

RESERVED

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD**

THIS THE 26th DAY OF SEPTEMBER, 2005

Original Application No. 516 of 1999

CORAM:-

HON. MR.K.B.S. RAJAN, MEMBER(J)
HON. MR.A.K. SINGH, MEMBER(A)

Gajraj, Son of Sri Mewa Lal
Posted as Electric Khalasi in
A.C. Coach, North Eastern Railway,
Gorakhpur.

.. Applicant

By Advocate : Sri S.S. Tripathi.

Versus

1. Union of India through General
Manager, North Eastern Railway
Gorakhpur.
2. The Chief Engineer Electrical
North eastern Railway,
Gorakhpur.

.. Respondents

By Advocate : Sri Saumitra Singh.

ORDER

By Hon. Mr. K.B.S. Rajan, Member (J)

The applicant is aggrieved by the deductions effected by the respondents from his pay for various months on account of loss of bed-rolls supplied to the passengers in the AC coaches, where the applicant was posted as "AC Coach Attendant". The dispute is that the applicant contends that he being an "electric Khalasi in AC Coach" his functional responsibility is confined only attending to the electrical installations of the AC coaches and he cannot be asked to perform duties of supply and collection of bed

rolls in the AC coaches, which function is essentially of the "commercial department". The extent of recovery from the pay of the applicant as given in the chart is as under:-

Sl No.	Period	Amount
1.	Nov., 1997	Rs.15,510
2.	Feb.,1998	Rs.2625
3	March,98	Rs.2235/-
4	May 1998	Rs. 5,608
5	July, 1998	Rs. 5,960
6.	August,1998	Rs. 5510

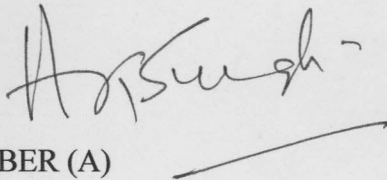
2. The respondents contest the OA. According to them, the job vested with an AC coach attendant also includes supply and collection of the bed rolls and as such, there is full justification to realize from the applicant the loss on account of missing bed rolls. They have denied that the job is of commercial department. They have stated that the representation furnished by the applicant was also disposed of.

3. Arguments were heard and the documents perused. The admitted fact is that there has been certain missing items of the bed rolls for a spell from November, 1997 onwards and the same continued at least till July, 1998. It appears that the applicant has not chosen to write to the authorities immediately on the first time when the recovery was effected. Certainly for the month of November, 1997 when his salary was depleted he had come to know the reason thereof and he ought to have taken up the case with the Department, in case he was right. Instead, he had been functioning as AC coach attendant and doing the job of

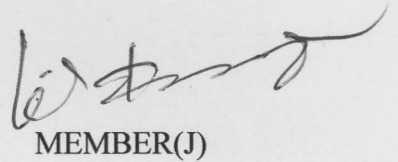
br

supply and collection of the bed rolls. His silence till he approached the Court or filed a representation preceding the filing of OA goes to show that he had accepted the responsibility even assuming without accepting that the bed roll distribution is not his job, and for the period he had caused loss, he has to bear the loss.

4. We do not find any illegality in the action taken by the respondents and the OA being devoid of merits is dismissed. No cost.



MEMBER (A)



MEMBER (J)