

## **MASTER CIRCULAR**

### **Master Circular No. 34**

#### **Seniority of Non-Gazetted staff**

**I. General Principle of Seniority**

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

**III. Transfer on Mutual exchange.**

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

**V. Transfer in the Administrative interest.**

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

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

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

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

**X. Seniority of medically de-categorised staff.**

**XI. Seniority of staff who are originally medically decategorised but subsequently declared fit.**

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

**XIII. Erroneous Promotions.**

**XIV. Seniority of staff rendered surplus.**

**Effect of reduction in pay or grade as measure of penalty on seniority**

**Permission to railway servants to pursue seniority list.**

**XV. General.**

**At present the orders relating to the subject "seniority of non-gazetted staff" are contained in Chapter-3 of IREM-1989 and various letters/circulars issued from time to time by the Ministry of Railways (Railway Board). The question of issuing consolidated instructions on the subject has been engaging the attention of the Ministry of Railways for quite some time. They have now decided to issue the consolidated instructions on the subject of "Seniority of non-Gazetted staff" in the form of a Master Circular as 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.**
- 2.5 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.**
- 2.6 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.

- 2.7 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.

[E. 53 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]

3. (a) Candidates who are sent for initial training to training schools will rank in seniority in the relevant grade in the order of merit obtained at the examination held at the end of the training period before being posted against working posts.
- (b) In the case of candidates who do not have to undergo any training in training school, the seniority should be determined on the basis of the merit order assigned by the Railway Recruitment Board or other recruiting authority."

[No. E(NG)I/94/SR6/12, dated 24.11.1994]

The seniority of candidates recruited through the Railway Recruitment Board (previously called Railway Service Commission) or by any other recruiting 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; and
- 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]

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).

5. When, however, a candidate whose seniority is to be determined under para 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).

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).

#### 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)

- 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)

- 8.1 A railway servant who, for reasons beyond his control, is unable to appear in the examination/ test in his turn alongwith 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: -**

1. 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.
2. This will not apply to departmental examination prescribed in App. 2 & 3 IREM.

**([Para 316](#) IREM 1989)**

**(Paras [306](#), [307](#), [308](#), [315](#), and [316](#) of IREM, 1989).**

## **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.
  - 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 (RBE 16/1986)]

### III. Transfer on Mutual exchange.

- 10** In the case of mutual exchange, the senior of the two employees will be given the place of seniority vacated by the other person. The junior will be allowed to retain his/her former seniority and shall be filled into the seniority below the persons having the same seniority.

[E(NG)61/SR 6/30 dated 13.11.1961, Para 230 of R.II]

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

- 11.** The unqualified 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.** Where staff are transferred in the Administrative interest from one seniority unit to another, their seniority position in the new Unit is to be

protected. Such transfers are to be made only when they are absolutely essential.

**[E(NG)I-68 SR6/28 dated 25.1.1969]**

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

**13. Seniority for promotion to the rank of Section Officer (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. In the case of staff of ex-Company Railways who are exempted from passing the examination, the date on which they are declared fit for promotion to the rank of Section Officer (Accounts) or Inspectors should be considered as the date of their passing. On receipt of the result of above examination each railway administration should immediately hold a selection test of the candidates declared successful along with any eligible ex-Company or ex-State Railway staff, who may be asked to appear before the selection board in accordance with the procedure laid down by the Railway Board from time to time. While the selection board will determine in the case of the ex-Company or ex-State Railway staff, their suitability for promotion as Section Officer (Accounts)/ Inspector before placing them on the panel, no candidate who has qualified in the said examination will be declared ineligible for promotion as a Section Officer (Accounts)/ Inspector, the selection board only assigning a suitable place to each such candidate in the order of merit. The staff placed on the panel in any year will rank senior to those empanelled in subsequent years.**

**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.**



**16.1** 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.

**16.2** 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 had been found suitable after prescribed screening for absorption; and
- b. There has been no specific selection at which their earlier seniority has been disturbed.

**16.3** 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]

#### X. Seniority of medically de-categorised staff.

**17.** 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 decategorisation total service in the equivalent and higher grade is to be taken into account. This is subject to the proviso that if a medically decategorised 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.

**17.1** While absorbing the medically decategorised 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.

- 17.2** 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.
- 17.3** Staff, who come on transfer to another unit accepting bottom seniority and later got medically decategorised, will get the benefit of only the service in the new unit for determination of seniority after de-categorisation.
- 17.4** Sometimes due to vacancies not being available in equivalent grades, a medically decategorised 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 decategorisation occurs in the same cadre, he should be considered eligible for the same in preference to a junior medically decategorised 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 decategorised employee for absorption in a cadre, to look into cases where senior decategorised employees might have been absorbed in lower grades in the same cadre during previous three years and initiate a review (Cases decided before 11/4/1975 need not be reopened unless there are very exceptional circumstances).
- 17.5** 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 refixed taking into account the position before medical decategorisation.
- 17.6** When a junior has already been absorbed in an equivalent grade but a senior gets medically decategorised 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 recasted as referred to in para 17.5 above.
- 17.7** There may be cases, where a senior employee was absorbed in a grade taking into account his/her position before decategorisation and a junior got promoted subsequently to a higher grade but ultimately gets medically decategorised 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.

