

TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LTD.
(Administrative Branch)

144, Anna Salai,
Chennai-2.

Memo.No.034374/414/G46/G462/2016-20 dated:05.02.2018

Sub: TANGEDCO – Further instructions in the matter of promotion to RWE cadres pursuant to the order dated 08.06.2017 in W.P. No.12818/2012 and etc. batch. – Issued.

- Ref: 1. This office Memo. No.034374/414/G.46/G.462/2016-12 dated:12.12.2017.
2. This office Memo. No.034374/414/G.46/G.462/2016-17 dated:27.12.2017.
3. SE/ KanchipuramEDC's Letter No.791/SE/KEDC/KPM/ADM3/A3/2017 dated:29.12.2017.
4. SE/Krishnagiri EDC's Lr.No.723/ADM1/A1/F.Promotion/2017-3 dated:29.12.2017.
5. SE/ Tirunelveli EDC's Letter. No.001/SE/TEDC/TIN/ADM2/A1/F.Promotion/2017-18, dated:03.01.2018.
6. SE/ Chengalpattu EDC's Letter No.217/Adm.3/A.1/F.Court case/2018, dt.04.01.2018. (In Tamil)
7. This office Memo. No.034374/414/G.46/G.462/2016-18 dated:08.01.2018.
8. SE/ Gobi EDC's Lr. No.96/Adm.1/A.4/F.Seniority/2018, dated:10.01.2018.
9. CE/D/Erode Letter.No.000668/ADM2/A2/2018, dated:11.01.2018.
10. SE/ Madurai EDC's Letter.No.A.D.O./Adm.2/A.1/F.Panel/2018, dated:11.01.2018.
11. SE/Cuddalore EDC Letter. No.19734/ADM2/A1/2018-1 dated:17.1.2018
12. CE/D/Coimbatore Region's Letter No.00865/089/Adm.1(2)/2018, dt.17.01.2018.

In (Per) B.P.(CH) No.256, Administrative Branch dated 12.12.2005, it was, inter-alia, issued orders in para 2(iv) as follows:-

"Consequent on the separation of categories of Commercial Assistant/ Commercial Inspector and Wireman/Line Inspector from the existing Common seniority, the seniority of Wireman, Commercial Assistant, Commercial Inspector and Line Inspector have be refixed in the present category based

on their seniority in the post of Helper, among the persons in the same panel in which the individual was originally promoted. However, it should be ensured that consequent on the revision of seniority, the already overlooked persons do not get any unintended benefits."

2) In Memo. No.051836/555/G.46/G.462/2010-6 dated 5.11.2010, it was, inter-alia, issued orders in paragraphs 3 and 4 as follows:-

"3. After refixing the seniority in respect of RWE employees in the double channel pattern introduced with reference to B.P. cited, as ordered in para 2 above, the seniority of the employees should be assigned taking into account the date of joining in the post of Commercial Inspector and Line Inspector for promotion to the post of Foreman I Grade and the Helper seniority could not be taken for promotion to the post of Foreman I Grade.

4. In case, the senior employee in the panel drawn for the post of Commercial Inspector and Line Inspector have joined in the post of Commercial Inspector and Line Inspector later than the junior due to administrative reason, the seniority assigned in the panel for promotion to the post of Commercial Inspector and Line Inspector shall be taken in to account for considering promotion to the post of Foreman I Grade and not from the seniority of the Helper post."

3) In (Per) B.P.(FB) TANGEDCO Proceedings No.2, Administrative Branch dated 01.12.2017, it was, inter-alia, issued orders in para 5(ii) as follows:-

"To delete the version of date of joining insisted in para 3 of the Memo. No.051836/555/G.46/G.462/2010-6 dated 05.11.2010 for considering promotion to the post of foreman I Grade from the post of Line Inspector/ Commercial Inspector."

