EAST COAST RAILWAY

प्रधान मुख्य कार्मिक अधिकारी का कार्यालय/
Office of the Principal Chief Personnel Officer
रेल सदन, द्वितीय तल, भुवनेश्वर - 751017
Rail Sadan, IInd Floor, Bhubaneswar-751017

स्थापना क्रमांक/ Estt. Srl. No.208/2019
पूतरे/कार्मिक/आर/ECoR/Pers/R/Selection

Date: 13.09.2019

सेवा मे,
सभी प्रमुख विभागाध्यक्षों/समन्वयक विभागाध्यक्षों, पू त रे/भुवनेश्वर
मं.रे.प्र/ब.मं.का.अधिकरी/मं.का.अधिकारी-खोरधारोड,बालातेरू, संबलपुर,
मु;कारखाना प्रबंधक/कारखाना कार्मिक अधिकारी- मंचेश्वर, अतिरिक्त रजिस्ट्रार/रेल दावा अधिकरण,
ब.का अधिकारी(नि)/भुवनेश्वर
महा सचिव/इकोर श्र. कां., महा सचिव/इकोर श्र. यू.,
महा सचिव/एआई ओ बी सी आर ई ए, महा सचिव/ ए आई एस सी एस टी आर ई ए

Sub: Seniority of Non-Gazetted staff- Master Circular (Master Circular No. 34-updated).

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उपर्युक्त विषय पर रेलवे बोर्ड पत्र सं.- E(NG)1/2019/SR 6/6 दिनांक 26.08.2019 की प्रतिलिपि सूचना, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of the Railway Board's Lr. No.- E(NG)1/2019/SR 6/6 dated 26.08.2019 on the above quoted subject is forwarded herewith for information, guidance and necessary action.

Encl: As above,

(G.Sethy)
Dy.Chief Personnel Officer(IR&W)
For Principal Chief Personnel Officer

प्रतिलिपि प्रेषित/Copy to :

1) महाप्रबंधक के सचिव/पूर्व तट रेलवे, भुवनेश्वर
2) मुकाधि/मुकाधि(प्रशा.), उप म.प्र, अध्यक्ष(रेलवे भर्ती प्रकोष्ठ)
3) उप मुख्य प्रबंधक(मू.प्रौ), उप मुकाधि(औ.सं.एवं कल्याण), वकाधि(इंजी.)
4) वकाधि(स्टाफ), वकाधि(मुख्या. एवं न्याया.)
5) मुकाधि के निजी सचिव/सहा.कार्मिक अधि.(मुख्या.),सहा.कार्मिक अधि.(कल्याण), सहा कार्मिक अधि.(बिल).

1377
6/9/19

ECOR RB-2262

भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

No.E(NG)1/2019/SR 6/6 New Delhi, dated: 26 .08.2019

The General Managers,
All Zonal Railways &,
Production Units.
(as per standard mailing list)

Sub: **Seniority of non-gazetted staff - Master Circular.**
(updated August, 2019)

Please find enclosed herewith a copy of updated Master Circular No.34 on the above subject for information and guidance.

DA : As above.

(D. Joseph)
Joint Director /Estt.(N)
Railway Board

No.E(NG)1/2019/SR 6/6 New Delhi, dated: 26 .08.2019

Copy forwarded to:-

1. The General Secretary, AIRF, Room No.253, Rail Bhawan, New Delhi (35 copies).
2. The General Secretary, NFIR, Room No.256-E, Rail Bhawan, New Delhi (35 copies).
3. All Members/Departmental Council & National Council & Secretary/Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi (60 spares).

for Secretary/Railway Board

1. The Secretary General, FROA, Room No.256-A, Rail Bhawan, New Delhi (5 spares).
2. The Secretary General, IRPOA, Room No.268, Rail Bhawan, New Delhi (5 spares).
3. The General Secretary, AIRPFA, Room No.256-D, Rail Bhawan, New Delhi-110001.

...2/-

Master Circular No.34
(updated August, 2019)

भारत सरकार **GOVERNMENT OF INDIA**
रेल मंत्रालय **MINISTRY OF RAILWAYS**
(रेलवे बोर्ड **RAILWAY BOARD)**

No.E(NG)1/2019/SR 6/6 New Delhi, dated: 26 .08.2019

The General Managers,
All Zonal Railways &,
Production Units.
(as per standard mailing list)

Sub: **Seniority of non-gazetted staff - Master Circular.**
(updated August, 2019)

At present the orders relating to the subject "seniority of non-gazetted staff" are contained in Chapter-3 of IREM-2009, Reprint Edition and various letters/circulars issued from time to time by the Ministry of Railways (Railway Board). The Master Circular No.34 based on IREM provision and instructions issued on the subject upto September, 1991 has been updated by incorporating the relevant provisions of instructions issued upto now, and the updated Master Circular No.34 is given below for the information and guidance of all concerned.

I. General Principle of Seniority:

2. The seniority among the incumbents of a post in a grade, unless specifically stated otherwise, is governed by the date of appointment to the grade. The grant of pay higher than initial pay does not, as a rule, confer on a Railway employee, seniority above those, who are already appointed against regular posts.