- 17.8 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.

<u>E.</u>	<u>55/SR</u>	<u>6/15/3</u>	<u>dated</u>	<u>22.10.1956,</u>
<u>E(NG)56</u>	<u>SR</u>	<u>6-15</u>	<u>dated</u>	<u>14.3.1957,</u>
<u>E(NG)63</u>	<u>SR</u>	<u>6-31</u>	<u>dated</u>	<u>26.8.1964,</u>
<u>E(NG)I/68/SR</u>		<u>6/32</u>	<u>dated</u>	<u>26.10.1971,</u>
<u>E(NG)II-73</u>	<u>RE</u>	<u>3/16</u>	<u>dated</u>	<u>11.4.1975,</u>
<u>E(NG)I-76</u>	<u>SR6/37</u>		<u>dated</u>	<u>18.9.1976,</u>
<u>E(NG)I-71</u>	<u>SR</u>	<u>6/39</u>	<u>dated</u>	<u>31.5.1977,</u>
<u>E(NG)I-78</u>	<u>SR</u>	<u>6/6</u>	<u>dated</u>	<u>11.1.1979,</u>
<u>E(NG)II/77/RE</u>		<u>3/2</u>	<u>dated</u>	<u>2.9.1977,</u>
<u>E(NG)I/80/SR</u>		<u>6/83</u>	<u>dated</u>	<u>5.3.1981,</u>

Para 313 (a) (iii) and Para 313 (b) of IREM 1989).

XI. Seniority of staff who are originally medically decategorised but subsequently declared fit.

18. 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.

- 18.1 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]

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

**19. In the cas of selection posts, employees selected for empanelment should be arranged in the order of their seniority, but those classified as outstanding will be placed at the higher positions in the panel, as would be admissible to them by way of superseding not more than 50% of the number of their seniors in the field of eligibility.**

**19.1 (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/of 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 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.**

**(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.**

**19.2 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.**

**19.3 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.**

**19.4 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.

**19.4.** 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.

**19.5** **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.

**19.6** 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.

**19.7** In case of Section Officer (Accounts) Inspector of Station/Stores Accounts who refuse promotion their panel position is maintained for that particular year i.e. they do not lose seniority.

[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/76/PM1/168 dated 3.9.1976,  
E(NG)I/76/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]

### XIII. Erroneous Promotions:

**20. 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.

**20.1 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.**

**20.2 The orders of notification, promotion or appointment of a Railway employee in a substantive or officiating capacity to a post is latter 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.**

**20.3 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.**

**20.4 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]

### XIV. Seniority of staff rendered surplus.

**21. When redeploying the surplus staff to other units/departments, which constitute a different seniority unit, the following methods could be adopted: -**

- i. If only a small number of staff are being rendered surplus and they have to be transferred to various Units of other departments against vacancies of duly sanctioned posts, they can be suitably adjusted in these Units with their full seniority and merging their seniority in the respective Units;**
- ii. When a large number of staff are being transferred to new units that are being set up, they should be given their full seniority. No minimum educational qualifications should be prescribed. It should be sufficient if they pass the re-training/ conversion training tests at the end of their training, subject of course their medical fitness;**
- iii. Whenever a large number of staff have to be transferred to existing unit against vacancies or additional sanctioned posts, the views of the Unions may be taken as to whether the seniority of the staff being shifted should be kept separate against the "special supernumerary" posts, so that their promotional prospects are kept separate and identical to what they would have achieved in the old Unit and it does not jeopardise the prospects of the staff in the units in which they are being inducted. In such cases, the application of percentage distribution of posts would be separate for the existing cadre posts and the surplus staff who have been brought into the cadre, the later being controlled by the percentage as applicable in their previous cadre. However, as and when there is wastage through retirement, promotion etc., in the seniority unit of shifted staff charged against "Special supernumerary" posts in the direct recruitment grades, the direct recruitment quota of the same should be merged with the existing cadre seniority of that unit, i.e. the unit to which they had been redeployed on being surplus**

**21.1 In cases, where the seniority of surplus staff is maintained separately, there could be cases where the few staff, who are left behind in the old seniority unit continue to get their promotion as per their seniority alongwith the other staff transferred to the new unit. To this extent it may happen that in some cases, where the number of higher grade posts may have to be operated in excess of the percentage laid down to avoid transferring the staff left behind. However, it should be ensured that the total number of posts in each grade of the old unit, taking into account those both left being and transferred to the new Units, should not exceed the original sanction.**

**[\[E\(NG\)II/84/RE 1/10 dated 21.4.1989 \(RBE 106/1989\)\]](#)**

**22. 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 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 hot 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 to a lower service, grade or post 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 as follows: -
    - i. In cases where the reduction is not to operate to postpone future increments, the seniority of the railway servant should be fixed in the higher service, grade or post or the higher time scale at which it would have been but for his reduction.
    - ii. Where the reduction is to operate to postpone future increments, the seniority of the railway servant should be fixed by giving credit for the period of service rendered by him in the higher service, grade or post in higher time-scale prior to his reduction.
  - 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).

