

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

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Original Application No.513/88

Champat Sudam Taide ... Applicant

V/s

Union of India & Ors. ... Respondents

CORAM : Hon'ble Vice-Chairman, Shri U.C.Srivastava
Hon'ble Member (A), Shri M.Y.Priolkar

Appearances:

Mr. Y.R.Singh, Advocate
for the applicant and
Mr. P.R.Pai, Advocate
for the respondents.

ORAL JULGEMENT:

Dated : 19.8.1991

(Per. U.C.Srivastava, Vice-Chairman)

The applicant, now retired from service, was working as Safety Counsellor (Optg.), S.E.Railway, Nagpur was served with a charge sheet by the Respondent No.4. The charge against him was that he has shown utter negligence as Safety Counsellor which resulted in collision of the pilot train. The applicant submitted his explanation but his explanation was not found to be satisfactory and accordingly he was punished with the stoppage of increment for a period of two years. The applicant filed an appeal against the same. The appellate authority while upholding the punishment reduced the same from 24 months to 18 months. Thereafter the reviewing authority under Rule 25 of the Railway Establishment Manual reduced it to six months. The learned counsel for the applicant straneously contended that the Safety Counsellor who has to manage 180 stations has no responsibility in the matter and for collision of the pilot train he should not have been held responsible.

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If anybody else was responsible the responsibility lay with his superior officer. The respondents have challenged the claim of the applicant and have stated that in this particular case the applicant cannot be exonerated from his responsibility and in fact he was responsible. But even then although he deserves a higher punishment but later-on he was let off with a very minor punishment and the period of punishment too was reduced by the superior authority. We do not find any ground to interfere in the matter as no ground for interference has been made either factually or legally and accordingly this application deserves to be dismissed. However we are making it clear that we are not deciding the extent of the responsibility or liability of the Safety Counsellor in the matter of accident but we are deciding this case in the light of the facts of the case itself. With the above observations this application is dismissed with no order as to costs.



(M.Y. Priolkar)
Member(A)



(U.C. Srivastava)
Vice-Chairman