2.1 The criterion for determination of relative seniority of non-gazetted staff in posts, which are partially filled by promotion and partially by direct recruitment, should be the date of regular promotion after due process in the case of a promotee and the date of joining the working post after due process in the case of a direct recruit - subject to maintenance of inter-se-seniority of promotees and direct recruits among themselves. When the dates of entry into a grade of promoted railway servants and direct recruits are the same, they should be put in alternate positions, the promotees being senior to the direct recruits, maintaining inter-se-seniority of each group.

2.2 Subject to what has been stated in paragraphs 2.1, 3, 4, 5 and 6, when the dates of appointment to the grade are the same, the dates of entry into the grade next below it shall determine seniority. If those dates also coincide, then the dates of entry into each of the lower grades in order down to the lowest grade in the channel of promotion shall determine seniority. If these dates are also identical, then the relative date of birth shall determine seniority, the older person being the senior.

2.3 A Railway employee, once promoted against a vacancy which is non-fortuitous, should generally be considered senior in that grade to all others who are subsequently promoted, unless otherwise specified.

2.4 Staff employed in train passing/train operation duties are to be absorbed in alternate category not involving train passing and train operation duties if they fail to pass the periodical refresher course even in the second attempt. However, they are allowed to undertake further refresher course at an interval of a minimum period of six months, and they are reabsorbed in original category on occurrence of the first vacancy if they pass the refresher course. In such a case, the employee should lose seniority by the number of places from his original position equivalent to the number of persons promoted during the interval between his absorption in an alternate category and his eventual re-absorption in the original category. For instance, if an employee holds the 15th position originally and during his absence in an alternate category, 3 persons have been promoted, he would, on re-absorption in the original category, rank as 18th in the seniority list.

2.5 The quota fixed for direct recruitment will be relevant only at the recruitment stage and will have no relevance for fixation of seniority which will be assigned by application of normal rules. Where quota fixed for direct recruits in a particular year is not fulfilled on account of non-availability of candidates, the short fall may be made good in the following year without giving retrospective benefit for purposes of seniority.

2.6 In case the training period of a direct recruit is curtailed in the exigencies of the service, the date of joining the working post in case of such a direct recruit, for purpose of seniority, shall be the date he would have normally come to a working post after completion of the prescribed period of training.

2.7 The provision contained in sub Para 2.6 above will also apply to the Inter-Apprentices and departmentally selected candidates against the quotas prescribed in certain categories to be filled by LDCE (such as 10% in the case of Traffic & Commercial Apprentices).

(ACS No.2 issued under Board's letter No. E(NG)I/89/SR 6/35 dated 23.08.1991).

[E.56 Col/8/3 dated 21.11.1953, E.53/SR 6/21/3 dated 8.3.1954, 2.8.1954, 12.8.1954, 13.8.1954, 24.9.1954, E(NG)60/SR 6/2 dated 15.9.1960, E(NG)53/SR 6/7 dated 6.2.1961, E(NG)60/SR 6/2 dated 16.11.1961, E(NG)62/SR 6/35 dated 12.3.1963, E(NG)67/SR 6/35 dated 24.11.1967, E(NG)I/80/SR 6/4 dated 4.2.1981, E(NG)I-78 SR 6/42 dated 7.4.1982 and Paras 302 & 314 of IREM, 1989, 2009 Reprint Edition]

3. The seniority of candidates recruited through the Railway Recruitment Board (previously called Railway Service Commission) or by any other recruitment agency should be determined as under:-

(a) Candidates who are sent for initial training to training institutions will rank in seniority in the relevant grade based on the order of merit obtained at the examination held at the end of the training period before being posted to a working post; Those who join the subsequent courses and those who pass the examination in subsequent chances will rank junior to those who had passed the examination. In case, however, a person belonging to the same RRB panel and 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.

(Authority: Railway Board's letter No. E(NG)I/89/SR 6/32 dated 14.03.1993, ACS No.9).

(b) Candidates who do not have to undergo any initial training, the seniority should be determined on the basis of merit order assigned to them by the Railway Recruitment Board (previously Railway Service Commission) or other recruiting agency. [E(NG)57/SR 6/2 dated 25.4.1957 and Para 303 of IREM-1989, 2009 Reprint Edition]

3.1 In cases where directly recruited sports persons are required to undergo training in training schools before appointment against working posts, the normal rules of seniority contained in Para 303 of IREM, 2009, Reprint Edition will apply.

(Authority: Railway Board's letter No. E(NG)I/94/SR 6/6 dated 08.12.1994).

4. When two or more candidates are declared to be of equal merit at one and the same examination/selection, their relative seniority is determined by the date of birth - the older being the senior. [E56 (Manual/111), Para 304 of IREM-1989, 2009, Reprint Edition].

5. When, however, a candidate whose seniority is to be determined under Paras 3 &, 4 above, cannot join duty within a reasonable time after the receipt of the order of appointment, the appointing authority may determine the seniority by placing him/her below all the candidates selected at the same examination/selection who have joined within the period allowed for reporting to duty or even below the candidates selected at subsequent examination/selection who have joined before him/her. (Para 305 of IREM-1989, 2009, Reprint Edition).

