

## EDITORIAL

**Privatization from front door on the Indian Railways**

Dear comrade,

On 30<sup>th</sup> November, 2015, a Memorandum of Understanding has been signed amongst the **Ministry of Railways and M/s Alstom and General Electric**, for manufacturing Electric and Diesel Locomotives at **Madhepura and Marhowra**.

The peculiarity of the agreement is that, the Government of India had stood the guarantee for assured off-take which means, whether we need it or not, we will have to purchase Electric and Diesel Locomotives manufactured by M/s Alstom and GE.

While addressing the media, Hon'ble Finance Minister, **Shri Arun Jaitley**, declared that, it is a great achievement and big leap for the scheme "**Make in India**". He also declared that, it will attract foreign investors to India. In this



MoU, not only manufacturing, but also thirteen years maintenance contract has been awarded to M/s Alstom and General Electric.

Recently, Ministry of Railways has also entered into an agreement for purchasing of sixteen number of train sets. Here also they have awarded thirteen years maintenance contract to the company from where these are being purchased.

The core issue remains, whether these units at Madhepura and Marhowra are at all required or not. The Traffic Department in Ministry of Railways, the user, had opposed the move, but accepted the same under pressure. The Financial Commissioner, Railways, has also opposed the same number of times, but finally has to succumb to pressure.

Now, there are two main questions, one is, what will happen to our **Chitranjan Loco Motive Works and Diesel Locomotive Works, Varanasi**, which have earned laurels from all corners for their quality production with *state-of-the-art* technology, that too on very economical way.

Second, if maintenance is outsourced like this, how we will be able to learn the technology and what will be the future of the existing staff?

This is only a start. If we do not rise to oppose this move tooth and nail, the Indian Railways will not be in a shape as it is today. It is a move to privatize the Indian Railways from the front door.

**Let's understand the danger and unitedly face the challenge to save not only the Indian Railways but also the Nation.**

With Best Wishes,



(Shiva Gopal Mishra)

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The Working Committee of **All India Railwaymen's Federation** (AIRF) met on 11-12 December, 2015, in T.N. Bajpai Memorial Hall (NRMU Office Premises), New Delhi, as scheduled, with Com. **Rakhal Das Gupta**, President/AIRF.

At the outset, the President offered warm welcome and New Year's greetings to the Office Bearers, Zonal Secretaries and Working Committee Members of AIRF, who came from different Zonal Railways and Production Units to attend the meeting in New Delhi.

He said that, "the coming year 2016 would be full of challenges because of the retrograde recommendations of the VII CPC and non-settlement of long pending genuine demands of the Railwaymen". He also briefed about the recommendations of the successive Central Pay Commissions and mentioned that, there was only 14.2% wage hike in the recommendations of the 2nd CPC, because of which there had been 5-day general strike of the Central Government Employees, and the JCM was also constituted thereafter in the year 1966.

The President added that, "after submission of the report of the 3rd CPC, the Central Government Employees had to resolve to "Indefinite Strike" in the year 1974 with a view to secure improvement therein".

He further added that, "the VII CPC has also recommended pay hike, almost equal to what was recommended by the 2nd CPC". He also informed the House about the meeting of the NJCA, held on 10th December, 2015, wherein future strategy of struggle was chalked-out and also mentioned in brief about the meeting of the President and General Secretary of AIRF with Hon'ble Minister for Railways, wherein issues related to retrograde recommendations of the VII CPC, 100% FDI in the Railways and NPS were also discussed in detail. "In the meeting of the NJCA, it has been decided to wait for government's amicable settlement on these issues up to 1st week of February, 2016, whereafter NJCA shall again meet to take stock of the situation and to finalize further course of action, including date of commencement of Indefinite Strike", he mentioned.

He further mentioned that, the Chapter "Ministry of Railways" of the 7th CPC is to be discussed and analyzed in this meeting and AIRF's viewpoint will be submitted to the Railway Board positively before 15 December. Leaving 3-4 categories, no attention has been paid to the Railwaymen by the 7th CPC, and Minimum Wage has been based and also ignoring the directives of the Hon'ble Supreme Court of India and ILC as well. Without having in-depth study of the Indian Railways System, the 7th CPC has abolished many allowances, as most of them are of specific nature and purpose.

