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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY.

Original Application No.308/91.

Shri Mohan P.Daswani,
B4/16, 3rd floor,
Bachani Nagar,
Malad (East),
Bombay - 400 097.

... Applicant.

V/s.

1. Union of India
Chief Cashier,
Central Railway,
Bombay V.T.
2. Financial Adviser & Chief
Accounts Officer (WST),
Central Railway,
Bombay V.T.

... Respondents.

Coram: Hon'ble Member(A), Shri M.Y.Priolkar,

Appearance:-

Applicant in person.
Respondents by Mr.Subodh Joshi.

Oral Judgment:-

{Per Shri M.Y.Priolkar, Member(A)} Dated: 5.7.1991.

The parties agree that this case can be decided by
a Single Member bench. The application is admitted.

2. The applicant in this case is a retired Railway employee. He has the grievance that his request for being issued post-retirement Complimentary Passes from the office of the Chief Cashier has been rejected by Respondent No.2's letter dt. 24.4.1991, although according to him the Railway Board's instructions dt. 7.6.1988 (Annexure 'C') lays down that any Gazetted Officer holding independent charge may be authorised to issue post-retirement Complimentary passes to retired employees as permissible under the normal rules after due verification. It is alleged by the applicant that earlier he was being issued passes from the Matunga Workshop Office but after he had filed a case in this Tribunal (O.A. 158/90) for redressal of certain grievances, he is being

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harassed by that office on some pretext or the other.

2. On the last occasion i.e. on 6.6.1991 when this application came up for admission hearing, Mr.B.K.Panigri, Law Assistant in the respondents office was present. Respondents were directed on that day to file their reply and clarify the position vis-a-vis the Railway Servants Pass Rules, 1986 and also bring the complete record on that day as the matter is liable to be finally decided on that day i.e. today.

3. While the applicant is present in person, respondents are represented by learned counsel Mr.Subodh Joshi. The respondents have neither filed their reply nor have they brought any record showing on what grounds the applicant's request has been rejected under the impugned order dt.24.4.91. Admittedly, the Chief Cashier is a Gazetted Officer working under the Administrative control of the FA & CAO under whom the applicant was serving at the time of his retirement. The letter dt. 24.4.1991 rejecting the request of the applicant is a bald letter and does not give any reason whatsoever why the request is being rejected, although the Railway Board's instructions are quite clear that any Gazetted Officer holding independent charge may be authorised to issue such passes to retired employee. There is no dispute that the Chief Cashier is a Gazetted Officer and is also holding independent charge. Obviously, the above Railway Board's instructions have been issued in the interest of the retired employees' welfare and it was, therefore, essential that while rejecting the request of the applicant at least the grounds on which the request is being rejected should have been recorded. It is also regrettable that in spite of our ^{specific} order dated 6.6.1991 to bring the relevant record

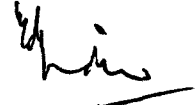
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today as the matter was liable to be finally decided, it has not been brought today.

4. In the circumstances, ~~of~~ the application is allowed and the respondents are directed to take immediate steps to issue post-retirement passes to which the applicant is entitled, from the office of the Chief Cashier as requested by him. There will be no order as to costs.



(M.Y. PRIOLKAR)
MEMBER (A).