6. Candidates selected for appointment at an earlier selection shall be senior to those selected later, irrespective of the date of posting, except in the cases coming under Para 5 above. (Para 306 of IREM-1989, 2009, Reprint Edition).

7. Probationary Period

When confirmation follows a specified probationary period, if any, without break, the date of appointment to the grade is reckoned from the date of commencement of such probationary period. (Para 307 of IREM-1989, 2009, Reprint Edition)

7.1 When a probationary period is followed by an extended probationary period and confirmation follows such extension without break, the date of appointment to the grade or post, unless otherwise stated, should be reckoned from a date later than the commencement of the probationary period, to the extent of the extension of the probationary period. In cases where probationary period is not extended and staff are confirmed at the end of such period the date of appointment to the grade or post will be that on which the employee was sent to the training school for initial training or the date of joining the working post whichever is earlier.

8. Departmental Examination/Trade Test

Where the passing of a departmental examination or trade test has been prescribed as a condition precedent to the promotion to a particular non-selection post, the relative seniority of the railway servants passing the examination/test in their due turn and on the same date or different dates which are treated as one continuous examination, as the case may be, shall be determined with reference to their substantive or basic seniority. (Para 315 – IREM-1989, 2009, Reprint Edition)

8.1 A railway servant who, for reasons beyond his control, is unable to appear in the examination/test in his turn along with others, shall be given the examination/test immediately he is available and if he passes the same, he shall be entitled for promotion to the post as if he had passed the examination/test in his turn.

NOTE:-

A. The expression 'reasons beyond his control' appearing above should be interpreted to include the following:
   i) Sickness of the railway servant supported by the medical certificate of the authorised medical attendant;
   ii) Sickness of the members of a railway servant's family supported by the medical certificate of the authorised attendant, so serious that the railway servant could not be reasonably expected to take the test:
   iii) Proved non-receipt of intimation of the examination/ test owing to being on leave or on duty elsewhere than at the headquarters or for any other reasons acceptable to the administration; and
   iv) Administration not relieving the railway servant for such examination or test.

B. This will not apply to Departmental examination prescribed in Appendix 2 & 3 IREM. (Para 316 IREM-1989, 2009, Reprint Edition).

[Paras 306, 307, 308, 315, and 316 of IREM-1989, 2009, Reprint Edition]

II. Seniority of staff who seek transfer of their own accord.

9. In cases where a Railway servant is transferred from one Railway to another on his/her own request, the transferred Railway servant should be placed below all existing confirmed as well as officiating and temporary railway servants in the relevant grade in the promotion group in the new establishment irrespective of his/her date of confirmation or length of service of officiating or temporary service.

9.1 The above principle is also applicable equally for transfer on request from one cadre /Division to another cadre/Division on the same Railway.

9.2 The above principle is not applicable to staff transferred from one seniority unit to another within the same Railway on mutual exchange,

9.3 The expression "relevant grade" referred to in Para 9 above applies to grades where there is an element of direct recruitment. Transfer on request from Railway employees working in such grades may be accepted provided they fulfil the educational qualifications laid down for direct recruitment to the post. No such transfer should be allowed in the intermediate grades in which all the posts are filled entirely by promotion of staff from the lower grade(s) and there is no element of direct recruitment.
(Authority: Ministry of Railway's letter No. E(NG)I/99/TR/15 dated 08.02.2000, ACS No.95).

9.4 No such transfer should be allowed in the intermediate grades in which all posts are filled entirely by promotion of staff from the lower grades and there is no element of direct recruitment.

[E(54)/SR 6/24/3 dated 16.11.1954, E.53/SR 6/21/3 dated 17.11.1954, 8.12.1954, E.55/SR 6/6/3 dated 19.5.1955, E.55/SR 6/16/3 dated 27.2.1956, E.53/SR 6/21/3 dated 22.8.1955, E(NG)55/SR 6/56 dated 17.10.1956, E(NG)65 SR 6-31 dated 30.9.1965, 8.12.1965, 29.1.1966, 1.4.1966, 1.12.1966, E(NG)I/69/SR 6/15 dated 24.6.1969 and E(NG)I/85/SR 6/14 dated 21.1.1986]

III. Transfer on Mutual exchange.

10. Railway Servants transferred on mutual exchange from one cadre of a division, office or Railway to the corresponding cadre in another Division, office or Railway shall retain their seniority on the basis of the date of promotion to the grade or take the seniority of the Railway Servant with whom they have exchanged, whichever of the two is lower.

10.1 Mutual transfers may also be permitted between staff in two different grades, but only in the recruitment grade of the cadre and not in intermediate grades. Both the employees seeking mutual exchange shall have to give a written undertaking accepting reversion unconditionally and willing in their own interest to the recruitment grade and bottom seniority in their respective new unit.

(Authority: Railway Board's letter No. E(NG)I/2018/TR/8 dated 26.10.2018)

IV. Transfer on mutual exchange of qualified and non-qualified Accounts Clerk.

11. The unqualified Accounts clerk will retain the seniority he/she held in the old office or will take the seniority of the qualified clerk with whom he/she has exchanged, whichever is lower.

11.1 The qualified Accounts Clerk will retain the lower of the two seniorities indicated below: -

(a) Seniority he/she held in the old office or the seniority of the unqualified Clerk with whom he has exchanged in the new office, whichever is lower; or

(b) He/She should be placed below all the qualified Clerks Grade-II in the new Unit (both permanent and temporary).