### **CONDOLENCE MOTION**

Before agenda of the meeting was taken-up, two-minute silence was observed to pay homage to Tamil Nadu floods victims and other prominent personalities who passed away during the intervening period.

The General Secretary endorsed the help extended by SRMU to flood victims of not only Chennai but also of the entire Tamil Nadu State.

Thereafter, agenda of the Working Committee was taken-up for discussion.

At the outset, Shri Shiva Gopal Mishra, General Secretary/AIRF congratulated AIRF affiliates for observing "All India Demands Day" all over the Indian Railways on 13th October, 2015 in an appropriate manner as per decision of the AIRF Working Committee Meeting held at

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Jodhpur. He also briefed about the observation of “Protest Day” by AIRF affiliates across the country on 19th November, 2015 and observing “Black Day” on 27th November, 2015, which was also joined by the State Government employees at several places on the call of the NJCA.

He further added that, “the report of the VII CPC, which was submitted to the Government on 19th November, 2015, is highly disappointing for all the Central Government Employees”. He further said, “I met the Chairman, VII CPC and apprised him about the discontentment of the government employees on the VII CPC report and also explained him that there is serious resentment among the Central Government Employees against these retrograde recommendations of the VII CPC”. He specifically pointed out that, “not only Minimum Wage, recommended by the VII CPC, is highly unfair and unrealistic, but also the percentage of the HRA has been reduced, which is highly unjustified. The VII CPC has calculated the Minimum Wage, taking into account the unrealistic prices of the essential commodities, and even the Aykroyd Formula has not been followed in a proper manner while fixing the Minimum Wage”. He further said, “Multiplication factor, recommended as 2.57, is also too low”. He informed the House that, a detailed letter has been written to the Cabinet Secretary on 10th December, 2015, highlighting the points of dissatisfaction in the report of the VII CPC, demanding immediate redressal thereof and expressed his hope that the government would soon convene meeting of the NC/JCM to settle these issues.

He further pointed out that, “in Andhra Pradesh, Minimum Wage is Rs.27, 000 in case of State Government Employees, and the Pay Matrix recommended by the VII CPC is also having various anomalies”. “The VII CPC unfortunately did not consider our demands of merger of Technician Gr. II & I, 5% annual increment”, he added. “The VII CPC has recommended discontinuing a number of allowances and interest-free advances, which also is highly unfair and unjustified”, the General Secretary said. “The VII CPC recommendation to reduce the salary to 80% in case of CCL to women employees after one year is also a retrograde recommendation”, the General Secretary opined.

The General Secretary stated that, a number of issues, like non-filling of large number of vacancies, recruitment and Course Completed Act Apprentices, absorption of quasi-administrative staff, recruitment of the LDCE as MTS, disparity in the wages of Stenographers, problems of the pre-2006 and post 2006 Pensioners/Family Pensioners etc., are the issues agitating the minds of the Railwaymen and the Central Government Employees as a whole.

He admired Com. Mukesh Mathur, General Secretary, North Western Railway Employees’ Union, and his entire team for hosting 91st Annual Convention of AIRF in an excellent manner. He informed the House that, next (92nd) Annual Conference of AIRF will be hosted by NCRMU. He also briefed the House about the Charter of Demands prepared by the NJCA. Speaking on signing of the agreement between the Indian Railways and M/s Alstom Manufacturing India Ltd. and M/s GE Global Sourcing India Pvt. Ltd. for establishing Electric Locomotive Factory at Madhepura and Diesel Locomotive Factory at Marhowra, Bihar on assured off-take and 13-year maintenance contract, he said, “there is complete slowdown in the country, wagons are lying idle”. “As far as organization is concerned, there is an urgent need to strengthen it with better communication, organizing the Youth & Women”, he added. He also spoke about the Fast Track Committees, constituted by the Railway Board, (i) to resolve long-pending genuine demands of the Railwaymen, and (ii) Running Staff related issues. He asserted to increase affiliation fee from Rs.5 to Rs.10 at least. He concluded his speech with thanks to the Chair.

