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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL-ALLAHABAD BENCH
ALLAHABAD.

O.A. No. 565 of 1987.
Kamaruddin & others..... Applicants.

Versus

The Union of India & others..... Opp. Parties.

Hon'ble Mr. Justice U.C. Srivastava - V.C.

(By Hon'ble Mr. Justice U.C. Srivastava - V.C.)

By means of this application the applicants have prayed that the respondents may be directed to treat the Line Zamadars who are in the scale of Rs. 1200-1800 or atleast higher scale than the pointsmen. Thus the applicants wants fixation of their pay which may be the scale of Rs. 1200-1800 or ^{at least ~~that~~ scale than} higher pay scale of pointsmen.

According to the applicant the duties of Line Zamadars who were getting the scale of Rs. 210-270 and the pointsmen who were subordinate to the applicants were getting scale of Rs. 200-250 and as per Railway Board Circular No. 9 (Revised) issued by N.E. Railway duties of the applicants who are Line Zamadars and the pointsmen have been specified. As per circular the Supervisor and the Supervised at the Station should not be in the same grade which has also been mentioned in the Railway Board circular. The applicant agitated the matter, but they could not get any relief from the department. Even though the duties of Line Zamadars are almost similar to that of shunting Zamadar. Almost the duties of Line Zamadars are almost similar to that of shunting Zamadar who is getting 1200-1800 and the applicants who are Line Zamadars are not being giving the said pay. It has been stated by them that the Line Zamadars are in the Grade 800 - 1150.


The respondents in their reply have stated that the matter was reviewed and have pointed out that the applicants have relied upon A.B.C. dated

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6.2.76. The said A.B.C. was superceeded by new A.B.C. in the year 1979, which was further revised in the year 1988. According to the A.B.C. of the year 1979 as it was enforced in the year 1988, there are two grades of pointsmen 800-1500 and 950-1500 and the Line Zamadar are also appointed in two grades 800-1150 and 950-1500. The applicants were also subsequently promoted in the grade of 950-1150 and 950-1500 with effect from 1.3.1985. ~~The applicants~~ Even though proforma benefit with effect from 1.8.82 vide order dated 3rd of November, 1988. Thus it has been stated by the respondents that the applicants having been promoted in the same grade, the application has become infructuous and the same is liable to be dismissed.

In reply the respondents have stated that because the duties of Line Zamadars and Points man are the same, as such they cannot be given two different scales. After change of a venue of promotion it is no longer to open for the applicants to mention the same. As the applicants have now been given the desired relief and does not given two grades either of the Line Zamadars or Pointsmen is not the subject matter to this application. As such no adjudication has been required, and this application has become infructuous in view of the fact that the relief has been granted to the applicant by the department itself.

Dt: 28th April, 1992..


vice Chairman.

(DPS)