

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00020/2021

Tuesday, this the 12th day of January, 2021

C O R A M :

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER

1. P.C.Rajesh, 50 years, S/o.Chakkara Pani
Keyman/Southern Railway
Tripunithura Gang No.II
Senior Section Engineer Office/
Permanent Way, Ernakulam Jn
Residing at Puthalathu House
Permubalam P.O
Cherthala, Alappuzha District – 688 570
Mobile 9497563667
2. R.Jalesh, 50 years, S/o.V.V.Krishnan
Keyman, Southern Railway, Gang No.2
Ernakulam Town, Senior Section Engineer
Permanent Way, Ernakulam Jn
Residing at Palathu Parambil House
Nayarambalam P.O, Ernakulam
District, Pin 682 609
Mobile 9497126920

...Applicants

(By Advocate Mr.Varghese John, Adv.Mr.K.Sethu Nambu Raj)

v e r s u s

1. Union of India represented by General Manager
Southern Railway, Headquarters Office, Park Town
Chennai – 600 003
2. Senior Divisional Personnel Officer, Southern Railway
Trivandrum Division, Trivandrum – 14

3. Senior Divisional Engineer (Co-ordination)
Southern Railway, Trivandrum Division
Trivandrum – 14
4. Assistant Divisional Engineer (Open Line)
Southern Railway, Ernakulam Junction
Ernakulam – 16
5. Senior Section Engineer (P.Way)
Southern Railway
Ernakulam Junction
Ernakulam -16

....Respondents

(By Advocate : Mr.Sunil Jacob Jose)

This application having been heard on 12.1.2021, this Tribunal on the same day delivered the following :

ORDER (ORAL)

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

The applicants entered the service of the Railways as Trackman with pay scale of 5200-20200 having a Grade Pay of Rs.1800/-. While so, respondents called for willingness of the employees for participating in the selection process of Kaymen which is also having a grade pay of Rs.1800/-/ Meanwhile, the Railway Board issued orders reorganising the cadre of Keymen as Track Maintainer Gr.I with Grade Pay of Rs.2800/-. However, the respondents are refusing to grant the benefit of Grade Pay of Rs.2800/- to the applicants. Hence they approached this Tribunal praying for the following reliefs:

" I) Declared that the non-feasance on the part of the respondents to grant the Higher Grade Pay of Rs.2800/- or Rs.2400/- to the applicants consequent to the cadre re-

organisation pursuant to Annexure A2 to Annexure A6 is arbitrary and illegal

II) Direct the respondents to prepare and publish the seniority list of Track Maintainer Cadre and grant the benefit of G.P of Rs.2800/- or Rs.2400/- with effect from 28.2.2014. "

2. When the matter came up for consideration, on perusal of the documents, it is noticed that the applicants have not exhausted all remedies available to them and have not given a detailed representation for consideration.

3. In view of the above situation, the applicants are directed to give a detailed representation showing the grievances within a period of one week. The Competent Authority is directed to consider the representations so received on the basis of relevant rules, regulations and notifications etc. and pass a reasoned and speaking order within a period of 3 months from the date of receipt of the representation of the applicants.

4. The Original Application is disposed of as above at the admission stage itself without going into the merits of the matter. No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER
SV

(P.MADHAVAN)
JUDICIAL MEMBER

List of Annexures

- Annexure A1 - True copy of the office order bearing No.02/06/2013 dated 1.7.2013
- Annexure A2 - True copy of the RBE No.91/2012 dated 17.8.2012
- Annexure A3 - True copy of the PBC No.146/2013 dated 19.11.2013
- Annexure A4 - True copy of the Railway Board's letter bearing No.E(NG)1-2012/PM5/1 dated 13.8.2013
- Annexure A5 - True copy of the letter No.E(NG)1-2012 /PM5/1 dated 14.10.2014
- Annexure A6 - True copy of the Railway Board letter No.2010/CE-I(Spl)/GNS/15/Pt.I dated 22.9.2014
- Annexure A7 - True copy of the notice issued by the Regional Labour Commissioner bearing file No.8/(177)/2017/B1 dated 9.10.2019
- Annexure A8 - True copy of the proceedings of the Regional Labour Commissioner dated 17.10.2019
- Annexure A9 - True copy of the office order O.O No.01/08/2011 dated 23.8.2011
- Annexure A10 - True copy of the letter No.V/P.524/Restructuring-reorganization dated 28.2.2014
- Annexure A11 - True copy of the relevant part of the Indian Railway Permanent Way Manual

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