

**Central Administrative Tribunal
Madras Bench**

OA 310/00005/2020

Dated Thursday the 2nd day of January Two Thousand Twenty

P R E S E N T

**Hon'ble Shri. P. Madhavan, Member (J)
&
Hon'ble Shri. T. Jacob, Member (A)**

M. Veerasamy,
Technician-Gr-I/Crane Driver,
Southern Railway, Loco Works,
Perambur, Chennai – 600 023. ...Applicant

(By Advocate M/s R.Pandian)

Vs

1. The Union of India rep by,
The General Manager,
Southern Railway,
Park Town, Chennai – 600 003.
2. The Chief Personnel Officer,
Southern Railway,
ParkTown, Chennai – 600 003.
3. The Chief Workshop Manager,
Southern Railway,
Carriage & Wagon Works,
Perambur, Chennai – 600 023.
4. The Deputy Chief Electrical Engineer,
Southern Railway,
Carriage & Wagon Works,
Perambur, Chennai – 600 023.

5. The Workshop Personnel Officer,
Southern Railway,
Carriage & Wagon Works,
Perambur, Chennai – 600 023.

...Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER

Pronounced by Hon'ble Mr. P. Madhavan, Member(J)

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“... to call for the records relating to Post Based Roster Point in Promotion maintained for the cadre of Technicians/Crane Driver, proceedings of implementation of Cadre Restructuring- 2013 and Cadre Restructuring- 2016 for the cadre of Technicians/Crane Driver. Consequently, to direct the respondents:-

- (i) To revise and re-fix the positions of the employees in the Post Based Roster Point for Promotion for the cadre of Technicians/Crane Driver maintained through the PBR Point Register, by duly removing the names of the SC/ST employees, who have already availed the facilities of reservation, from UR Roster Point and placing them in the respective SC/ST Roster Points;
- (ii) Consequently, to promote the applicant from the post of Technician Grade-III to the post of Technician Grade-II w.e.f 01.11.2013.
- (iii) to further promote the applicant as per his entitlement as per the guidelines given for Cadre Restructuring 2016 for Artisan staff;
- (iv) to re-fix pay and provide other incidental benefits; and pass such other order or orders as this Hon'ble Tribunal may deems fit and proper and thus render justice.”

2. When the matter came up for consideration, learned counsel for the applicant submits that the applicant is presently working as Technician Gr. I/Crane Driver. The applicant is aggrieved that he was not granted promotion in the higher

grade due to wrong/non application of Post Based Reservation principles. He submits that the applicant was denied promotion due to accommodation of employees belonging to SC community in the UR roster point erroneously. In this regard, the applicant had given representation to the respondents produced as Annexure A8 dt. 19.10.2018 which is still pending with the respondents for consideration. He submits that the applicant will be satisfied if his representation is disposed of by passing a speaking order within a time limit stipulated by this Tribunal.

3. Mr. P. Srinivasan takes notice for the respondents and submits that he has no objections in disposing of the representation pending before the competent authority.

4. **In view of the limited submission made and without going into the substantive merits of the case, the competent authority is directed to consider Annexure A8 representation of the applicant dated 19.10.2018 in accordance with law and pass a reasoned and speaking order within a period of three months from the date of receipt of copy of this order.**

5. OA is disposed of at the admission stage.

(T. Jacob)
Member(A)
AS

02.01.2020

(P. Madhavan)
Member (J)