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## **DELIBERATIONS**

Thereafter, Com. Mukesh Mathur, AGS/AIRF, S.K. Pandey, VP/AIRF, A.M. D’Cruz, AGS/AIRF, Ch. Gandhi, AGS/AIRF, Ch. Sankara Rao, AGS/AIRF, S.K. Bandyopadhyaya, VP/AIRF, Salil Lawrence, AGS/AIRF, Venu P. Nair, VP/AIRF, R.C. Sharma, AGS/AIRF, Sisir Chandra Mazumder, ZS/AIRF/MTPRMU, Hussain Bux, WCM/AIRF/WCREU, Champa Verma, WCM/AIRF/WCREU, Rajinder Singh, ZS/AIRF/RCFMU, Basant Chaturvedi, ZS/AIRF/NERMU, S.K. Tyagi, AGS/AIRF, Mukesh Galav, AGS/AIRF, S.N. Singh, ZS/AIRF/CLWRMU, Gautam Mukherjee, VP/AIRF, S.P. Mishra, ZS/AIRF/NRMU (CR), S.N.P. Srivastava, WCM/AIRF/ECRKU, took part in the deliberation to discuss the General Secretary Report and other allied issues and made valuable suggestions.

## **FELICITATION PROGRAMME**

A brief Felicitation Programme was organized in T.N. Memorial Hall, New Delhi. Bro. Mahendra Sharma, Former Regional Secretary ITF (Asia Pacific Region), was honoured by the President, General Secretary, Treasurer and Com. C.A. Rajasridhar respectively.

Talking on this occasion, Bro. Mahendra Sharma, recalled the memories of his long association with AIRF leadership during the last more than 4 decades. He further added, “my association with this Federation (AIRF) is deep-rooted and I have learnt a lot from AIRF leadership”. He also assured that, his relations with AIRF and its leaders would continue to be the same during the time to come as well. He finally thanked AIRF leadership for his facilitation.

Concluding the programme, the General Secretary AIRF expressed his hope that, “Bro. Sangam Tripathi would also shoulder his responsibility and fully support AIRF as hitherto”.

## **STANDING COMMITTEE MEETING**

Com. Rakhil Das Gupta, President/AIRF, was in the chair said meeting. The President discussed in detail about the preparations for an indefinite strike and also shared his vast experience of the previous strikes, including that of the 1974. The participants also raised certain doubts and queries that were also replied by the President in proper manner.

On the next day, The General Secretary AIRF said, “the participants have made a number of valuable suggestions, which we would definitely try to implement”. He further added that, “in case the government does not come forward for some amicable settlement, an “Indefinite Strike” is the only alternative, for which we should make comprehensive preparations”. “Working Committee Members, Office Bearers of AIRF and affiliated unions shall be consulted from time to time during strike preparations”, he added.

“Outsourcing, privatization, FDI/PPP and NPS are such issues which are going to change the entire structure of the Indian Railways”, he further said. “In near future, a number of departmental activities are likely to be outsourced to private agencies”, he apprehended. He strongly demanded that, “the government should come forward for a negotiated amicable settlement of the issues, for which it is quite necessary that Group of Ministers should be constituted to negotiate with the Staff Side on the vital issues”.

He thanked all the affiliated unions for their unanimous support for increasing AIRF affiliation fee from Rs.5 to Rs.10 w.e.f. 01.01.2016.

He advised that, “use of the What Apps should be restricted to social and organizational activities conducted by the AIRF affiliates. It can also be used for circulation of

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Government/Railway Board's orders. Name of AIRF or its affiliated unions should not be dragged into controversial issues".