4) The crux of the orders issued in the references first and second cited above, which were issued pursuant to the common order dated 08.06.2017 in W.P. No.12818 of 2012 and etc. batch, is that the eligibility criteria of experience of five years for each channel, namely, Commercial Inspector and Line Inspector from the respective feeder category of Commercial Assistant and Wireman shall be followed until further orders and that such experience of five years prescribed shall be in the type of work concerned (not in the post of CA or WM alone).

5) It is not out of place to state that the drawing panel to the promotional posts in the respective channels, i.e., Helper-Commercial Assistant-Commercial Inspector or Helper-Wireman-Line Inspector are considered, among other things, based on seniority in the feeder category posts. In other words, Helpers who opts for Helper-Commercial Assistant-Commercial Inspector channel will be considered, among other things, based their Helper seniority. Like wise, Helpers who opts for Helper-Wireman-Line Inspector channel will be considered, among other things, based on their Helper seniority. However, while considering to draw panel for promotion to the higher posts in the respective channel, i.e., Commercial Inspectors and Line Inspectors, the seniority in the respective feeder category will be considered, i.e., Commercial Assistant and Wireman respectively. Inasmuch as the Commercial Assistants and Line Inspector, who comes from both channels are to be considered for drawing panel for promotion to the post of Foreman I Grade, it appears that, a doubt has arose in this regard as to how the inter-se-seniority has to be fixed for considering to draw a panel promotion to the post of FM I Grade.

6) Insofar as fixation of inter-se-seniority and to draw a panel for promotion to the post of Foreman I Grade, obviously, an inter-se-seniority has to be arrived at in the first instance from among the workmen in the feeder category posts of Commercial Inspector and Line Inspector. While doing so, the analogy of the orders in paragraph 2 (iv) of (Per) B.P.(CH) No.256, Administrative Branch dated 12.12.2005 and Memo. No.051836/555/G.46/G.462/2010-6 dated 5.11.2010 read with the orders issued in paragraph 5 (ii) of (Per) B.P.(FB) TANGEDCO Proceedings No.2, Administrative Branch dated 01.12.2017 shall be taken. Therefore, while considering the same, the following shall be adhered to :-

- (i) The inter-se-seniority for considering promotion to the post of FM I Grade should to be drawn based on the year-wise panels drawn for promotion to the post of CI and LI (i.e., 2005, 2006, 2017).
- (ii) The workmen ranked in the first year's CI and LI panels should be considered for fixation of inter-se-seniority in the first instance and such inter-se-seniority within that year's panels shall be based on Helper Seniority.
- (iii) The same method shall be followed for every year's panels (i.e., CI and LI).
- (iv) Accordingly, inter-se-seniority for considering promotion to the promotion to the post of FM I Grade shall be fixed and published as per the orders/ instructions in force.
- (v) No CI or LI in the subsequent year(s) of panel shall be considered for fixation of inter-se-seniority over the CI or LI who was in the previous year's panel.

7) In so far as any order of the Court granting interim stay/injunction restraining the competent authority from proceeding further against any Memo. calling for suitability report, panel, orders of promotion etc., obviously, without vacating such interim stay/injunction, the Memo. under challenge cannot be operated further. In such cases, the appropriate course would be to file counter affidavit together with vacate interim order petition and to take efforts to bring the case for hearing by approaching the Standing Counsel concerned.

8) The Superintending Engineers are requested to take immediate action within a week as per the clarificatory orders above.

9) The receipt of this memo may be acknowledged.

M.BALASUBRAMANIAN
CHIEF ENGINEER/PERSONNEL.

To
All Chief Engineers/Distribution Regions.
All Superintending Engineers/ EDC.

Copy to
The Chairman's Table.
The Executive Assistant to Chairman.
The Director (Distribution)/TANGEDCO, Chennai-2.
The Secretary/TANGEDCO Chennai-2.
The Chief Financial Controller/Accounts Branch/Ch.2
Copy to APO/Tamil Development/Adm. Br./Ch.2. (2copies)
to publish in Bulletin.

:: FORWARDED ::

Sd/-5.2.2018
(S.AMUDHA)
PERSONNEL OFFICER/IMPLEMENTATION.