



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

OA No.350/01870/2015

Dated of order: 21.12.2015

PRESENT:

THE HON'BLE MR. JUSTICE G. RAJASURIA, JUDICIAL MEMBER
THE HON'BLE MS. JAYA DAS GUPTA, ADMINISTRATIVE MEMBER

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TAPAS BARMAN & ORS
V/S
UNION OF INDIA & ORS (E.Rly)

For the Applicant: Mr. C. Sinha, Counsel
For the Respondents: Mr. A. K. Banerjee, Counsel

ORDER

JUSTICE G. RAJASURIA, JM:

Heard both at this admission stage itself.


2. This OA has been filed seeking the following reliefs:

"(a) Liberty may be granted under Rule 4 (5) (a) of the CAT (Procedure) Rules, 1987 to file and maintain the application jointly;

(b) To direct the respondents to cause them to act in terms of Railway Boards Order being No. E (NG) I-2006/PM7/12 dated 02.06.2006 regarding publishing a common seniority list of ALP (Diesel) and ALP (Electric) and conducting a compulsory retraining of both types of traction i.e. Diesel and Electric traction in the sealdah Division of Eastern Railway;

(c) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

(Extracted as such)



3. The learned counsel for the Applicants placing reliance on Annexure-A/1, the RB/Estt. No. 69/2006 dated 02.06.2006; a portion of it is extracted hereunder for ready reference:

(i) All new entrants recruited directly from open market through Railway Recruitment Boards or by induction by selection from Diesel/Electric Loco Sheds etc as Asstt. Loco Pilots (Diesel) and Asst. Loco Pilots (Electric) in grade Rs. 3050-4590 will be borne in a common seniority after they have passed technical compulsory test for both types of traction. Passing technical tests for both types of traction may be dispensed with on Divisions with only one type of traction or for a temporary period with the personal approval of the General Manager",

would develop his argument that even though the same circular contemplates training to be given to the Assistant Loco Pilots (Diesel) in driving Railway Engines run on electric device, they have not been given training at all and, no common seniority list between Assistant Loco Pilots (Diesel) and Asst. Loco Pilots (Electric) was prepared and published, and in the meantime only Asst. Loco Pilots (Electric) are getting promotion and thereby depriving the Assistant Loco Pilots (Diesel) of their due promotion. Hence, he prays for implementing such Railway Board's Circular dated 02.06.2006, cited supra, and, for passing a suitable direction by the CAT.

Per contra, the learned counsel for the respondents would pray time to file reply.

4. Taking into consideration the innocuous prayer of the applicants, we are of the view that there is no need to go into the



substantive merit of this matter at this stage, and, this OA could be disposed of with the following direction:

The Respondent authority concerned, shall see that the RB/Estt. No. 69/2006 dated 02.06.2006 issued by the Railway Board is implemented in letter and spirit, if there is no other Railway Board's Circular superseding the same, and accordingly, implement it and communicate the intention of the railway authority concerned to the applicants, within a period of two months from the date of receipt of a copy of this order.

5. This OA is accordingly disposed of. No costs.

(Jaya Das Gupta)
Admn. Member

(Justice G. Rajasuria)
Judicial Member

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