

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD (TELANGANA)
NO. 5-10-193, 1ST FLOOR, HACA BHAVAN, HYDERABAD - 500004

Order Sheet

Item no.: 34
O.A./1790/2015 (ANDHRA PRADESH)
[SENIORITY]
Court No.: 1

No of Adjournment:

Order Dated: 09/08/2023

M NAGESH
Vs
M/O RAILWAYS

For Applicant(s) Advocate : K R K V PRASAD

For Respondent(s) Advocate : B GAYATRI VARMA, Sr.CGSC

Order of The Tribunal

The applicant initiated his arguments stating that the applicants were recruited as Assistant Loco Pilots vide notification No.01/2011 of the Railway Recruitment Board. Thereafter, they were sent for training to the Staff Training Institutions where there are two components in the training; one is technical and another one is related to safety rules.

Applicants' counsel drew our attention to Annexure-R4 of the reply statement relating to rules regulating seniority of Railway Servants wherein it is specifically stated at para 303 (a) that 'candidates who are sent for initial training to Training Schools will rank in seniority in the relevant grade in the order of merit obtained in the examination held at the end of the training period being posted against working post. Those who join the subsequent courses and those who pass the examination in subsequent chances will rank to those who had passed the examination. In case, however, persons belonging to the same RRB panel are sent for initial training in batches due to administrative reasons and not because of reasons attributable to the candidates, the inter-se seniority will be regulated batch wise provided persons higher up in the panel of RRB not sent for training in the appropriate batch (as per seniority) due to administrative reasons shall

be clubbed along with the candidates who took the training in the appropriate batch for the purpose of regulating the inter-se seniority provided such persons pass the examination at the end of the training in the first attempt.'

It appears that taking only one component i.e. marks secured in one component of the training alone, the respondents assigned the seniority to which the applicants' counsel stated that this procedure is not supported by 303(a) Rules.

In this regard, based on the decisions of the co-ordinate Bench of this Tribunal at Bangalore, decisions were taken by the respondents to the effect that seniority would be fixed in batchwise in the order of recruitment through RRB being sent for training. However, respondents have stated that in such cases like the applicants, the seniority will be fixed on the basis of initial marks awarded by RRB in the direct recruitment examination.

Smt.B.Gayatri Varma, learned Senior CGSC submits that the matter is pending since 2015 and since she has recently been engaged for the respondents, she seeks adjournment of the matter for final hearing.

In view of the above, post the matter on 04.09.2023 for final hearing.

B Anand
Member (A)

Sudhi Ranjan Mishra
Member (J)

/ps/