

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA

OA/050/001144/2019

Date of Order : 11.12.2019

C O R A M

HON'BLE MR. J. V. BHAIKAVIA, JUDICIAL MEMBER

HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER



Anjani Kumari, W/o Sri Manjay Kumar, working as Chief Trains Clerk, Control Office Danapur, East Central Railway, Danapur.

..... Applicant.

- By Advocate : Shri J.K.Karn

-Versus-

1. The Union of India through the Chairman, Railway Board, Rail Bhawan, New Delhi-110001.
2. The General Manager, East Central Railway, Hajipur-844101.
3. The Pr. Chief Personnel Officer, East Central Railway, Hajipur-844101.
4. The chief Operation Manager, East Central Railway, Hajipur-844101.
5. The Divisional Railway Manager, E.C. Railway, Danapur-801503.
6. The Sr. Divisional Operating Manager, East Central Railway, Danapur-801503.
7. The chief Controller/Goods, O/o the Sr. Divisional Operating Manager, E.C. Railway, Danapur-801503.

..... Respondents.

By Advocate :- Shri S.K.Ravi, Id. SC

O R D E R [ORAL]

Per Mr. Dinesh Sharma, A.M.:- In the instant OA, the applicant has prayed for changing the working hours of

applicant on ground of being a woman and taking into account various guidelines which suggest that women workers should not be employed before 6 A.M. and beyond 7 P.M.

2. The matter was heard at the admission stage . The learned counsel for the applicant drew our attention to a communication from Eastern Railway, Asansol dated 03.12.2019 which is re-produced below :-



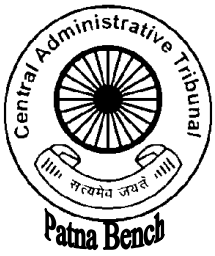
“ In terms of sub item (IV) under item 11 of above cited stipulation, the employment of women at night, i.e. between 10 P.M. and 6 A.M. should be avoided as far as practicable save in professions where women only have to be employed, eg. Nurses, dieas etc.

In line with above provisions, DRM has issued instructions that no Rly lady employee could be employed in night shift, i.e. between 10 P.M. and 6 A.M. in working places except in cases of Nurses.

A confiramation in this regard may please be sent to Ruling Section under Sr. DPO/ASN immediately for kind appraisal of DRM.”

3. The learned counsel was asked by the Tribunal whether there was any specific order or rule of the Railways under which giving of such night time roster to women employees was prohibited. We also noticed that following our earlier direction dated 22.10.2019 in this matter (in OA 993/2019), the Senior DOM, E.C. Railway has categorically stated that there is nothing unsafe as other lady workers are doing similar duties. In this situation, we do not think that

there is any issue requiring adjudication by this Tribunal. We, therefore, dispose of this application, at the admission stage itself, with the direction to the respondents to follow their own guidelines regarding avoiding employment of women at night as far as practicable



[Dinesh Sharma]
[Administrative Member]

[J.V. Bhairavia]
Judicial Member

Pkl/