## 23. 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](#)).

#### XV. 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 oversight should be treated as valid and operative. Such a missing circular, if any, may be brought to the notice of the Railway Board.

The consolidation has been made from the following original letters

1. No. [E. 53 Col/8/3 dated 21.11.1953](#)
2. No. [E. 53/SR 6/21/3 dated 8.3.1954](#)
3. No. [E. 54/SR 6/21/3 dated 2.8.1954](#)
4. No. [E. 54/SR 6/21/3 dated 12.8.1954](#)
5. No. [E. 54/SR 6/21/3 dated 13.8.1954](#)
6. No. [E. 54/SR 6/21/3 dated 24.9.1954](#)
7. No. [E\(54\)/SR 6/24/3 dated 16.11.1954](#)
8. No. [E. 53/SR 6/21/3 dated 17.11.1954](#)
9. No. [E. 53/SR 6/21/3 dated 8.12.1954](#)
- 10.No. [E. 55/SR 6/6/3 dated 19.5.1955](#)
- 11.No. [E. 53/SR 6/21/3 dated 22.8.1955](#)
- 12.No. [E. 54/PM 1/19/3 dated 4.4.1955](#)
- 13.No. [E. 55/SR 6/16/3 dated 27.2.1956](#)
- 14.No. [E\(NG\)56/PM1/36 dated 6.9.1956](#)

- 15.No. [E\(NG\)55/SR 6/56 dated 17.10.1956](#)
- 16.No. [E. 55/SR 6/15/3 dated 22.10.1956](#)
- 17.No. [E. 55/SR 6/15/3 dated 18.11.1956](#)
- 18.No. [E\(NG\)56 SR 6-15 dated 14.3.1957](#)
- 19.No. [E\(NG\)57/SR 6/2 dated 25.4.1957](#)
- 20.No. [E\(NG\)57/RE 1/17 dated 2.11.1957](#)
- 21.No. [E\(NG\)55/SR 6/15 dated 30.6.1959](#)
- 22.No. [E\(NG\)55/SR 6/15 dated 25.8.1959](#)
- 23.No. [E\(NG\)56/PM1/36 dated 22.1.1960](#)
- 24.No. [E\(NG\)60/SR 6/2 dated 15.9.1960](#)
- 25.No. [E\(NG\)57/RE 1/17 dated 13.1.1961](#)
- 26.No. [E\(NG\)53/SR 6/7 dated 6.2.1961](#)
- 27.No. [E\(NG\)59/SR 6/3 dated 24.8.1961](#)
- 28.No. [E\(NG\)59/SR 6/3 dated 9.9.1961](#)
- 29.No. [E\(NG\)I/61/PM 1/5 dated 28.9.1961](#)
- 30.No. [E\(NG\)59/SR 6/3 dated 9.10.1961](#)
- 31.No. [E\(NG\)64/SR 6/16 dated 31.10.1961](#)
- 32.No. [E\(NG\)61/SR 6/30 dated 13.11.1961](#)
- 33.No. [E\(NG\)60/SR 6/2 dated 16.11.1961](#)
- 34.No. [E\(NG\)62/PM 1/42 dated 30.11.1962](#)
- 35.No. [E\(NG\)62/SR 6/35 dated 12.3.1963](#)
- 36.No. [E\(NG\)63/PM 1/9 dated 23.3.1963](#)
- 37.No. [E\(NG\)63/PM 1/43 dated 6.9.1963](#)
- 38.No. [E\(NG\)63/SR 6/17 dated 27.9.1963](#)
- 39.No. [E\(NG\)64 SR 6/31 dated 18.3.1964](#)
- 40.No. [E\(NG\)63 SR 6-31 dated 26.8.1964](#)
- 41.No. [E\(NG\)63/PM 1/92 dated 15/17.9.1964](#)
- 42.No. [E\(NG\)65/RE 1/8 dated 15.4.1965](#)
- 43.No. [E\(NG\)64/PM 1/66 dated 21.7.1965](#)
- 44.No. [E\(NG\)62/PM 1/91 dated 9.8.1965](#)
- 45.No. [E\(NG\)I/65/SR 6/26 dated 23.8.1965](#)
- 46.No. [E\(NG\)65 SR 6-31 dated 30.9.1965](#)
- 47.No. [E\(NG\)65 SR 6-31 dated 8.12.1965](#)
- 48.No. [E\(NG\)63/RE 1/32 dated 20.12.1965](#)
- 49.No. [E\(NG\)65 SR 6-31 dated 29.1.1966](#)
- 50.No. [E\(NG\)65 SR 6-31 dated 1.4.1966](#)
- 51.No. [E\(NG\)64/PM 1/66 dated 14.10.1966](#)
- 52.No. [E\(NG\)I/65/SR 6/31 dated 1.12.1966](#)
- 53.No. [E\(NG\)67/SR 6/35 dated 24.11.1967](#)

