

No.A-32013/02/2018-E.II  
Government of India  
Ministry of Road Transport & Highways  
(Establishment-II Section)  
Transport Bhawan, 1, Parliament Street, New Delhi-110001

New Delhi, Dated 24<sup>th</sup> October, 2018

**ORDER**

Whereas, a DPC proposal for promotion to the grade of Additional Director General for two vacancies of the year 2018 was submitted to the Union Public Service Commission (UPSC).

2. And Whereas, as per the Central Engineering Service (Roads) Group 'A' Recruitment Rules, notified in the Gazette of India on 18.05.2004, appointment to the grade of Additional Director General is to be made from Chief Engineers (C/M) of the Central Engineering Service (Roads) Group 'A' with three year's regular service in the grade. The crucial date of eligibility for the vacancy year 2018 is 01.04.2018.

3. And whereas, as per the Recruitment Rules of the CES(Roads), only 07 Chief Engineers (06 from Civil Stream and 01 from Mechanical Stream) were eligible to be considered for promotion to the grade of ADG for the vacancy year 2018. Therefore, the following combined eligibility list was submitted to UPSC.

Sr. No	Name of the officer(S/Sh.)	Year of Exam	Date of appointment to the grade of Chief Engineer	UPSC's reference in which recommended / approved
1.	V.S.Prasad	1983	02.09.2009	F.1/3(17)/2008AP-IV dated 27.02.09
2.	A.P. Pathak	1982	13.06.2011	F.1/3(3)/2010AP-IV dated 08.02.2011
3.	R.K.Pandey	1984	09.09.2011	F.1/3(3)/2010AP-IV dated 08.02.2011
4.	P V V S S Ravi Prasad	1987	11.09.2013	F.1/3(4)/2013AP-4 dated 17.06.2013
5.	Dharmananda Sarangi	1988	11.09.2013	F.1/3(4)/2013AP-4 dated 17.06.2013
6.	B.K. Sinha	1990	01.04.2014	F.1/3(4)/2013AP-4 dated 17.06.2013
7.	Kaushik Basu	1993	20.11.2013	F.1/3(5)/2013-AP-4 dated 05.07.2013

5. And whereas, it is stated that there is no provision in the existing Recruitment Rules for framing of Common Eligibility List and fixing of seniority between Civil & Mechanical cadre in such cases.

6. And whereas, as per the advice of UPSC vide its letter dated 09.10.2018, the Common Eligibility List was placed in the public domain vide Ministry's circular dated 11.10.2018 inviting representations, if any, latest by 18.10.2018 till 05.00 P.M.

7. And whereas, a total number of 15 representations (14 from Civil Side and 01 from Mechanical Side) have been received in this regard. The issues/ comments/

*[Signature]*

observations contained in the said representations have been examined and the comments are elaborated in the succeeding paragraphs.

8. And whereas, it is correct that there is no term as "Batch/Seniority" in the Ministry of Road Transport and Highways CES(Roads), Group 'A' Rules, 2003. However, the fact also remains that an officer at the time of his/her entry into CES(Roads) Cadre is assigned a particular place in the seniority list in his/her stream (C/M) on the basis of year of exam/ batch and the rank obtained by him/her in the Engineering Service Exam conducted by the UPSC. Therefore, the term "Batch/Seniority" is evolved from the year of exam/ batch of an officer and the seniority assigned to him/ her in the respective stream.

9. And whereas, promotions to the higher grades in both the streams (C/M) take place subject to availability of vacancies in a particular year, recommendation by the DPC held for that year and approval to the DPC recommendations by the Competent Authority. Therefore, a situation may arise when in a particular stream, the promotions to higher grade take place on a faster pace and the officers of the same batch in the other stream become "Junior" on account of getting promotion at a later date. When these two streams become eligible for promotion to the apex scale post, the problem arises in drawing a Common Eligibility List and fixing the relevant seniority therein.

10. And whereas, Chief Engineers from Civil as well as Mechanical Streams are to be considered for promotion to 02 vacancies in the grade of Additional Director General for the vacancy year 2018. As per the DoP&T guidelines, the zone of consideration for 2 vacancies is 08. However, only 07 Chief Engineers (06 from Civil Side and 01 from Mech. Side) are eligible to be considered for these two vacancies after completing three years of regular service in the grade of CE as on 01.04.2018.

11. And whereas, Sh. B.K. Sinha, CE(Civil) belongs to 1990 batch of ESE and was promoted to the grade of CE w.e.f. 01.04.2014. However, Sh. Kaushik Basu, CE(M) belongs to 1993 batch of ESE and promoted to the grade of CE w.e.f. 20.11.2013. Not only that, there are 08 more CEs of Civil Stream belonging to 1991(02) and 1992(06) ESE Exam but promoted to the grade of CE after Sh. Kaushik Basu who is otherwise junior to them on the basis of year of exam, was promoted to the grade of Chief Engineer.

12. And whereas, uniformity of principle as followed by other Ministries/ Departments was discussed with the UPSC. It was informed that for drawing a CEL where two or more streams become eligible for higher level posts, the principle of "Batch Seniority & Completion of required Qualifying Service" is the most commonly accepted approach by various Ministries/ Departments in the Government of India. Accordingly, it was decided to prepare the Common Eligibility List (CEL) by adopting the principle of 'Batch Seniority & Completion of Qualifying Service of 3 years as CE' as on 01.04.2018.

13. And whereas, therefore, in all fairness, it is just and appropriate that the seniority of the Chief Engineers (C/M) fulfilling the eligibility criteria for promotion to the posts in the grade of Additional Director General in the Common Eligibility List is decided by following the principle of "Batch Seniority" as determined by the year of Exam for the vacancy year 2018 and thereafter.

Kaushik Basu



14. And whereas, in addition to the above, a number of other issues have also been raised. It is stated that the issue of inter-se-seniority between Civil and Mechanical for the same batch, drawing of extended panel for the post of ADG for the year 2018 will be decided in accordance of the DoP&T guidelines on the subject. It is also stated that a self-contained proposal for amendment of Recruitment Rules of CES(Roads), 2003 has been submitted to DoP&T and is under examination there. Once notified, the amended RRs would be applicable uniformly to all the officers of CES(Roads) w.e.f the publication thereof in the Official Gazette. It is also stated that as per the decision of the Govt. on Cadre Review of CES(Roads) vide this Ministry's OM dated 29/03/2017, the officers of Mechanical Stream are to be phased out without affecting the career prospects of the existing incumbents and cannot be declared surplus. It is further stated that the issue of drawing a combined seniority list of C/M streams has already been examined in consultation with DoP&T, when it was decided that a separate seniority list of both the streams are to be prepared. Hence, no further examination on this point is required.

15. And whereas, with above observations, the Common Eligibility List published vide Ministry's Circular dated 11.10.2018 may be treated as final and the adopted principle of "Batch Seniority subject to completion of qualifying criteria will also be applicable in future cases where Common Eligibility List are required to be prepared.

16. This issues with the approval of the Competent Authority.

Yours faithfully,



(Kamal Kishore)

Under Secretary to the Government of India

:011-23710454

To,

- (i) All the officers of CES(Roads),
- (ii) NIC, with a request to upload this order on Ministry's Website.