11.2 Mutual transfer of such employees, who are not on par in the matter of eligibility for promotion should, as far as possible, be avoided.

[E(NG)63/SR 6/17 dated 27.9.1963]

V. Transfer in the Administrative interest.

12. Seniority of Railway servants on transfer from one cadre to another in the interest of the administration is regulated by the date of promotion/ date of appointment to the grade as the case may be.

VI. Seniority for promotion as Section Officer (Accounts) Inspectors of Station or Stores Accounts:

13. Seniority for promotion to the rank of Section Officers (Accounts) or Inspector of Station or Stores Accounts should count entirely according to the date of passing the examination qualifying for promotion to those ranks. Candidates who pass the examination in a particular year are ipso facto senior to those who qualify in subsequent years irrespective of their relative seniority before passing the examination. On receipt of the result of the above examination an appropriate Selection Board on each Railway Administration should immediately arrange to assign a suitable place to each such candidate in the panel based on their relative seniority. The staff placed on the panel in any year will rank enbloc senior to those empanelled in subsequent years.

(Authority: Railway Board's letter No. 2004/AC-II/20/34 dated 14.12.2004 – ACS No.170).

13.1 Directly recruited Section Officer (Accounts)/Cost Accountants and Inspectors of Station Accounts, if any, should be assigned a position on the proforma panel of these categories as soon as they are given charge of working posts after completion of the prescribed training. They should be placed below the last man officiating against a non-fortuitous vacancy in these categories of a Section Officer (Accounts). In case more than one direct recruit has to be assigned a position, their

inter-se-seniority should be with reference to the position assigned to them by the Railway Recruitment Board. They will retain their seniority thus allotted subject to their passing Appendix-3 (IREM) examination within the prescribed period, except in the case of Cost Accountant who are not required to pass such an examination. In the event of any directly recruited Section Officer (Accounts) not passing the examination within the prescribed period, he is liable to be discharged. In case, however, a further chance is given, the question of his retaining his original seniority will be considered on the merit of each case. Such cases should be referred to the Railway Board for decision. (Para 317 (b) of IREM Vol.I-1989, 2009, Reprint Edition)

VII. Seniority of Accounts Clerks on promotion as Junior Accounts Assistant in Accounts Department.

14. The seniority of Junior Accounts Assistant is to be determined with reference to the date of promotion of a promotee and with reference to date of appointment of a direct recruit. Seniority of directly recruited Junior Accounts Assistants who pass the Appendix-II (IREM) Examination during the extended period of probation should be fixed as per the year of passing the Appendix-II Examination. Directly recruited Junior Accounts Assistants, passing Appendix-2 (IREM) Examination within extended period of probation losing seniority to other persons of his/her batch but not to promotees.

[E(NG)I/65/SR 6/26 dated 23.8.1965, E(NG)I/ 69/PM 1/20 dated 25.7.1969, E(NG)I/78/ PM 1/304 dated 5.1.1979, PC-III/78/UPG/8 dt.16.05.1980 and Para 318 of IREM Vol.I-1989, 2009, Reprint Edition, E(NG)I/2000/SR 6/20 dated 24.04.2001]

14.1 Seniority of Accounts staff on their transfer on own request will be regulated in terms of instructions contained in Railway Board's letter No. E(NG)I/2005/TR/5 dated 17.05.2005.

14.2 Seniority of Junior Accounts Assistants and Accounts Clerks recruited through RRB is to be fixed in terms of Para 303(b) of IREM Vol.I, 1989 Edition.

VIII. Seniority of staff appointed on compassionate grounds, sports, cultural quotas etc.

15. Seniority of such staff, will be reckoned from the date of their regular appointment in service.

IX. Seniority of Casual Labour & substitutes

16.1 When screened and absorbed in regular posts, substitutes and casual labour will count their seniority from the date of regular absorption.

16.2 For the purpose of screening, however, their seniority will count on the basis of total number of days put in by them as casual labour.

[E(NG)II/83/CL/SC/9 dated 7.5.1983, E(NG)I/69/SR 6/25 dated 1.11.1969 and E(NG)I/80/SR 6/21 dated 5/8.7.1980]

X. Seniority of staff working in Survey/Construction Projects and open line.

17. There should be a combined cadre comprising the staff in the open line as well as in the Survey and Construction Projects to ensure that there is no disparity in the prospects of promotion between the open line staff and Construction staff. There is, however, no objection to allow to the staff in Survey & Construction Projects, promotions to one grade higher than on the open line in the exigencies of work. This benefit shall not be taken into consideration for any purpose including eligibility for selection to Group 'B' posts.

17.1 In merging the cadre, the staff in Survey & Construction shall be assigned seniority which they would have got on open line but for working in Survey & Construction Project.

17.2 The above benefits are not applicable to local recruits appointed on the Survey & Construction Projects without the agency of Railway Recruitment Board (previously Railway Service Commission).

The inter-se-seniority of locally recruited staff as in the Survey & Construction Projects may be maintained in the absorbing department irrespective of the date of their physical absorption provided: -

(a) They have been found suitable after prescribed screening for absorption; and

(b) There has been no specific selection at which their earlier seniority has been disturbed.