He asserted that, "time has come when we should make come concrete strategy against privatization, outsourcing etc., for which there is urgent need to create awareness among the rank and file against the evils of contractorisation/outsourcing/offloading in the Railways". The General Secretary, while concluding his speech, expressed urgent need of mobilization of the Railwaymen and to take these issues with full seriousness as also emphasized on formation of the Youth Committees at the Branch and Divisional levels as well as at the Zonal level, and use them effectively.

After detailed deliberations, the following decisions were taken unanimously for future course of action:-

### **DECISIONS**

- (i) To conduct one-day seminar on "outsourcing, privatization, PPP/FDI etc. at the National level"
- (ii) To organize demonstrations and handing over copy of the NJCA's letter dated 10.12.2015, containing Charter of Demands, to the respective Zonal Railway administrations and PUs on 30.12.2015 (to implement the decision taken by the NJCA).
- (iii) To observe "All India Virodh Diwas" on 7th January, 2016.
- (iv) To celebrate "World Youth Day" on 12th January, 2016.
- (v) To hold a 3-day (19-21.01.2016) dharna at all the State Capitals as per decision of the NJCA for mobilizing the employees.
- (vi) To convene a conference of AIRF affiliates in Railway Production Units at Kapurthala, preferably some times in February, 2016.
- (vii) Strike Ballot to be conducted in 2nd week of February, 2016, for an "Indefinite Strike", commencing in 1st week of March on the Charter of Demands prepared by the NJCA.
- (viii) To increase AIRF affiliation fee from Rs.5 to Rs.10 w.e.f. 01.01.2016.

President In his Presidential address, Com. Rakhil Das Gupta said that, "message should go down the line that, "Minimum Wage" demand of every category of staff has been represented by the AIRF. He urged upon the audience to work with full dedication and enthusiasm to combat the challenges ahead on the Railwaymen and the Working Class in general. The meeting ended with a vote of thanks to the Chair.

<b>Record Note of Discussions held by Board (CRB, MS &amp; FC) with Federations (AIRF &amp; NFIR) on 01.10.2015 on issues raised by Federations.</b>
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**Item no. 1:** - Exempting Railways from New Pension Scheme.

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**Remarks:** - The Federations stressed that this matter needs to be taken up at the level of Hon'ble Minister and requested for a meeting with Hon'ble MR. The Federations re-iterated that Railway employees' functioning is quite comparable with those of the Defence Personnel as Railwaymen work 24x7 days under continuous stress and strain.

It was agreed to fix up a meeting of the Federations with Hon'ble MR shortly.

**Item no. 2:** - Up-gradation of Apex level Group 'C' posts to Group 'B' Gazetted (3335 posts).

**Remarks:** - Official side stated that proposal has again been submitted to Ministry of Finance seeking their concurrence. Thereafter, Ministry of finance sought certain clarifications in context to the said proposal which has been replied to them on 10.09.2015. The matter is further being pursued by Pay Commission Dte.

Federations, however, stated that creation/ up-gradation in Group 'B' posts is within the competence of Railway Board as was observed in the meeting of standing Committee held on 07/05/2008.

It was agreed to examine this aspect after connecting the minutes of the meeting of Standing Committee of National Council referred to by the Federations.

**Item no. 3:** - Report of High Power Committee on duty hours of Running and other Safety Categories of Staff.

**Remarks:** - official Side convey that recommendations of the High Power Committee will be deliberated by full Board on 06.10.2015 duly taking into account the views expressed by the Federations.

**Item no. 4:** - Induction of Completed Act Apprentices against Safety vacancies in GP- Rs.1800/-

**Remarks:** - It was proposed from the official side that it is contemplated that henceforth educational Qualifications for recruitment to erstwhile Group 'D' posts may be kept as Course Completed Act Apprentices and minimum 10th Pass (Matriculation). Federations stated that they will first discuss this issue themselves jointly.

**Item no. 5:-** Unwarranted conditions like "working on tracks" causing impediment in implementation of LARGESS in the case of certain categories of P.Way Staff.

**Remarks:** - Federations stated that the phrase "Working on track" in the case categories permitted in 2014 be removed. This was agreed to.

