

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00665-00668/2018

DATED THIS THE 23<sup>RD</sup> DAY OF JULY, 2019

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

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

1. SWR Mazdoor Union,  
Bengaluru Division,  
Represented by its Divisional Secretary  
Sri K.V. Raghavendra, 47 years,  
S/o Sri K.S. Venkatasubbaiah,  
Rail Mazdoor Bhavan,  
DRM's Office Compound Entry Side,  
Bengaluru 560 023

2. Sri Kumar, 27 years,  
S/o Krishnappa,  
Occn: Points-man,  
Yeshwanthpur Railway Station,  
Bengaluru 560 022

3. Sri Manjunatha T.R., 26 years,  
S/o Sri. Ramappa,  
Occn: Points-man,  
Yeshwanthpur Railway Station,  
Bengaluru 560 022

4. Sri Manjunatha, 26 years,

S/o Channabasappa A.,  
Occn: Points-man,  
City Railway Station, SWR,  
Bengaluru 560 023  
(By Advocate Shri P.A. Kulkarni)

..... Applicants

Vs.

1. Railway Board,  
Rail Bhavan,  
New Delhi 110 001,  
By its Secretary

2. General Manager,  
South Western Railway,  
Hubli 580 020  
For and on behalf of Union of India

3. Divisional Railway Manager,  
South Western Railway,  
Divisional Office,  
SBC, Bengaluru 560 023  
....Respondents

(By Shri N. Amaresh, Counsel for the Respondents)

O R D E R (ORAL)

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

MA No. 291/2018 for single application is allowed. MA No. 342/2018 for vacation of stay is dismissed.

2. The matter is in a very small compass. For the next level for going up to Grade Pay of Rs. 2000, people with Grade Pay of Rs. 1800 is allowed whereas the people holding Grade Pay of Rs. 1900 is not allowed. Without any doubt, this is totally arbitrary, illegal and quite foolish. If people in the Grade Pay of Rs. 1800 are allowed to write the examination, people in the Grade Pay of Rs. 1900 also will be allowed to write the examination. We also note that it is being allowed in other divisions in other zones. Therefore, the OA is allowed. Applicants and all others in the Grade Pay of Rs. 1900 are also to be allowed to write this examination.

3. At this point of time Shri N. Amaresh, learned counsel for the respondents, makes a clarification. He says that they have taken a policy decision to convert all people in the Grade Pay of Rs. 1900 into Rs. 2000 automatically. In that case, they need not write the examination. There is no problem in them passing an order like that so that it will be binding on everybody. They are eligible to create a merger of Rs. 1900 and Rs. 2000 also provided equitable and equal opportunities are granted to everybody cutting across any borders and boundary.

4. The OA is allowed with this clarification. 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. 170/00665-00668/2018**

Annexure-A1: Copy of the RBE 28/2018 dated 22.02.2018

Annexure-A2: Copy of the DRM Bengaluru's notification dated 16.03.2018

Annexure-A3: Copy of the DRM notification dated 08.05.2018

Annexure-A4: Copy of the union's letter dated 13.06.2018

Annexure-A5: Copy of the union's letter dated 15.06.2018

Annexure-A6: Copy of the union's letter dated 04.07.2018

Annexure-A7: Copy of the union's letter dated 09.07.2018

Annexure-A8: Copy of the representation dated 05.04.2018

Annexure-A9: Copy of the DRM Bengaluru's communication dated 01.06.2018

Annexure-A10: Copy of the DRM Bengaluru's communication dated 02.07.2018

**Annexures referred in MA for vacation of interim stay**

Annexure-R3: Copy of the letter dated 17.07.2018

**Annexures referred in the reply statement**

Annexure-R1: Copy of the Railway Board letter dated 21.04.2017

Annexure-R2: Copy of the commercial department AVC of Ticket Examiner – Avenue Chart

Annexure-R3: Copy of the Mysore Division letter dated 17.07.2018

\* \* \* \* \*