17.3 In cases, however, where the staff continued to serve in the Survey & Construction Projects at their own request, this benefit would not be admissible.

[E(NG)65/RE 1/8 dated 15.4.1965, E(NG)63/RE 1/32 dated 20.12.1965, E(NG)I-70/SR 6/43 dated 13.3.1972 & 17.8.1972 and E(NG)I/72/RE 1/41 dated 27.11.1973]

XI. Seniority of medically de-categorised staff.

18. The medically de-categorised staff absorbed in alternative post, whether in the same or other cadres, should be allowed seniority in the grade of absorption with reference to the length of service rendered in the equivalent or corresponding grade, irrespective of the rate of pay fixed in the grade of absorption. The staff, who are in grade higher than the grade of absorption at the time of medical de-categorisation, total service in the equivalent and higher grade is to be taken into account. This is subject to the proviso that if a medically de-categorised employee happens to be absorbed in the cadre, from which he/she was originally promoted, he/she will not be placed above his/her erstwhile seniors in the grade of absorption.

18.1 While absorbing the medically de-categorised running staff in alternative posts, a percentage of basic pay representing the pay element in running allowance, as decided by the Government through administrative instructions from time to time, should be added to the minimum as well as maximum of the scale of pay for purposes of

identifying 'equivalent' posts and their seniority should then be fixed in the equivalent absorbing posts.

18.2 In the case of staff who are not required to undergo periodical medical examination but who on their own accord request for change of category on grounds of health and are recommended change of occupation by the medical authority, their change will be treated as transfer on own request and dealt with as per Para 9.

18.3 Staff, who come on transfer to another unit accepting bottom seniority and later got medically de-categorised, will get the benefit of only the service in the new unit for determination of seniority after de-categorisation.

18.4 Sometimes due to vacancies not being available in equivalent grades, a medically de-categorised employee has to be offered absorption in lower grade. In some cases such employees refuse lower grade in the hope of vacancies in the higher grades materialising. It is open to such staff to accept appointment in lower grade with the request that if a vacancy in a grade equivalent to what he had held before de-categorisation occurs in the same cadre, he should be considered eligible for the same in preference to a junior medically de-categorised employee. While the employee could be expected to put in an application when this contingency happens, it is also necessary for the administration suo-moto, when considering a subsequently de-categorised employee for absorption in a cadre, to look into cases where senior de-categorised employees might have been absorbed in lower grades in the same cadre during previous three years and initiate a review.

18.5 As a result of the review referred to in Para 17.4 above, the junior employee already absorbed and working in a higher grade should not be displaced to make room for the senior. The senior may be promoted against the next vacancy arising in the grade and relative seniority in the grade re-fixed taking into account the position before medical de-categorisation.

18.6 When a junior has already been absorbed in an equivalent grade but a senior gets medically de-categorised during the next three year period and has necessarily to be absorbed in the same cadre as the junior employee, but no vacancy in a similar grade is available he/she may be provisionally absorbed in a lower grade with the understanding that the next vacancy occurring in the higher grade would be given to him/her. On such a vacancy occurring and his/her being posted therein, seniority should be re-cast as referred to in Para 17.5 above.

18.7 There may be cases, where a senior employee was absorbed in a grade taking into account his/her position before de-categorisation and a junior got promoted subsequently to a higher grade but ultimately gets medically de-categorised and becomes eligible for alternative employment in a higher grade. It is not the intention that such cases, which happened because of the efflux of time, should be reviewed.

18.8 Medically unfitted direct recruits offered alternative employment should be placed at the bottom of the existing panel of the new category but should take

precedence over candidates who are offered appointment in that category from subsequent panels.

[E.55/SR 6/15/3 dated 22.10.1956, E(NG)56 SR 6/15 dated 14.3.1957, E(NG)63 SR 6/31 dated 26.8.1964, E(NG)II/68/SR 6/32 dated 26.10.1971, E(NG)II-73 RE 1/16 dated 11.4.1975, E(NG)II-76 SR6/37 dated 18.9.1976, E(NG)I-71 SR 6/39 dated 31.5.1977, E(NG)I-78 SR 6/6 dated 11.1.1979, E(NG)II/77/RE 3/2 dated 2.9.1977, E(NG)I/80/SR 6/83 dated 5.3.1981, Para 313 (a) (iii) and Para 313 (b) of IREM 1989, 2009 Reprint Edition).

18.9 From 29.04.1999 the provisions in Para 17 and sub-paras 17.1 to 17.8 above will stand modified to the extent the same are inconsistent with the provisions of Chapter XIII of IREM, Vol.I, 1989, 2009 Reprint Edition as revised by ACS No.77 issued under Board's letter No. E(NG)I-96/RE-3/9(2) dated 29.04.1999 inter-alia providing for absorption of medically de-categorized/unfitted/disabled Railway Servants in suitable alternative posts with same scale of pay.

XII. Seniority of staff who are originally medically de-categorised but subsequently declared fit.

19. Employees who properly appeal within the time limit laid down for appeal or whose appeal is entertained in a reasonable period within the time limit and get declared fit should not lose their seniority or their claims for consideration for promotion in the original category.