**Item no. 6:-** Stepping up of pay of Loco Inspectors appointed prior to 01/01/2006. The commitment given by the Railway Board for Granting stepping up of pay of the Loco Inspectors on the remaining six zones is yet to be implemented.

**Remarks:-** Federations insisted that SLP be withdrawn as an agreement was reached on 07.02.2014 that stepping up of pay of LIs appointed prior to 01.01.2006 on the remaining 6 zones will be implemented.

Official side stated that it will be examined in consultation with Legal Dte.

**Item no. 7:-** Rectification of MACPS anomalies.

**Remarks:-** Federations were advised that before the issues are discussed at the level of Board (MS & FC), it will be desirable to deliberate on those issues by concerned Executive Directors

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(EDPC-I, EDPC-II, EDF(E) and EDE(N)) in association with the General Secretaries of the Federations (AIRF & NFIR). For this purpose, a meeting is to be fixed shortly.

**Item no. 8:-** Absorption of Quasi Administrative Unit Staff against erstwhile Group 'D' vacancies.

**Remarks: -** This issue was discussed in the meeting of Federations (AIRF & NFIR) with board (MS) held on 20.07.2015.

Both the Federations pressed for absorption of quasi-administrative staff in the Railways.

(No.2015/E (LR)II/1/8.dt.30.11.2015)

<b>Record Note of Discussions held by Executive Directors with Federations (AIRF &amp; NFIR) on 12.10.2015 on MACPS anomalies.</b>
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**Item No. 1:-** Financial up-gradation under MACPS to the directly recruited Graduate Engineers – Considering entry Grade Pay as Rs. 4,600/- for the purpose of MACP to all the directly recruited Engineering Graduates in Design/Drawing Cadre and other Cadres.

**Remarks:-** The Staff side stated that Engineering Graduates who were directly recruited in pay scale of Rs.5500-9000/- and already promoted to pay scale of Rs. 6500-10500/- prior to year 1999 had no opportunity to appear in L.D.C.E. conducted against 20% Direct Recruitment Quota. As such, their promotion from pay Scale of Rs. 5500-9000/- to Rs. 6500-10500/- is being reckoned for MACPS. This has caused gross injustice to these degree holders. They therefore demanded for MACPS benefit to such staff treating their entry grade as Rs. 6500-10500/- on the cutoff date 01.09.1998.

Official Side stated that the case will be referred again to DOP&T with complete details for reconsideration after consulting the Staff Side.

**Item No. 2:-** Third financial up-gradation under MACPS on completion of 20 years of service from the first promotion or 10 years after second promotion or 30 years after regular appointment – whichever is earlier?

**Remarks: -** The staff side stressed for their demand of grant of third financial up-gradation under MACPS on completion of 20 year of service from first promotion.

It was agreed to make a reference to DOP&T to allow 3rd financial up-gradation after 20 years from first promotion in consultation with both Federations.

**Item No. 3:-** Grant of financial up-gradation under MACP Scheme in the promotion hierarchy – (instead of Grade Pay hierarchy) – as per judgment of various Courts.

**Remarks: -** The Staff side pointed out that various Courts have given judgments that MACP be given in Cadre hierarchy and the same should be implemented. Secondly, ACP Scheme should be given to a Cadre where it is more advantageous than MAPCS.

It was agreed to identify the cadres for whom ACP Scheme is more advantageous than MACPS. Thereafter, a reference will be made to DOP&T in consultation with both Federations to allow ACP Scheme in those cadres.

**Item No. 4:-** MACPS benefits to railway employees – cases of employees joining another unit/organization on request.

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Official side stated that as agreed earlier the circulation of DOPT's instruction dated 04.10.2012 on this issue is under process in consultation with the finance Dpt.

**Item No. 5:-** Provision of all benefits on financial upgrading under MACPS – including entitlements for travel & treatment in hospital etc.

