

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

Wednesday THE Fifteenth DAY OF March
ONE THOUSAND NINE HUNDRED AND EIGHTY NINE

: PRESENT :

THE HON'BLE MR. BN. JAYA SIMHA : VICE-CHAIRMAN

AND

THE HON'BLE MR. D. SURYA RAO : MEMBER (JUDL.)

ORIGINAL APPLICATION NO. 774 OF 1987

BETWEEN:-

1. N. V. Subramanian

2. S. Sambasiva Rao

... Applicants

A N D

3. G. V. Ram Naik

4. N. Venkateswara Rao

5. Ch. Venkateswara Rao

6. P. Satya Prasad

7. Ch. Balaji

8. S. Vijay Kumar

9. K. Ram Kumar

10. N. V. S. Prasad

11. G. Krishna Murthy

Applicants

And

1. The General Manager,
South Central Railway,
Rail Nilayam,
Secunderabad.

... Respondents

2. The Deputy Chief Mechanical
Engineer, Wagon Workshop,

South Central Railway,

Guntupalli, Krishna District

Respondents

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ORDER OF THE TRIBUNAL

The applicants herein are direct recruits for the posts of Machinists in the Wagon Workshop, Guntupalli in Andhra Pradesh. It is contended that the Wagon Workshop was started in the year 1974 and for the purpose of recruitment of staff, options were called for from the staff working in loco sheds, Garrage and wagon depots of the Mechanical Department and in the Railway Mechanical Works, Lalaguda, Hubli and Kurdwadi. These options were called for 9 times between 19.6.1974 and 13.9.1981. The applicants state that they are all I.T.I. Trade Apprentices who were selected in June 1980 and absorbed in the month of December 1980 against 25% quota reserved for direct recruits. It is their case that the seniority should be fixed on the basis of the date of entry into the grade. In 1984, since certain matters for preparation of the combined seniority list between the direct recruits and the departmental promotees was not clear, the General Manager issued certain instructions on 20.2.1985. The applicants contend that the seniority list prepared in 1984 does not conform to the instructions issued. The promotees got promotion even though they entered the grade years after the direct recruits and that they are shown in the seniority list as seniors to the applicants. ~~The applicants~~ The applicants had submitted ~~submitted~~ objections to the

seniority list dated 18.9.1986 but the administration is proceeding to make promotions on the basis of the said seniority list without disposing of their objections. The applicants, therefore, seek a direction to the respondents to prepare a seniority list of Class-III skilled Welders of Wagon Workshop, Rayanapadu in respect of direct recruits on the basis of their entry into skilled grade and further direct the respondents while interpolating promotees from the lower grades, either under promotional quota or under limited departmental competitive examination quota, to show them below the direct recruits if the promotees were promoted in the Workshop or transferred to the Workshop after the appointment of the direct recruits.

2. We have heard the learned counsel for the applicants Shri P.Krishna Reddy and the learned Standing counsel for the respondents Shri N.R.Devaraj, SC for Railways. On similar contentions raised in regard to the preparation of the seniority list amongst the optees under various option letters issued at various times and the direct recruits, in O.A.No. 387 of 1987, we have given certain directions relating to regularising the seniority ~~xxx~~ of all these persons. The decision rendered therein will also apply to this case and the seniority of promotees will be determined in accordance with the directions contained in the above mentioned case. ^{reckoned} and The seniority of the direct recruits will be counted from

.. 3 ..

the date of their joining in the Workshop. With these directions, the application is disposed of. There will be no order as to costs.

Dictated in the open court.

B.N. Jayasimha

(B.N. JAYASIMHA)
Vice Chairman

D. Surya Rao

(D. SURYA RAO)
Member (Judl.)

Dated: 15th March, 1989.

S. Venkatarao
Deputy Registrar (CS)

To vsn

1. The General Manager, South Central Railway,
Rail Nilayam, Secunderabad. ✓
2. The Deputy Chief Mechanical Engineer,
Wagon Workshop, South Central Railway,
Guntupalli, Krishna District. ✓
3. One copy to Mr. P. Krishna Reddy, Advocate
3-5-899, Himayatnagar, Hyderabad. ✓
4. one copy to Mr. ~~P. Venkatarao~~ ^{N.R. Devaraj} Reddy,
SC for Railways, Hyderabad. ✓
5. one spare copy. ✓

5/5/89
29/3/89