19.1 In regard to other employees, whether they are those who preferred delayed appeals and are declared fit or such as those who took treatment and consequently declared fit, while they should be permitted to be reposted to their original category, their seniority, if they were formerly confirmed or deemed to be confirmed in their grades in which they were, would be affected to the extent of any employee who may have been confirmed or deemed to be have been confirmed before their re-absorption into the original category. If, however, they are only officiating in the original category, their seniority, on restoration, should be below the staff confirmed till then but need not be affected vis-à-vis their original juniors who happen to be still officiating.

[E(NG)55/SR 6/15 dated 30.6.1959, 25.8.1959 and E(NG)64 SR 6/31 dated 18.3.1964]

19.2 Railway servants, whose services were terminated either because of the maximum limit of all leave including extraordinary leave having been exceeded or the medical authorities could not recommend the grant of extraordinary leave in the case of tuberculosis, pleurisy and leprosy patients and are re-employed in Railway service after being declared fit to work by the medical authority, should take their seniority below all permanent railway servants on the date of their re-employment provided they were permanent before medical unfitness or would have been confirmed in the meantime. Railway servants who were officiating or temporary at the time of medical

unfitness or would not have been confirmed in the meantime should be placed below the officiating or temporary employees as the case may be on the date of their re-employment.

(Authority: Para 313(c) of IREM Volume-I)

XIII. Seniority of staff on promotion – Selection & Non-Selection posts.

20. In case of selection posts, the names of the candidates should be arranged in the order of seniority, but those securing a total of 80% or more marks will be classed as outstanding and placed in the panel appropriately in order of their seniority allowing them to supersede not more than 50% of the total field of eligibility.

20.1 (a) Promotion to non-selection posts shall be on the basis of seniority-cum-suitability, suitability being judged by the authority competent to fill the post, by oral and/or written test or a departmental examination or a trade test or by scrutiny of record of service as considered necessary. The only exception to this would be in cases where for administrative convenience, which should be recorded in writing, the competent authority considers it necessary to appoint a railway servant other than the senior-most suitable railway servant to officiate purely in ad hoc capacity in a short term vacancy not exceeding two months as a rule and four months in any case. This will, however, not give the junior railway servant any advantage not otherwise due to him and will not confer on him any right to continue in that post in preference to his seniors who are found suitable. A railway servant, once promoted in his turn after being found suitable against a vacancy which is non-fortuitous, should be considered as senior in that grade to all others who are subsequently promoted after being found suitable. The suitability of a Railway servant for promotion should be judged on the date of the vacancy in the higher grade or as close to it as possible.

(b) An employee who qualifies in an earlier test and gets promoted in a non-fortuitous vacancy but reverts to the lower grade before a subsequent test is held, will rank senior to all others who qualify in the subsequent test. Those who have either officiated in fortuitous vacancies or did not officiate at all, will not be given any protection for seniority on subsequent promotion.

20.2 An employee who could not appear for selection/suitability test on account of reasons beyond his/her control, such as, sickness, non-receipt of information in time, etc., he/she should be given a supplementary selection/test within a reasonable period and being found suitable he/she should be assigned proforma seniority position vis-à-vis his/her juniors promoted earlier.

20.3 In case an employee lower in the panel has officiated whereas one higher has not officiated for reasons beyond his/her control, such as sickness, non-release by the Administration in time etc. the later employee will not lose his/her seniority. However, if the senior employee had not officiated for his own reason, then he/she will not be entitled for protection of his/her seniority.

20.4 An employee who could not be considered for selection/suitability test on account of his/her being away on deputation abroad, on return if it is found that a junior to him/her has been promoted on the basis of a selection/suitability test in which he/she was not called for, he/she may be considered in the next selection/suitability test and if selected, his/her seniority may be adjusted vis-à-vis his/her juniors in the previous panel.

20.4.1 In the case of a selection post, if an employee as referred to above, is classified as 'outstanding' he/she should be interpolated in the previous panel in accordance with the seniority and gradation in the subsequent selection.

20.5(a) SC/ST Railway Servants shall, on their promotion by virtue of rule of reservation/roster, be entitled to consequential seniority also; and

(b) This shall be effective from 17th June, 1995.
(Railway Board's letter No.E(NG)I-97/SR 6/3 (Vol.III) dated 08.03.2002)

20.6 Effect of refusal of promotion: -

(a) Selection Posts: The employee refusing promotion expressly or otherwise is debarred for further promotion for one year but he is allowed to be retained at the same station on the same post for one year. If the employee again refuses the promotion, his name will be deleted from the panel. He will have to appear again in the selection notwithstanding the fact that he in the mean time has officiated non-fortuitously against short term vacancy based on his panel position. Seniority will be assigned as from the date of effect of promotion and he will be junior to all the persons promoted earlier to him from the same panel irrespective of his panel position. He will, however, not lose seniority to another employee promoted to the same promotion category during the one year of penalty as a result of fresh selection subsequently held.