Official side stated that as per policy instructions, the employees drawing higher grade pay under MACP Scheme are entitled for all the benefits which are linked to the pay drawn by them. Staff side was requested to come out with specific entitlements which are being denied to such staff.

It was agreed to check the criteria on which basis travel & treatment in hospitals has been given.

**Item No. 6:-** Non-grant of benefit of financial up-gradation under MACPS to the staff on North Western Railway.

**Remarks: -** It was agreed to obtain information from North Western Railway regarding the recruitment post, qualification, pay scale and number of staff who have not been granted the benefit of financial up-gradation under MACPS and the matter will be re-examined.

**Item No. 7:-** Grant of financial Up-gradation under MACPS to the staff who are in the same Grade Pay for more than 20 years.

**Remarks: -** The staff side stressed for their demand of grant of third financial up-gradation under MACPS on completion of 20 year of service from first promotion.

**Item No. 8:-** Abolition of Pay Scale and Introduction of up-graded Pay Scale with revised designation – Senior Section Engineers (Drawing) – Clarification on entry Grade Pay.

**Remarks: -** Staff side stated that the matter need to be examined in the light of Railway Board's letter issued in year 1980 for Assistant Draftsmen only and not Tracers. Staff Side stated that the staff were appointed against DR quota as per Board's decision pursuant to discussions in the DC/JCM meeting and they should be granted MACPS benefit.

It was agreed to examine the matter accordingly.

**Item No. 9:-** Non-grant of financial up-gradation under MACP Scheme to the Stock verifiers working in Zonal Railways/ Production Units.

**Remarks:** It was agreed that the matter will be examined by Pay Commission Dpt. In consultation with Establishment Dpt.

**Item No. 10:-** Grant of financial up-gradation under MACP Scheme – Wrongful clarification issued by the Railway Board.

**Remarks:-** Official side explained to Staff side that clarification issued vide Board's letter dated 13.12.2012 is specific to a situation where feeder and promotion post are in same grade pay and this has been issued as per the clarification issued by the DOP&T which is the nodal department on MACPS.

Staff side stated that they will study the matter.

**Item No. 11:-** Wrong implementation of MACP Scheme in IT Cadre/Granting of financial benefit under MACP Scheme to EDP Staff.

**Remarks:-** It was agreed that the matter will be examined in consultation with DOP&T and draft reference to DOP&T will be shared with both Federations.

(No.2015/E(LR)II/1/4.dt.08.12.2015.)



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**AIRF has raised Major retrograde recommendations of the VII CPC to be settled before implementation**

1. Minimum Wage and Allowances, common to all Central Government Employees, based on the justification detailed by the NC/JCM (Staff Side), and conveyed by the letter of the NJCA, addressed to the Cabinet Secretary, should be considered. (para 4.2.5 to 4.2.13, pg. 61-64 of VII CPC Report).
2. Fitment Factor(Formula), for allotment of pay scales, to be improved for all categories of Railwaymen, based on Minimum Wage, finally drawn in consultation with the NC/JCM(Staff Side), be considered.
3. Indian Railways is a unique, multi-disciplinary and complex Transport Industry. Simple replacement in Pay Matrix (Band Pay +Grade Pay of the specific employee) without extending any weight age and due justice to their job contents, skillness, mental and physical stress and strain, introduction of advanced technology, dealing with most advanced state-of-art technology in various disciplines, working conditions, risk and hazard involved, have not been given any due consideration by the 7th CPC, and many issues have been left with the administrative ministry to decide. A Joint Committee of the Railway Board and both the Federations be formed to re-examine the memorandum submitted by the AIRF to the 7th CPC, detailing out problems/grievances etc. of each category of Railwaymen, which need to be addressed and allotment of proper pay scales and other benefits be granted with a time-bound programme. Failing to a negotiated settlement in respect of any category, the matter should be referred to the Board of Arbitration under the JCM Scheme for Arbitration.
4. There is serious discontentment among the apex grade supervisors, for not granting them Group `B` Gazetted status, and the Technicians, because of non-merger of Technician II & I in GP Rs.2400 and 2800 and allotment of pay scale recommended for GP Rs.2800. (para 11.40.115, pg. 749 on Technical Supervisors & para 11.40.132, page 752 on Technicians of VII CPC Report).
5. In the report of the VII CPC, there are abrasion in respect of designation and grade pay of certain categories of staff. Those should be corrected to as exist presently. (e.g. para 11.40.62, pg. 740 of VII CPC Report).
6. The 7th CPC has changed promotional channel and inserted D.R. Quota in certain cases. The existing recruitment policy and channel of promotion should continue, or in case change is warranted for, be bilaterally discussed and settled before being implemented. (para 11.40.51, pg. 738 and para 11.40.69 & 11.40.70, pg. 742 of VII CPC Report).
7. All the allowances, presently admissible to different categories of staff, should continue duly enhancing their rates as mentioned below:-
  - (a) Fixed amount, but not D.A. Index, to be raised by 2.25 (multiplication factor).
  - (b) Fixed amount, but partially indexed D.A. should be raised by 1.5.
8. Recommendation for reduction in percentage of certain allowances should not be implemented, being bilateral package settlement and existing percentage be continued. (para 8.7.15 – HRA, pg 269 and para 8.17.101 & 8.17.102, pg 351-352 of VII CPC Report).

