

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1423 of 1992

Allahabad this the 31st day of July, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.M.P. Singh, Member (A)

1. Ganga Ram Singh, aged about 28 years, Son of Shri Raghunath Singh, R/o RB-II, 958 C, T.R.S. Rly. Colony, Nagra, Jhansi.
2. S.S. Dwivedi, aged about 30 years, Son of Shri Shiv Darshan Dwivedi, R/o RB-II, 973 A, T.R.S. Rly. Colony, Nagra, Jhansi.
3. Raj Kumar, Aged about 28 years, Son of Late Shri Keshari Chand, R/o RB-II-958G, T.R.S. Rly. Colony, Nagra, Jhansi.
4. Rakesh Kumar Mishra, Aged about 28 years, Son of Shri Badri Vishal Mishra, R/o RB-II, 961B, T.R.S. Rly. Colony, Nagra, Jhansi.
5. Rati Ram, aged about 27 years, S/o Shri Veer Singh, R/o RB-II, 973D, T.R.S. Rly. Colony, Nagra, Jhansi.
6. Subhash Sharma, aged about 27 years, Son of Shri Har Prasad Sharma, R/o RB-II-975D, T.R.S. Rly. Colony, Nagra, Jhansi.
7. Dharmendra Khare, aged about 28 years, Son of Shri Prabhu Dayal, R/o RB-II-963A, T.R.S. Rly. Colony, Nagra, Jhansi.

Applicants

By Advocate Shri Rakesh Verma

.....pg. 2/-

1. Union of India through General Manager, Central Railway, Bombay V.T.
2. The Divisional Rly. Manager(P), Central Railway, Jhansi.

Respondents

By Advocate Shri A.K. Gaur

O R D E R (Oral)

By Hon'ble Mr. S.K.I. Naqvi, Member (J)

The applicants Ganga Ram Singh and 7 others have come up seeking direction to the respondents to re-fix their seniority as Electric Fitter Grade III (Rs. 950-1500) after taking into account their initial date of appointment i.e. 17.11.1986. As per applicants case, they were recruited for the post of Artisen category through Railway Recruitment Board as per procedure laid for recruitment to the post and they were appointed as Trainee Electric Fitter vide order dated 24.10.86 and consequently the petitioners no. 1 ^{and} 4 joined at Jhansi on 18.11.1986 and the other petitioners also joined on 17.11.86 at Jhansi and, thereafter, vide order dated 15.10.1987, they were posted as Electric Fitter in Jhansi division against the regular vacancy. The respondents have fixed their seniority taking initial dated as 15.10.1987 whereas the applicants claim their seniority when they joined in November, 1986 in pursuance of the order dated 24.10.1986.

See note pg. 3/-

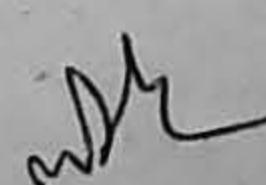
2. The respondents have contested the case and filed their counter-reply.

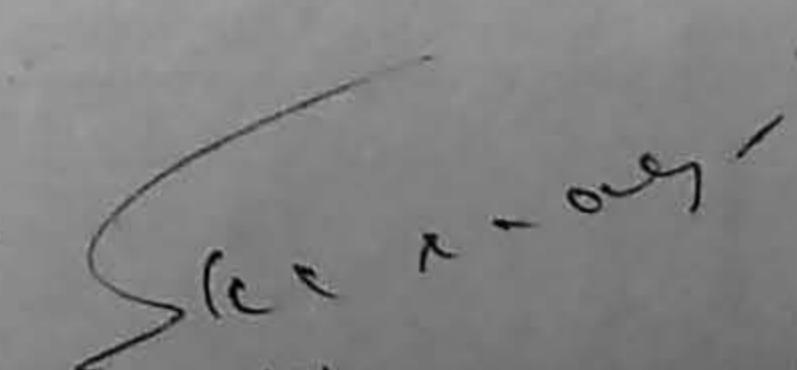
3. Heard, the learned counsel for the parties and perused the record.

4. In this matter, the controversy is very short as to whether the training period from October, 1986 to October, 1987 is to be counted in their seniority or not.

5. It is quite evident from own pleading of the applicants that vide order dated 24.10.1986, they were appointed as "Trainee Electric Fitter" and not to any substantive post and it was vide letter dated 15.10.1987 that they were posted as Electric Fitter. Therefore, as per provisions under Rule 302, Indian Railway Establishment Manual, Volume I, the training period is not to be reckoned as service period for the purpose of seniority. This Rule is quite clear and does not give rise to any doubt and thereby the prayer of the applicants is misconceived.

6. For the above, we do not find any merit in the O.A., which is dismissed accordingly. No order as to costs.


Member (A)


Member (J)

/M. M. /