

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00029/2018

DATED THIS THE 14TH DAY OF NOVEMBER, 2018

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C V SANKAR, MEMBER (A)

Sri Abhilash B.K
S/o Shri Babu K
Aged about 25 years
Beembungal House
Bedadka-Post
Via-Chengala
Kasargod dist
Kerala – 671 541

.....Applicant

(By Advocate Shri Nataraj)

Vs.

1. The Railway Recruitment Board
Government of India,
Ministry of Railways,
No. 18, Millers Road,
Bangalore – 560 010

2. The Assistant Officer
South Western Railway,
Hubli – 580 020

3. The Headquarters Office
Senior Personnel Officers,
Personnel Department,
Gadag Road,
Hubli – 582020

....Respondents

(By Shri J. Bhaskar Reddy, Counsel for the Respondents)

ORDER (ORAL)

DR. K.B. SURESH, MEMBER (J):

Heard. The applicant relies on a medical certificate issued by one Dr. Nayana Ramankutty at Palakkad who certifies that he is physically fit for the post of Senior Section Engineer, Electrical Department, South Western Railway. The Railways would say that even though this Doctor had signified that colour blindness in applicant is normal, it is not normal. Colour blindness is to be assessed as degree of variation in searching and focusing on a particular colour spectrum. It is not normal or abnormal. The spectrum in ophthalmological terms differs in persons degree by degree therefore this does not appear to be a significantly important finding by this ophthalmologist. The colour spectrum VIBGYOR is to be found out as present in the vision of a person so as to enable him to distinguish between various degrees of colour. We have summoned the Railway Doctor today who explains that in fact 3 special examinations - one by the Doctor concerned, then by an expert body and then by a further expert body - was conducted and the applicant was found to have colour blindness. The Doctor explained the requirements of the job and we are satisfied that the Senior Section Engineer will have to differentiate between colours and the cause put up by the applicant now that for Senior Section Engineer it may not be required as much as a Loco Pilot may not be correct because he too have to distinguish between colours as all the cables are colour coded and one small mistake will engineer a blast. Therefore we find that there is no merit in the OA.

2. The OA is dismissed. No order as to costs.

(C V SANKAR)
MEMBER (A)

(DR.K.B.SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No.170/00029/2018

Annexure A-1: Copy of the notification dated 27.06.2011

Annexure A-2: Copy of the appointment order dated 17.11.2016

Annexure A-3: Copy of the medical certificate dated 03.03.2017

Annexure A-4: Copy of the endorsement dated 09.08.2017

Annexures with reply statement

Annexure R-1: Copy of the Railway Board letter dated 05.06.2014

Annexure R-2: Copy of the IREM, Chapter-I Section B para 105

Annexure R-3: Copy of the Indian Railway Establishment Code, Chapter-2

Annexure R-4: Copy of the Indian Railway Medical Manual, Chapter-V

Annexure R-5: Copy of the Medical Memo dated 28.12.2016

Annexure R-6: Copy of the Chief Medical Superintendent, South Western Railway, Hubli letter dated 06.01.2017