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9. All the advances, now admissible, should be continued, and enhance the rates of all the advances by a multiplication factor of 2.25. (para 9.1.4, page 360-361 and para 9.1.7, pg 362 of VII CPC Report).

10. The Pay Commission has changed the procedure for granting MACP and imposed stringent condition. The existing norms for granting MACP should continue. (para 17.7(i, ii & iii), pg.865 of VII CPC Report).

11. Recommendation of the 7th CPC to stop annual increment permanently in the name of efficiency bar should not be implemented, and annual increments should continue. (para 17.7 (iv), pg 866 of VII CPC Report).

12. Railways should be exempted from the ambit of the National Pension Scheme(NPS) and the Old Guaranteed Pension/Family Pension be restored to all Railwaymen, irrespective of their date of appointment in the Railways.

13. Bilateral agreement arrived at on Productivity-Linked Bonus should continue and improved with the amendment of eligibility limit from Rs.3500 to Rs.7000 as per Bonus Act. (para 15.28 & 15.29, pg 861 of VII CPC Report).

14. In respect of Running Staff Pay, Rest Rule etc., a separate memorandum will follow. (para 8.11.19 & 8.11.20, pg 310-311).

15. The 7th CPC at para 9.2.33 has analyzed the provision of Special Casual Leave (SCL), which is granted to cover absence from duty of an employee and recommended to review the purposes, as also to limit the purposes as well as total number of days that an employee can be granted SCL in a year. This recommendation being retrograde needs not be implemented. (pg.368 of VII CPC Report).

16. The 7th CPC at para 9.2.9, while analyzing the provision of Child Care Leave (CCL) for women employees, has made retrograde recommendation to reduce the salary to 80% for the second spell of 365 days CCL instead of recommending some improvement in the same. This should not be implemented. (pg. 364 of VII CPC Report).

17. Financial benefit on promotion, that is available in the 6th CPC terms, no corresponding benefit has been recommended by the VII CPC. This needs to be addressed.

In addition to the above, we may submit some more retrograde recommendations of the VII CPC in due course.

(No.AIRF/405(VIICPC) Dt.: Dec. 15, 2015)

### **Charter of Demands**

1. Re-compute the minimum wage on the basis of the actual commodity prices as on 1.7.2015 and factor the Dr. Aykroyd formula stipulated percentages for housing and social obligations, children education etc. Revise the fitment formula and pay levels on the basis of the so determined minimum wage:

#### **Determination of Pay level minimum**

It is seen that the 7th CPC has applied varying multiplication factors for different pay levels. The 6th CPC has taken the emoluments in the private sector to hike the salary of officers by applying different yardstick to compute the pay bands disturbing the vertical relativity while the 7th CPC has further accentuated the gap of differences in wages between officers and employees. This

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being unacceptable we urge upon adoption of uniform multiplication factor for determining pay levels.

