

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

(12)

O.A. NO. 245/93

DECIDED ON : 24.08.1993

Parcel Clerks Association of
Delhi, N. Railway ...

Petitioners

Vs.

Union of India & Ors. ...

Respondents

CORAM :

THE HON'BLE MR. B. N. DHOUDIYAL, MEMBER (A)

THE HON'BLE MR. B. S. HEGDE, MEMBER (J)

Shri B. S. Maine, Counsel for Petitioners

Shri H. K. Gangwani & Shri Jog Singh, counsel
for the Respondents

JUDGMENT (ORAL)

Hon'ble Shri B. N. Dhoudiyal, Member (A) :-

This O.A. has been filed by the applicants, Parcel Clerks Association of Delhi, Northern Railway, through its President, Shri Anand Kumar and 14 other individuals. They have challenged the orders dated 17.12.1992, 11.1.1993 and 21.1.1993 issued by the Divisional Personnel Officer, Northern Railway, changing the cadre of the applicants and merging their cadre of Parcel Clerks with that of Booking Clerks, ^{by} both of which always have been separate cadres even since the Northern Railway was formed. It appears that except in the Delhi Division, the general nomenclature of Coaching Clerks was used for different categories in other Divisions of the Railways, and the above orders have been issued to bring the organisation in Delhi Division also at par with those Divisions.

2. We have heard the learned counsel for the applicants as well as the official respondents and the intervenors. The learned counsel for applicants

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stated that there is no authority either in terms of a Railway Board circular or the recommendations of the Pay Commission to warrant such a merger. On the other hand, the complaint of other branches is that they did not get the same opportunity for promotion as the Parcel Clerks even though the training and educational qualifications are the same.

3. We find that on 17.12.1992, the Sr. Divisional Personnel Officer, Northern Railway, issued a circular enclosing therewith a provisional combined seniority list of Parcel Clerks of Ambala Division. The staff was given one month's time to file objections, if any. Though the Association submitted a representation on 11.1.1993, no orders were passed thereon. Learned counsel for the applicants also stated that at the time of merger of Railways an understanding was given that the existing arrangements in respect of different cadres shall continue.

3. In view of what is stated above, the O.A. is disposed of with the direction to the respondents that notwithstanding the time limit given in the circular dated 17.12.1992 they shall again invite objections from the parties concerned and give them at least one month's time to file such objections. On such objections being received, they shall consider the points raised therein and pass speaking orders. This may be done within a period of three months from the date of receipt of the representations, if any. Any seniority list will be finalised only after such representations are decided.

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4. With the above directions, this application stands disposed of. There shall be no orders as to costs.

B. S. Hegde
(B. S. Hegde)
Member (J)

B. N. Dhoundiyal
(B. N. Dhoundiyal) 24/7/93
Member (A)

as