

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/855/2020

HYDERABAD, this the 6th day of January, 2021



Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member

1. P.S. Narayana Rao,
S/o. Late P.V. Ramana Rao Pantulu,
Aged about 53 years,
Occ: Chief Loco Inspector,
O/o. The Principal Chief Electrical Engineer,
Rail Nilayam, South Central Railway, Secunderabad.
2. T. Ramakrishna, S/o. Late T. Shiv Ram Badi,
Aged about 52 years,
Occ: Chief Loco Inspector,
O/o. The Principal Chief Electrical Engineer,
Rail Nilayam, South Central Railway, Secunderabad.
3. M. Sudhaker, S/o. M. Bhaskar,
Aged about 53 years,
Occ: Chief Loco Inspector,
O/o. The Chief Crew Controller,
Bellampalli Depot, Secunderabad Division,
South Central Railway, Secunderabad.
4. K. Gopa kumar, S/o. P. Bhaskaran,
Aged about 53 years,
Occ: Chief Loco Inspector,
O/o. The Principal Chief Electrical Engineer,
Rail Nilayam, South Central Railway, Secunderabad.
5. N.C. Prasad Babu, S/o. Late N. Kotaiah,
Aged about 54 years,
Occ: Chief Loco Inspector,
O/o. Senior Divisional Safety Officer,
Secunderabad Division,
South Central Railway, Secunderabad.
6. C.V. Ramana, S/o. Late C. Rammohan Rao,
Aged about 53 years,
Occ: Chief Loco Inspector,
O/o. The Principal Chief Electrical Engineer,
Rail Nilayam, South Central Railway, Secunderabad.



7. R. Raamesh Kumar, S/o. Late R. Satyanarayana,
Aged about 53 years,
Occ: Chief Loco Inspector/CTLIC,
O/o. The Principal Chief Electrical Engineer,
Rail Nilayam, South Central Railway, Secunderabad.
8. T.N. Prasad, S/o. Late Mukunda Prasad Tiwari,
Aged about 53 years,
Occ: Chief Loco Inspector,
O/o. The Chief Crew Controller,
Secunderabad Depot.,
Secunderabad Division,
South Central Railway, Secunderabad.
9. A.L. Prasad, S/o. Late A.V. Subba Rao,
Aged about 53 years,
Occ: Chief Loco Inspector,
O/o. Principal Chief Safety Officer,
South Central Railway,
Rail Nilayam, Secunderabad.

...Applicants

(By Advocate : Sri KRKV. Prasad)

Vs.

1. Union of India rep. by
The Secretary, Railway Board,
Ministry of Railways, Rail Bhavan,
New Delhi.
2. The General Manager,
South Central Railway,
Rail Nilayam, Secunderabad.
3. The Principal Chief Personnel Officer,
South Central Railway, Rail Nilayam,
Secunderabad.
4. The Senior Divisional Personnel Officer,
Secunderabad Division, South Central Railway,
Secunderabad.

....Respondents

(By Advocate: Sri N. Srinatha Rao, SC for Rlys.)

ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Administrative Member)

Through Video Conferencing:



2. The OA is filed in regard to the inaction of the respondents in not stepping up the pay of the applicants on par with their juniors as per Railway Board order RBE No.7/2020.

3. Brief facts are that the applicants were promoted as Chief Loco Inspectors during the 5th CPC. The junior to the applicants was promoted as Chief Loco Inspector in 7th CPC and his pay was fixed higher than the applicants. After protracted litigation on the issue by filing several SLPs unsuccessfully, the Railway Board issued instructions vide RBE No.7/2020 dated 27.1.2020 for stepping up of pay and followed it up by instructions on 22.7.2020 & 6.10.2020 to grant the relief to identically placed Chief Loco Inspectors. Representations were made on February 2020 but of no avail and hence the OA.

4. The contentions of the applicants are that the judgments of the superior judicial fora are in their favour. The Railway Board order vide RBE No. 7/2020 dated 27.1.2020 is in consequence of the judicial orders and hence, is not liable for any further interpretation. Further clarifications issued on 22.7.2020 & 6.10.2020 by the Board are in favour of the applicants.

5. The Ld. respondents Counsel has filed standing instructions received from the respondents wherein they state that they are awaiting clarification from the HQs.

6. Heard both the counsel and perused the pleadings on record.

7. The issue in question has been fought in different judicial fora as has been brought out in para 5.1.4 of the OA, wherein we observe that the respondents could not succeed. The cases are many wherein different contentions of the respondents in all respects were examined by the judicial fora and in consequence of the directions thereon, Railway Board issued the RBE No. 7/2020 dated 27.1.2020 for stepping up the pay and issued further clarifications vide its letters dated 22.7.2020 & 6.10.2020 stating that identically placed employees should be granted the relief as provided for in the RBE dated 27.1.2020. Even after the orders of the Railway Board cited, respondents are still awaiting clarification from the Zonal HQ. Noting the same, and not to give further room for the matter to get procrastinated, we direct the 2nd respondent to issue instructions to the concerned to act as per the orders of the Railway Board cited supra and grant the relief to the applicants as per their eligibility. Time period allowed to implement the direction is 3 months from the date of receipt of this order.

With the above direction the OA is disposed with no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

al/evr