(b) Non-selection post: Such an employee should be debarred for promotion for one year but not transferred away from the station for one year if unavoidable domestic reasons exist. He should be further debarred for promotion for one year if he refuses promotion again. On refusal of promotion for the second attempt, the administration can, transfer him to out station in the same grade and the employee has to appear for a suitability test when his turn for promotion comes. He will rank junior to all the employees promoted during the period he was allowed to refuse promotion irrespective of his relative seniority. He will not, however, lose seniority to another employee promoted to the same category during one year period of penalty as a result of fresh suitability test subsequently held.

20.7 Administration can entertain request from employees for postponement of promotion for very short periods on account of great domestic difficulties or other humanitarian considerations. The employee concerned will be promoted after the period provided there is a vacancy and he will take his seniority from the date of promotion.

20.8 In the case of Section Officer (Accounts), Inspector of Station/Stores Accounts who refuse promotion:-

(i) The concerned staff should be debarred for promotion for one year on each occasion they refuse promotion for one year on each occasion they refuse promotion.

(ii) They should be considered for promotion only against the vacancy becoming available after expiry of one year.

(iii) They will get seniority only from the date of promotion. In other words, they will be placed junior to all those promoted during the period of debarment from the same panel as also from the subsequent panel(s).

(Railway Board's letter No.E(NG)I-91/PM 9/7 dated 13.02.1992)

[E.54/PM 1/19/3 dated 4.4.1955, E(NG)62/PM 1/91 dated 9.8.1965, E(NG)I/72/PM1/211 dated 14.12.1972, E(NG)I/70/PM1/168 dated 3.9.1976, E(NG)I/78/PM1/142 dated 25.7.1979, 27/30.10.1979, E(NG)I/77/PM1/269 dated 3.5.1980 and E(NG)I/80/PM1/188 dated 31.12.1980]

20.9 Penalty for refusal of promotion applies to cases of seeking of reversion in the grade after being once promoted.

(Authority: Note 4 below Para 224 of IREM, Vol.I)

XIV. Erroneous Promotions:

21. Sometimes due to Administrative error, staff are over-looked for promotion to higher grades. This could be either on account of wrong assignment of relative seniority of the eligible staff or full facts not being placed before the Selection Board. Broadly, there can be two types: -

(a) Where a person has not been promoted at all because of administrative error; and

(b) Where a person has been promoted but not on the date from which he would have been promoted but for the administrative error.

21.1 Each such case should be dealt with on merits. Staff, who have not been promoted on administrative error, should on promotion, be assigned correct seniority vis-à-vis their juniors already working, irrespective of the date of promotion.

21.2 The orders of notification, promotion or appointment of a Railway employee in a substantive or officiating capacity to a post is later found to be erroneous on the basis of facts, should be cancelled and the Railway servant should immediately be brought to the position which he would have held but for the incorrect order of promotion on appointment, following the procedure stipulated for the same.

21.3 Service rendered by the Railway servant concerned in the post to which he was promoted wrongly should not be reckoned for purpose of increment or for any other purpose in that grade.

21.4 Any consequential promotions/appointments made as a result of the erroneous promotion will also be required to be regulated on the lines indicated above.

[E(NG)63/PM 1/43 dated 6.9.1963 and E(NG)63/PM 1/92 dated 15/17.9.1964]

XV. Seniority of staff rendered surplus.

22. Assignment of seniority to redeployed surplus staff:

The surplus employees are not entitled for benefit of the past service rendered in the previous unit/department for the purpose of their seniority in the new unit/department. Such employees are to be treated as fresh entrants in the matter of their seniority, promotions etc.

When two or more surplus employees of a particular grade in a unit/department are selected on different dates for absorption in a grade in another unit/department, their inter-se-seniority in the latter unit/department will be same as in their previous unit/department provided that;

(i) No direct recruit has been selected for appointment to that grade in between these dates; and
(ii) No promotee has been approved for appointment to that grade between these dates.

When two or more surplus employees of a particular grade in a unit/department are simultaneously selected for deployment in another unit/department in a grade, their inter-se-seniority in the particular grade, on redeployment in the latter unit/department, would be the same as in their previous unit/department.

(Authority: Ministry of Railway's letter No.E(NG)I/2000/SR 6/28 dated 25.05.2004 ACS No.159)

23. Effect of reduction in pay or grade as measure of penalty on seniority:

(i) Reduction to a lower stage in the time-scale. Reduction in pay, as distinct from reduction from a higher grade or class to a lower grade or class, does not affect a railway servants' position on the seniority list. The authority ordering reduction should invariably state the period for which it shall be effective and whether, on restoration, the period of reduction shall operate to postpone his future increments and, if so, to what extent.

(ii) Reduction to a lower service, grade or post, or to a lower time-scale.

(a) Where the order imposing penalty for reduction doesn't specify the period of reduction and there is coupled with it an order declaring the railway servant

permanently unfit for promotion, the question of re-promotion or determination of seniority will obviously not arise.

(b) Where the period of reduction is not specified in the order imposing the penalty of reduction, the railway servant should be deemed to be reduced for an indefinite period, i.e. till such date as, on the basis of his performance subsequent to the order of reduction, he may be considered fit for promotion. On re-promotion, the seniority of such a railway servant should be determined by the date of re-promotion. In all such cases, the person loses his original seniority in the higher service, grade or post in entirety. On re-promotion, the seniority of such a railway servant should be determined by the date of re-promotion without regard to the service rendered by him in such service, grade or post prior to his reduction.

