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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR.**

Original Application No. 147/2005

Date of the order: 09.02.2007

Hon'ble Mr. Kuldip Singh, Vice Chairman

Hon'ble Mr. R.R. Bhandari, Administrative Member.

Jitendra Sharma, s/o Shri Harish Chandra Sharma, by caste Brahmin, aged 50 years resident of 7 Bank Street, Near Shivbari Road, Bikaner and at present working as Head TTE North West Railway, at Bikaner Railway Station.

: Applicant.

Rep. By M/S.S.N. Trivedi, Nitin Trivedi

S.S. Bishnoi

: Counsel for the applicant.

VERSUS

1. Union of India through the General Manager, North Western Railway, Headquarter Building, JAIPUR.
2. The Chief Commercial Manager, North Western Railway, Head Quarter Building, JAIPUR.
3. The Additional Divisional Railway manager, North Western Railway, D.R.M. Office, Bikaner.
4. The Divisional Railway manager, North Western Railway, DRM Office, Bikaner.

: Respondents.

Rep. By Mr. Manoj Bhandari : Counsel for the respondents.]

ORDER

Per Mr. Kuldip Singh, Vice Chairman.

The applicant who is a TTE/ TNCR, was deputed to work as T.T.E in Sinhashta Mela originated at Ujjain and was posted at Ratlam Headquarter along with staff of Bhavnagar, Ajmer, Jodhpur and Bikaner from 06.04.2004 to 16.04.2004. After completion of

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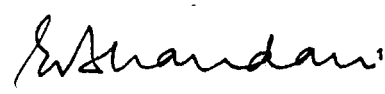
the said mela the applicant was issued with S.F. 11 for imposing minor penalty. The allegations made against the applicant was that while he was posted at Sinhastha Mela at Ratlam under the Special Ticket Checking Programme from 05.04.2004 to 17.04.2004, it was found that he has dealt with less than one case per day and could not make proper collection and he failed to discharge his duties efficiently and thus he violated Rule 3 (1) (i) (ii) and (iii) of Railway Services (Conduct) Rules 1966. The applicant submitted his explanation vide Annex. A/4, stating that he had worked hard as he could do upto his satisfaction and prayed for exoneration from the charges. However, his explanation was not accepted and the penalty of withholding an increment for a period of six months without cumulative effect was imposed. The appeal preferred against the said order was also rejected and the punishment imposed by the Disciplinary Authority has been upheld. In the grounds challenging the O.A, the applicant has stated that during the period in question he had dealt with 19 cases which is more than one of every working day and deposited a sum of Rs. 1829/- (Rs. 925/- as penalty + Rs. 650/- as excess fee + Rs. 254 for unbooked luggage.). He therefore submitted that the allegation is baseless and no punishment could be awarded on his conduct. He also stated that he made his best effort to achieve the target fixed vide Annex. A/6.

2. The respondents are contesting the O.A by filing detailed reply. It is stated by the respondents that the applicant has not discharged his duties effectively and efficiently. The explanation submitted by

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the applicant himself admitted that he is faced with hardships since the posting was new and no RPF staff was deployed with him while checking the passengers. It is stated that ticket checking is not new job to him and it does not require any special skill and he has been asked to perform his routine duties only . Therefore the Disciplinary Authority has rightly held that the explanation submitted by the applicant is not satisfactory.

3. We have heard the rival contentions and perused the pleadings and the records of this case carefully. It is an admitted fact that the applicant was issued with S.F. 11 for the reasons that the applicant is not performing his duties efficiently and effectively. It is seen from the explanation submitted by the applicant that he himself admitted that Ratlam being a new station and he had also faced hardship in checking the passengers. Such being the explanation given by the applicant himself shows there is an admission on the part of the applicant that he had not worked efficiently and effectively. It is not expected of a person like the applicant to state that in performing his routine duties he faced hardship. We find that the explanation submitted by the applicant has rightly been held not satisfactory and he has been rightly awarded the punishment. Hence the impugned orders do not call any interference from this Tribunal. Accordingly, the O.A is dismissed. No costs.

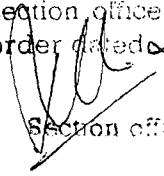

(R.R. Bhandari)
Administrative Member


(Kuldip Singh)
Vice Chairman.

Re copy of order
Qing Cheng
13/02/07
(FOR SH MANOJ BHANDARI)

R/C
SA
(Nisar Ahmed)
for Sd. Tahir
14/8/07

Part II and III destroyed
in my presence on 02-6-14
under the supervision of
section officer (I) as per
order dated 26-2-14


Section officer (Record)