

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD

O.A. No. 020/00283/2014

HYDERABAD, THIS THE 24th DAY OF DECEMBER, 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman

Hon'ble Mr. B.V. Sudhakar, Admn. Member

1. M.Laxminarayana, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller,
Kazipet Junction, South Central Railway, Secunderabad Division.
2. Reddy Srinivasu, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller,
Kajipet Junction, South Central Railway, Secunderabad Division.
3. M.Iylaiah,, Loco Pilot (Goods), O/o. Chief Crew Controller,
Kajipet Junction, South Central Railway, Secunderabad Division.
4. B.Bhadru, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller,
Kajipet Junction, South Central Railway, Secunderabad Division.
5. G.Srinivas, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller,
Kajipet Junction, South Central Railway, Secunderabad Division.
6. M.Pochaiah, , Occ: Loco Pilot (Goods), O/o. Chief Crew Controller,
Kajipet Junction, South Central Railway, Secunderabad Division.
7. Mittapalli Ramesh, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller,
Kajipet Junction, South Central Railway, Secunderabad Division.





8. K.Babu Rao, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller,
Sanathnagar, South Central Railway, Secunderabad Division.
9. Nutangi Ashok Kumar, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Vijayawada, South Central Railway, Secunderabad Division.
10. Ch.Shivaji, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Vijayawada, South Central Railway, Secunderabad Division.
11. Bhokya Gandhi, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Vijayawada, South Central Railway, Secunderabad Division.
12. K.Koteswara Rao, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Vijayawada, South Central Railway, Secunderabad Division.
13. G.Rambabu, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Kazipet Junction, South Central Railway, Secunderabad Division.
14. T.C.Kasturaiah, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Vijayawada, South Central Railway, Secunderabad Division.
15. K.Nageswara Rao, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Bhadrachalam Road, South Central Railway, Secunderabad Division.
16. K.Jeevaratnam, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Bhadrachalam Road, South Central Railway, Secunderabad Division.
17. B.Govindu, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Bhadrachalam Road, South Central Railway, Secunderabad Division.
18. T.Ravi, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Bhadrachalam Road, South Central Railway, Secunderabad Division.
19. K.V.PrasadBabu, Occ: Loco Pilot (Goods), O/o. Chief Crew Controller, Sanathnagar, South Central Railway, Secunderabad Division.



20. K.Seenaiah, Occ: Loco Pilot (Goods), O/o.Chief Crew Controller, Bhadrachalam Road, South Central Railway, Secunderabad Division.
21. K.Anand Kumar, Occ: Loco Pilot (Goods), O/o.Chief Crew Controller, Vijayawada, South Central Railway, Secunderabad Division.
22. K.Ashok Kumar, Occ: Loco Pilot (Goods), O/o.Chief Crew Controller, Bhadrachalam Road, South Central Railway, Secunderabad Division.
23. K.Nageswara Rao, Occ: Loco Pilot (Goods), O/o.Chief Crew Controller, Bhadrachalam Road, South Central Railway, Secunderabad Division.
24. B.Govindu, Occ: Loco Pilot (Goods), O/o.Chief Crew Controller, Bhadrachalam Road, South Central Railway, Secunderabad Division.
25. G.MosesGovindu, Occ: Loco Pilot (Goods), O/o.Chief Crew Controller, Vijayawada, South Central Railway, Secunderabad Division.

Applicants

(By Advocate: Mr.K.Ram Murthy)

Vs.

1. The General Manager,
South Central Railway, Rail Nilayam, Secunderabad..
2. The Divisional Railway Manager, Personnel Branch,
South Central Railway, SanchalanBhavan,
Secunderabad Division, Secunderabad.

...Respondents.

(By Advocate:, Mrs.KMJDShyama Sundari,
SC for Railways)

ORAL ORDER

PER HON'BLE Mr. JUSTICE L.NARASIMHA REDDY, CHAIRMAN

We heard Mr. K. Ram Murthy, learned counsel for applicants and Ms. KMJD Shyama Sundari, learned standing counsel for respondents.

2. Learned counsel for both sides, submit that the subject matter of the OA is the same as the one in OA/20/1162/2013 and batch, decided on 11.01.2019.
3. Following the same, we allow the OA directing that,

I. The South Central Railway or the Railway administration, in general shall take a policy decision indicating the parameters for introduction and implementation of the reservation in promotions, which shall include:

- (i) the verification of the representation of the category of Scheduled Castes & Scheduled Tribe employees in the post or cadre for promotion to which, reservation is sought to be effected and the resultant effect of any on the efficiency of the administration;

- (ii) the manner in which the concept of creamy layer shall be applied in enforcing such reservations in promotions; and
- (iii) The duration up to which the promotion shall be in force.

II. The view of the Association of Scheduled Caste & Scheduled Tribe employees on the one hand and the Association of employees in general on the other hand, shall be taken into account before such parameters are identified.



III. Unless and until a decision at the level of Ministry of Railways & Railway Board is taken as regards the implementation of the reservation in promotions, the same shall not be effected at the lower levels

IV. If such guidelines already exist in respect of any post or cadre, reservations in promotion can be made to such posts or cadre, duly referring to the relevant guidelines and administrative orders.

V. If any promotions have taken place contrary to the law as it exists now, it shall be open to the Railway administration to take corrective steps. Pending such action, the promotions so made shall be treated as provisional, without giving rise to any right to seniority in the promoted post.

VI. The entire exercise indicated above shall be completed within a period of six months from the date of receipt of a copy of this order.

4. There shall be no order as to costs.

(B V SUDHAKAR)
MEMBER (A)

(JUSTICE L.NARASIMHA REDDY)
CHAIRMAN

VSN

