone Operator

Another document submitted by applicant is a compilation under the heading “Rules Related To Medical Standards And Examination”. This gives the details of the medical criteria, including the requirement of eye sight etc, for categorising an employee in different Medical categories like A1 to A3, B1, B2, C1 and C2 etc.

4. It is noted from para 3 above that the post Crew Controller is not specifically mentioned in Medical Category A3 or C1, but all posts against A-3 are such where the staff has to go out to field to discharge their duties whereas all posts against C-1 are such where the staff shall perform their duties while being mostly in office. The job of Crew



Controller is also to sit in office and allocate train running duties to different Loco Pilots to operate different trains.

5. In view of the foregoing, we do not find any irregularity in re-deployment of Applicant, who is now medically fit in C-1 and below, to the post of Crew Controller. The grievance raised has no basis. There is no merit in the OA and the same is dismissed at the admission stage.

Pending MA shall also stand dismissed accordingly. No order as to costs.

(R.N. Singh)
Member (J)

/daya/akshaya/

(Pradeep Kumar)
Member (A)