

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

**ORIGINAL APPLICATION NO.225/2013**

**Date of Order:** 30.5.2016

**CORAM**

**Hon'ble Dr. K.B.Suresh, Judicial Member**

**Hon'ble Ms. Meenakshi Hooja, Administrative Member**

Rohit Kumar Suwania S/o Shri M.D.Suwania, aged about 49 years, R/o 4-GA-7, Vigyan Nagar, Near Mayank School, Kota, Rajasthan, presently working as Dy. S.S. at Bassi.

..... Applicant

(By Advocate Ms. Kavita Bhati)

VERSUS

1. Union of India, through the General Manager, West Central Railway, Jabalpur.
2. The Chief Operations Manager, West Central Railways, Jabalpur.
3. The Divisional Railway Manager, West Central Railways, Kota.
4. The Senior Divisional Operations Manager, West Central Railway, Kota.

.....Respondents

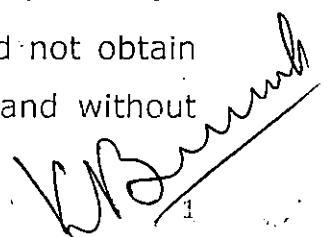
(By Advocate : None present)

**ORDER**

(Per Dr. K.B.Suresh, Judicial Member)

Heard.

In most of the Railway accidents we find that Railways are lethargic and that is the reason why continuation is a regular feature. The railways have passed a detailed order indicating that there was infraction on the part of the applicant in giving starter signal but applicant says that he did not give advance signal which should have followed starter signal and awaited obtaining line clearance from station ahead. Facts remains that infraction is that he did not obtain the line clearance as gangs were working on the track and without



<sup>Panel</sup>  
even looking at the ~~hand~~ he gave starter signal. He could have caused a big accident. The applicant had also raised some complaints about the questions put in the enquiry. After having examined it and the entire proceeding what we could find that the applicant had been let off with an inadequate punishment. The DA, obviously has not accounted himself well. This fact should be taken into account and considered.

2. But the punishment given to the applicant is marred only by its inadequacy.

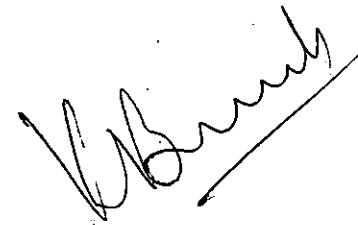
3. At this point of time the applicant raises a question that after 6 seconds he had corrected the lacunae but he had informed it to his superior. **But he had not entered it in the Register as well and it compounds the issue.**

4. Applicant further raises an issue that as per the Board, the financial loss of the applicant has also to be considered. **What is more pertinent to be considered in the possibility of at last <sup>4-5</sup> people being dead in the accident.**

5. The enquiry held was proper and all opportunities were given. But we note with some regret that concerned authorities have failed in their function by imposing such low punishment.

No merit in the OA. Dismissed. No costs.

  
(MS. MEENAKSHI HOOJA)  
ADMINISTRATIVE MEMBER

  
(DR. K. B. SURESH)  
JUDICIAL MEMBER

Adm/