

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 1062/96

MONDAY THIS THE 30TH DAY OF SEPTEMBER, 2002

HON'BLE MR. S. DAYAL, MEMBER - A
HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

Habib Ahamad,
S/o Late Shah Mohammad,
Working as Upper Cladd Conductor,
Northern Railway, Allahabad, Applicant

(By Advocate Shri Anand Kumar)

Versus

1. Union of India through General Manager,
Northern Railway, Baroda House,
New Delhi.
2. Divisional Railway Manager,
Northern Railway, Allahabad.
3. Sr. Divisional Commercial Manager,
Northern Railway, D.R.M. Office,
Allahabad. Respondents

(By Advocate Shri A. Tripathi)

ORDER

HON'BLE MR. S. DAYAL, MEMBER-A

This application has been filed for setting aside the impugned letter dated 18.09.1996 issued by respondent no.3. A further direction is sought to the respondents to utilize and post the applicant as Upper Class Conductor.

2. The case of the applicant is that he was promoted as Head T.T.E. on 1.2.1989 and is presently working as Head T.T.E. in the grade of Rs.1400-2300 (R.P.S.). He was utilized as Upper Class Conductor with effect from 03.11.1994. It is mentioned in the O.A. that the Chief Inspector of Tickets in the grade of Rs.2000-3200, Junior Inspector of Tickets in the grade of Rs.1600-2660 and Head T.T.E. in the grade of Rs.1400-2300, were being utilised as Upper Class Conductors (in short C.I.T., J.I.T. and H/T.T.E.).

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respectively). It is claimed that the applicant had earlier worked in Upper Class Coaches in Mail and Express Trains but from 21.09.1996, he ^{has been} ~~is being~~ posted as H/T.T.E. The Junior Inspector of Tickets is being asked to look after the work which was earlier performed by the applicant. It is claimed that earlier policy was that those who are working in the grade of Rs. 2000-3200, Rs. 1600-2660 and in the grade of H/T.T.E. were utilised as Conductor of Upper Class Coaches. This has been changed by letter dated 18.09.1996, hence this O.A., this is impugned here.

3. We have heard Shri Sudhama Ram, brief holder of Shri Anand Kumar, learned counsel for the applicant and Shri A. Tripathi, learned counsel for the respondents.

4. The learned counsel for the applicant has shown Annexure A-2 showing sanctioned strength of Upper Class Conductor. This shows that 6 C.I.T., 11 J.I.T., and 8 H/T.T.E. were on the sanctioned strength, while at present 8 C.I.T., 8 J.I.T. and 5 H/T.T.E. are working as Upper Class Conductors. The order dated 18.09.1996 of Senior Divisional Commercial Manager directs the C.I.T. Administration that the Senior Staff of grade of Rs. 2000-3200 (R.P.S.) of ticket checking cadre ^{to be} ~~were~~ utilised as conductors. If staff of grade of Rs. 2000-3200 are not available, senior most staff of grade of Rs. 1600-2600 (R.P.S.) should be utilised. The applicant is aggrieved by this order as he is likely to be deputed less as Upper Class Conductor as compared to the situation which was prevailing ^{before} the issuance of the letter dated 18.09.1996.

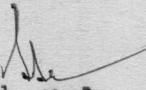
5. We have considered the contentions of learned counsel for the applicant. The applicant does not

dispute that C.I.T. and J.I.T. are also to work as
Upper Class Conductors and that C.I.T. and J.I.T. ^{are} in a
higher grade than the H/T.T.E. It is for the respondents
to depute the persons who can work as Upper Class ~~Conductor~~
Conductor from the cadre of C.I.T., J.I.T. and H/T.T.E.
Under the circumstances we do not find any infirmity
in the instructions issued on 18.09.1996. We find no
reason to interfere in the directions given by the
respondents in the said letter.

6. The O.A. is, therefore, dismissed as lacking
in merits. No order as to costs.



Member-J



Member-A

/Neelam/