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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 5th day of Jan., 2006.

QUORUM : HON. MR. K.B.S. RAJAN, J.M.

HON. MR. A.K. SINGH, A.M.

O.A. No.560/05

1. Anil Kumar Srivastava, aged about 46 years, Son of, Late Baleshwar Prasad Lal, R/O, Qr. No.544-A, Gaya Colony, Mughal Sarai, Chandauli.
2. Braj Kishor Singh, aged about 47 years, son of Late B.P. Singh, R/O 751-B, Central Colony, Mughal Sarai, Chandauli.

.....Applicants.

Counsel for applicants : Sri K.K. Mishra.

Versus

1. Union of India through the General Manager, East Central Railway, Hazipur.
2. Divisional Railway Manager, East Central Railway, Mughal Sarai, Chandauli.
3. Senior Divisional Personnel Officer, O/O Divisional Railway Manager, East Central Railway, Mughal Sarai, Chandauli.
4. Senior Divisional Operating Manager, O/O Divisional Railway Manager, East Central Railway, Mughal Sarai, Chandauli.

.....Respondents.

Counsel for Respondents : Sri A.K. Pandey.

O R D E R

By Hon. Mr. K.B.S. Rajan, J.M.

The applicant seeks a very limited relief that whatever system is adopted in respect of other

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Divisions of E.C.R. in deploying Guards to Rajdhani Train, the same should be adopted in respect of Mughal Sarai Division as well. The applicants are Mail/Express Drivers and according to the order dated 22.3.1999 (Annexure-1), Rajdhani/Shatabdi trains are to be manned by express/mail Guards only. The said directive of the Railway Board does not prescribe further that it should be only the senior most among the Mail/Express Drivers that should be allotted to man Rajdhani/Shatabdi Guards.

2. Per contra, the counsel for the respondents submits that keeping in view the necessity to ensure adequate safety and security to the V.V.I.P. Trains, a decision has been taken to make only the senior most among the Mail/Passenger Guards to function as Guards in Rajdhani/Shatabdi trains. However, there may be certain exception even with regard to this if certain senior most among the Mail/Express Guards are not to be allotted the work to function in such V.I.P. trains on account of specific reasons.

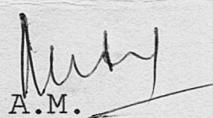
3. While we appreciate that a decision taken for proper security and safety of V.I.P. trains, if, sound, cannot be interfered with, at the same time it has to be seen whether such a decision is adopted in all the Divisions and not confined to only one Division. All that the applicants seek is that whatever system is followed by the respondents in other Divisions in regard to allocation of duties to function as Guards in Rajdhani/Shatabdi trains, the same should be equally applied to Mughal Sarai Division also. The relief seems to be fair and justifiable.

4. We, therefore, dispose of this O.A. with a direction to the General Manager to verify the system that is followed in other Divisions and contrast the

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same with the one that is followed in Mughal Sarai Division in regard to allocation of duties as Rajdhani/Shatabdi Guards and maintain uniformity in this regard in all the Divisions. It is expected that this drill shall be performed within a period of three months from the date of communication of this order.

No order as to costs.



A.M.



J.M.

Asthana/