

**GOVERNMENT OF INDIA/BHARAT SARKAR  
MINISTRY OF RAILWAYS/RAIL MANTRALAYA  
(RAILWAY BOARD)**

No.E(NG)I-2000/SR6/23

New Delhi. Dated 25 -05-2004

The General Manager (P),  
All Indian Railways and PUs,  
(As per standard list).

**Sub: Assignment of seniority to redeployed surplus staff.**

In terms of instructions contained in this Ministry's letter No.E(NG)II-84/RE1/10 dated 21-04-1989 and reiterated in their letter No.E(MPP)/99/1/75 dated 28-11-2000 seniority of surplus staff absorbed in other units/departments is determined as follows:-

- (i) When only a small number of staff is being rendered surplus and they have to be absorbed in various units of other departments against vacancies of duly sanctioned posts, they can be suitably adjusted in those units with their full seniority and their seniority merged in the respective units.
- (ii) When a large number of staff is being rendered surplus and they are absorbed in new units, they should be given their full seniority but kept in a separate block against special supernumerary posts in consultation with the Unions so that they seek promotion separately as per percentage applicable to them, in their original cadre and the existing staff in the absorbing unit are also not adversely affected.

2. CAT/Jodhpur in their recent judgement dated 24-12-1999 in OA No. 165/98 – Shri Surinder Prakash and others vs. Union of India and others and another dated 05-01-2000 in OA. No. 489/94 - Indian Railways Ticket Checking Staff Association and another Vs. Union of India and Ors. have allowed the applications filed by the Railway employees against the procedure of allowing full seniority to surplus staff on their absorption to another cadre. These judgements were based upon the judgement dated 29-07-1988 of Hon'ble

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Supreme Court in C.A. No.2530/81 and 1730/87 in the case of South Eastern Railway and Ors. Vs. Ram Narain Singh and Ors. and also the judgement dated 18-11-1980 in the case of Ramakant Chaturvedi and Ors. Vs. Divisional Supdt., Northern Railway, Moradabad and Ors. – 1980 (Supp) (SCC) 621. A copy of Apex Court's judgement dated 18-11-1980 was circulated to the Railways vide this Ministry's letter No.E(NG)I-80/PM1/292 dated 16-03-1981 for information and guidance. In the civil side matters also, Hon'ble Supreme Court have given the directions that surplus staff absorbed in other cadres/departments will not count the service rendered by them in the parent cadre/department for the purpose of seniority and promotion.

3. In light of the above, the question of review of instructions regulating seniority of surplus staff on their absorption in the new cadre/Deptt. has been considered by this Ministry. The views of both the recognised Federations have also been obtained and taken into account. It has been decided that the service rendered by the surplus staff prior to redeployment will not count for seniority and promotion in the absorbing unit. To this extent Item (i) of para 1 above stand<sup>s</sup> modified. Other stipulations in the existing instructions including the one referred to in (ii) of para 1 above will remain unaltered.

3.1 Indian Railway Establishment Manual, 1989 may also be amended as per Advance Correction Slip No 159 enclosed.

3.2 Past cases decided otherwise will not be reopened.

Please acknowledge receipt.



(J.S. Gusain)  
Director, Estt.(N)  
Railway Board.

Encl: Advance Correction Slip No 159.....

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No. E(NG)I-2000/SR6/23.

New Delhi. Dated 25 -05-2004

Copy forwarded to:-

1. The General Secretary, All Indian Railwaymen's Federation, Room No.253, Rail Bhavan, New Delhi (35 copies).
2. The General Secretary, National Federation of Indian Railwaymen, Room No.256-E, Rail Bhavan, New Delhi (35 copies).
3. All Members, Departmental Council and National Council and Secretary, Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi (60 spares).
4. The Secretary General, Federation of Railway Officers Association, Room No.256-A, Rail Bhavan, New Delhi (5 spares).
5. The Secretary General, Indian Railway Promotee Officers Association, Room No.268, Rail Bhavan, New Delhi (5 spares).
6. The General Secretary, All India RPF Association, Room No.256-D, Rail Bhavan, New Delhi-110001.
7. The Secretary, RBSS Group 'A' Officers Association, Rail Bhavan, New Delhi.
8. The Secretary, RBSS Group 'B' Officers Association, Rail Bhavan, New Delhi.
9. The Secretary, Railway Board Ministerial Staff Association, Rail Bhavan, New Delhi.
10. The Secretary, Railway Board Group 'D' Employees Association, Rail Bhavan, New Delhi.
11. Adviser/Safety, Railway Board.
12. Chief Commissioner of Railway Safety, Lucknow.

  
for Secretary/Railway Board

Copy to:-

PSs to MR, MSR(B).

PPSs to CRB, FC, MS, MM, MT, ML, ME, Secretary.

PPSs to all Additional Members, Advisers, DG/RHS and DG/RPF.

PSs to all EDs/JSs and IG/RPF.

D(OL), DPC-I&II, DE(G), D(IH), D(H&FW), D(MPP), D(Safety), DE(N), JDE(N)II, DE(R), JDE(Rep), JDE(D&A), JDE(L), JDE(LL), DD(Code Revision), DD(Health), DDE(N), DDE(LR)I, DD(LR)II, DDE(LR)III, US(A), DD(D&A), DDV(A&P), DDE(Rep) I & II, DD(D&A), DD(OL)I&II, E(NG)II, E(Rep)I,II&III, E(SCT)I&II, PC-III,IV&V, E(P&A)I&II, CE-I,II&III, Sec.(E), Sec.(ABE), E(MPP), E(G), Health Branch, Safety Branch, A/C-III, Code Revision Cell.

**INDIAN RAILWAY ESTABLISHMENT MANUAL VOLUME-I  
(REVISED EDITION 1989)**

Chapter III containing rules regulating seniority of non-gazetted Railway servants.

**ADVANCE CORRECTION SLIP NO. 159**

After the existing para 313, a new para 313A may be inserted as follows:-

**313A: 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.

**Note I:** 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.

**Note II:** When two or more surplus employees of a particular grade in a unit/department are simultaneously selected for redeployment 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/SR6/28 dated 25-05-04)