- 54.No. [E\(NG\)I-68 SR6/28 dated 25.1.1969](#)
- 55.No. [E\(NG\)64/PM1/66 dated 4.5.1969](#)
- 56.No. [E\(NG\)I/69/SR 6/15 dated 24.6.1969](#)
- 57.No. [E\(NG\)I/69/SR 6/25 dated 1.11.1969](#)
- 58.No. [E\(NG\)I/68/SR 6/32 dated 26.10.1971](#)
- 59.No. [E\(NG\)I-70/SR 6/43 dated 13.3.1972](#)
- 60.No. [E\(NG\)I/70/SR 6/43 dated 17.8.1972](#)
- 61.No. [E\(NG\)I/72/PM1/211 dated 14.12.1972](#)
- 62.No. [E\(NG\)I/72/RE 1/41 dated 27.11.1973](#)
- 63.No. [E\(NG\)I/73/PM1/120 dated 2.2.1974](#)
- 64.No. [E\(NG\)I/73/PM1/120 dated 4.9.1974](#)
- 65.No. [E\(NG\)I/74/RE 1/2 dated 1.2.1975](#)
- 66.No. [E\(NG\)I/73/RE 1/2 dated 1.2.1975](#)
- 67.No. [E\(NG\)II-73 RE 3/16 dated 11.4.1975](#)
- 68.No. [E\(NG\)I/74/RE 1/2 dated 14.7.1976](#)
- 69.No. [E\(NG\)I/76/PM1/168 dated 3.9.1976](#)
- 70.No. [E\(NG\)I-76 SR 6/37 dated 18.9.1976](#)
- 71.No. [E\(NG\)I/76/SR 6/18 dated 31.5.1977](#)
- 72.No. [E\(NG\)I-71 SR 6/39 dated 31.5.1977](#)
- 73.No. [E\(NG\)II/74/RE 1/2 dated 15.12.1977](#)
- 74.No. [E\(NG\)I-78 SR 6/6 dated 11.1.1979](#)
- 75.No. [E\(NG\)I/76/PM1/142 dated 25.7.1979](#)
- 76.No. [E\(NG\)I/76/PM1/142 dated 27/30.10.1979](#)
- 77.No. [E\(NG\)I/77/PM1/269 dated 3.5.1980](#)
- 78.No. [E\(NG\)I/80/SR 6/21 dated 5/8.7.1980](#)
- 79.No. [E\(NG\)I/80/PM1/133 dated 5.7.1980](#)
- 80.No. [E\(NG\)I/80/PM1/188 dated 31.12.1980](#)
- 81.No. [E\(NG\)I/79/PM1/147 dated 31.1.1981](#)
- 82.No. [E\(NG\)I/80/SR 6/4 dated 4.2.1981](#)
- 83.No. [E\(NG\)I/80/SR 6/107 dated 3.11.1981](#)
- 84.No. [E\(NG\)II/81/RE1/5 dated 15.1.1982](#)
- 85.No. [E\(NG\)I/82/SR 6/1 dated 18.1.1982](#)
- 86.No. [E\(NG\)I-78 SR 6-42 dated 7.4.1982](#)
- 87.No. [E\(NG\)II/84/RE 1/10 dated 26.10.1984](#)
- 88.No. [E\(NG\)II/84/RE1/10 dated 9.4.1985 \(RBE 101/1985\)](#)
- 89.No. [E\(NG\)I/85/SR 6/14 dated 21.1.1986 \(RBE 16/1986\)](#)
- 90.No. [E\(NG\)II/84/RE1/10 dated 31.3.1987 \(RBE 78/1987\)](#)
- 91.No. [E\(NG\)II/84/RE 1/10 dated 21.4.1989 \(RBE 106/1989\)](#)
- 92.No. [E\(NG\)I/88/PM1/6 dated 19.12.1989 \(RBE 311/1989\)](#)

**Supplementary Circulars and Subsequent Orders**

**Supplementary Circular No. 1 - Revision of Para 3 - No. [E\(NG\)I/94/SR6/12](#) dated [24.11.1994](#) (RBE 107/1994).**