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O.A.NO.228/08

ORDER DATED 11.02.2009

Heard Shri P.K.Mohaptra, learned counsel for the applicant and Shri S.K.Ojha, learned Standing Counsel for the Respondent-Railways.

It is the case of the applicant that he belongs to P.Way cadre for which Civil Engineering Qualification is essential. Whereas he has been put in Track Machine (in short T.M.) cadre in South Central Railway, Bilashpur which requires the qualification of Diploma in Mechanical/Electrical Engineering. However, as per the policy, the training was required to be imparted to the persons to change over from Pway to T.M. cadre. His claim is that he should be posted in Pway cadre in terms of the circular under Annexure-A/12. It is seen that in an identical case, this Tribunal in O.A.No.224/08 has already passed an order on 11.12.2008 directing the Respondents to dispose of the representation on the subject therein. Here also it is seen that representation of the applicant at Annexure-A/14 dated 1-0.4.2008 is still pending with the Chief Personnel Officer (Respondent No.5).

In consideration of the submissions made by the learned counsel for the parties and having regard to what has been ordered by this Tribunal in an identical matter in O.A.No.224/08, it is directed that the Respondent No.5 shall consider the various



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grounds urged by the applicant in his representation at Annexure-
A/14 in the first instance and pass a reasoned and speaking order
within a period of 90 (ninety) days from the date of receipt of copy
of this order.

With the above direction, this O.A. is disposed of. No costs.


(C.R. MOHAPATRA)
ADMINISTRATIVE MEMBER