(c) In cases where the penalty of reduction in a lower service, grade or lower time scale is for a specified period, the employee concerned should be re-promoted automatically to the post from which he was reduced. The seniority in the original service, grade or post or time scale should be fixed in such cases in accordance with the provision contained in Rule 6(vi) of Railway Servants (Discipline & Appeal) Rules, 1968 as clarified vide Railway Board's letter No.E(D&A)/73/RG 6-5 dated 22.02.1974 and E(D&A)2001/RG 6-58 dated 28.11.2002.

(Authority: Railway Board's letter No.E(D&A)/2007/RG 6-24 dated 10.08.2007 – ACS No.195)

(d) When a railway servant is reduced from a higher grade, or class to a lower grade, whether for a specified period or indefinitely, his seniority in the lower grade shall be fixed with reference in his position which he would have been entitled to but for his promotion to the higher grade or class from which he is reduced. (Para 322 of IREM 1989, 2009 Reprint Edition).

24. Staff Directly Recruited on the Locomotive Component Works

All persons who were directly recruited in the Locomotive Component Works shall be deemed to have been transferred to the Diesel Locomotive Works on 1-8-1961, the date on which the Diesel Locomotive Works was set up. The grade held by them as on 1-8-1961 and the length of non-fortuitous service in that grade shall be the basis for fixing their relative seniority' in the Diesel Locomotive Works on that date.

(Authority: Para 323 of IREM, Volume-I)

25. Staff Directly Recruited in the Diesel Locomotive Works

Trainees and Apprentices who were undergoing their training/apprenticeship on the date of formation of the Diesel Locomotive Works shall be deemed to have been taken as such and shall be assigned seniority on completion of their training and absorption in a

working post based on the merit list drawn at the time of completion of the training/apprenticeship.

(Authority: Para 324 of IREM, Volume-I)

Persons other than Trainees and Apprentices who have been directly recruited in the Diesel Locomotive Works from a panel of an earlier date shall be senior to those recruited from a panel of a later date, and in the case of recruitment from panel, seniority shall be determined on the basis of the position of the persons in the panel arranged in order of merit. In the case of Trainees and Apprentices, seniority shall be determined on the basis of the Merit list drawn up at the time of completion of training.

26. Staff Transferred from Railways or Production Units

(1) Persons who have been transferred to the Locomotive Component Works shall be deemed to have been transferred to the Diesel Locomotive Works on 1-8-1961 in the grade which would have been held by them in their parent Railway but for such transfer, the length of non-fortuitous service, held by them on that date in grade shall determine their relative seniority.

(2) Persons, who have been transferred to the Diesel Locomotive Works from a Railway Production Unit on or after 1.8.1961 but up to 1.4.1965 in the case of ministerial staff and up to 1-1-1969 in the case of technical & non-ministerial staff shall be deemed to have been transferred in the grade held by them on their parent Railway/Production Unit on the date of transfer and will be assigned seniority in the Diesel Locomotive Works on the basis of length of non-fortuitous service rendered by them in that grade.

(Authority: Para 326 of IREM, Volume-I)

27. Staff Transferred from Construction/Project

(1) Persons who have been transferred from a Construction/Project to the Locomotive Component Works/Diesel Locomotive Works and who have a lien on a post on the Railway/Production Unit shall be assigned relative seniority on the basis of the position held by them in their parent Railway/Production Unit on the date of transfer in the same manner as indicated in Para 25 above.

(2) Persons who have been transferred from a Construction/Project to the Locomotive Component Works/Diesel Locomotive Works and who do not hold any lien on any Railway/Production Unit shall be deemed to have been transferred in the lowest grade in a category in which direct recruitment is permissible under the rules, on the date of joining the Locomotive Component Works/Diesel Locomotive Works. They shall thereafter be dealt with in the same manner as persons directly recruited on the Locomotive Component Works/Diesel Locomotive Works, vide Para 23 and 24 above.

28. Permission to railway servants to pursue seniority list:

(a) Railway servants may be permitted to see the seniority lists in which their names are placed, or if this cannot conveniently be arranged, they may be informed, on request, of their place on the seniority list.

(b) Staff concerned may be allowed to represent about the assignment of their seniority position within a period of one year after the publishing of the seniority list. No cases for revision in seniority lists should be entertained beyond this period. (Para 321 IREM 1989, 2009 Reprint Edition).

XVI. General:

(a) **While referring to this Circular, the original letters referred to herein should be read for a proper appreciation. This Circular is only a consolidation of the instructions issued so far and should not be treated as a substitution to the originals. In case of doubt, the original circular should be relied upon as authority.**

(b) The instructions contained in the original circulars referred to have only prospective effect from the date of issue unless specifically indicated otherwise in the concerned circular. For dealing with old cases, the instructions in force at the relevant time should be referred to; and

(c) If any circular on the subject, which has not been superseded, has not been taken into consideration while preparing this consolidated letter, the said circular, which has been missed through over-sight should be treated as valid and operative. Such a missing circular, if any, may be brought to the notice of the Railway Board.

Kindly acknowledge receipt.

(D. Joseph)
Joint Director Establishment (N)
Railway Board