

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPALL BENCH

....

OA.No.75 of 1993

1
2

New Delhi, this 26th day of July,1999.

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN(J)
HON'BLE SHRI S.P. BISWAS, MEMBER(A)

1. Chaman Lal Bhandari
S/o Shri Mukund Lal
Retd. Station Supdt.
Northern Railway
Palam, New Delhi.
R/o J-3/19, Rajouri Garden
New Delhi.
2. Ved Prakash Bhargava
S/o Shri Kalu Ram Bhargava
R/o T-31-B, Railway Colony
Delhi Sarai Rohilla/MG
New Rohtak Road
New Delhi.
3. Sohan Lal Sharma
S/o Shri Bali Ram
R/o B-62/12, Naraina Indl. Area
Phase-II
New Delhi.
4. Madan Lal Khanna
S/o Shri Manohar Lal
R/o C-13, Avantika Rohini
Sector-1
New Delhi.
5. M.S. Sharma
S/o Shri R.N. Sharma
R/o 1/6 LIC Colony
G.T. Road
Near Dilshad Garden
DELHI.
6. Dharambir
S/o Shri Daulat Rai
R/o WZ-466/1 Basai Dara Pur
New Delhi.110015. Applicants

Note: OA dismissed in respect of applicants

1 to 4 & 6 vide order dated 5.11.93.

OA restored in respect of applicant
No.2 vide order dated 10.2.95 passed
in RA.177/94.

Now OA subsists in respect of
applicants 2 & 5 only.

By Advocate: Shri G.D. Bhandari

versus

(282)

1. Union of India, through
The General Manager
Northern Railway
Baroda house
New Delhi.
2. The Divl. Railway Manager
Northern Railway
Bikaner Division. ... Respondents

By Advocate: Shri R.L. Dhawan

O R D E R (ORAL)

Hon'ble Shri S.P. Biswas, M(A)

The limited issue that falls for determination is the eligibility of accident free awards to those specific category of Railway staff who claim to have served the Railways without causing any accident. We have had before us 6 applicants but claim of only two of them for such awards need to be adjudicated.

2. Applicant No.2 (Ved Prakash Bhargava) and applicant No.5 (M.S. Sharma) seek relief in terms of the awards normally being given by Railway Administration to those categories who are entitled for accident free awards. The category of officials who are entitled for such awards are enumerated in Annexure R-1 dated 25.4.77 which stipulates that Pointsmen/Cabinmen/ Switchmen/ASMs/SMs/Drivers and Motormen are eligible.

3. The Railway Board's circular dated 19.8.88 (Annexure RR-2) lays down the conditions that need to be fulfilled for giving such awards. Besides rendering accident free service,

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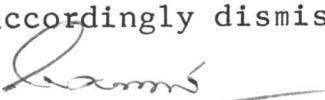
the officers are required to have excellent service records. In the light of the instructions by the Railway Board, as quoted above, we have to determine the claims of two applicants before us.

4. The applicant No.2 retired as Assistant Station Master as per details in Annexure RR-3.

The said applicant appears to have been punished for gross indifference in working on different occasions, though the punishments were minor in nature. The respondents have ~~clined~~ ^{A. D.} to concede his claim in the background of stipulations in paras 3&4 of Annexure RR-2 dated 19.8.88.

5. Whereas applicant No.5 was initially appointed as ASM but changed his category on his own request from ASM to "Wagon Movement Inspector". In fact, Wagon Movement Inspector belongs to traffic department but does not fall within the safety category. Learned counsel for the applicants conceded that the applicant No.5 did not subsequently revert back to the safety category after he had changed over his nature of job. By moving out of the safety category, he becomes automatically ineligible for any such awards.

6. In view of the details in paras 4&5 aforesaid, the OA lacks merit and is accordingly dismissed. No costs.


(S.P. Biswas)
Member(A)


(A.V. Haridasan)
Vice Chairman(J)