2. Revise the pay matrix basing upon the revised minimum wage and rounding off the stages to the next hundred. Accept the suggestion made by the Staff Side in its memorandum to 7th CPC for de-layering viz. to abolish the pay levels pertaining to GP 1900, 2400 and 4600.

In memorandum to 7th CPC the Staff Side had requested for de-layering by abolition of Grade Pay of Rs.1900, 2400 & 4600. The pay levels pertaining to GP 1900, 2400 and 4600 may be abolished and merged with the next higher levels.

3. Revise the rate of increment to 5% and Grant two increments in the feeder cadre levels as promotion benefit.

The rate of increment has been pegged down to 3% by the 7th CPC. At this rate an employee will not be able to double his pay even after 30 year. The demand of the staff side to increase the rate of increment to 5% to be accepted.

Promotion from one cadre to another is a rare phenomenon in government services especially in lower grades. If one to be awarded only an increment amounting to 3% of pay, it might not become a sought after affair and will in fact act as a de-motivating factor. This apart, in most of the Govt. Departments, promotion is followed by posting to a different location. Those who are posted to unclassified cities or from Metro cities to towns will financially suffer due to such mandatory transfer on promotion. This is because of the fact that the rate HRA, Transport Allowance etc. vary from one station to another. The financial benefit on promotion must be, therefore, at least two increments i.e.10% of the pay.

4. Fill up all vacant posts by holding special recruitment drive.

5. MACP to be treated as financial up-gradation, without any grading stipulation; to be provided on the basis of the promotional cadre hierarchy of the concerned department; increase the number of MACP to five on completion of 8,15,21,26 and 30th years of service. Reject the efficiency bar stipulation made by 7th CPC. Personnel promoted on the basis of examination should be treated as fresh entrants to the cadre.

6. Upgrade the LDCs in all departments as UDCs for it is stated by the Commission that the Government has stopped recruiting personnel to this cadre.

The cadre of LDC, after the introduction of MTS has presently overlapping functions. Most of the specific functions have also become obsolete on introduction of computerized diarizing and maintenance register. There is no specific need for this cadre in any of the offices. While recruitment can be stopped, which the government has conveyed to the Commission, what has to be done to the existing cadre is not mentioned. It is therefore necessary that the existing incumbents be promoted as UDCs by upgrading all posts of LDC as UDCs.

7. a) Parity to be ensured for all Stenographers, Assistants, Ministerial Staff in subordinate offices and in all the organized Accounts cadres with Central Sectt. By upgrading their pay scales (and not by downgrading the pay scales of the CSS)

b) Drivers in all Government offices to granted pay scale on par with the drivers of the Lok Sabha.

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The question of parity, as has been rightly mentioned by 7th CPC, is a settled matter. It is the Department of Personnel which the cadre controlling Department for CSS cadre that unsettles the parity every time. The recommendation to downgrade the CSS is however not acceptable. What is required is to grant higher pay levels at par with CSS ministerial and stenographer cadres and other similarly placed cadres in the field/subordinate offices and IA&AD & Organized Accounts cadres.

8. To remove existing anomaly, the annual increment date may be 1st January for those recruited prior to 30th June and 1st July in respect of those recruited prior to 31st December.

9. Wage of Central Government Employees be revised in every 5 years.

10. Treat the GDS as Civil Servant and grant them all pay, allowances and benefits granted to regular employees on Pro-rate basis.

11. Contract/casual and daily rated workers to be regularized against the huge vacancies existing in various government offices.

12. Introduce PLB in all departments. All existing bilateral agreement on PLB must continue to be in operation.

13. Revise the pension and other retirement benefits as under:-

(a) Parity between the past and present pensioners to be brought about on the basis of the 7th CPC recommendations with the modification that basis of computation to be the pay level of the post/grade/scale of pay from which one retired; whichever is beneficial.

(b) Pension to be 60% of the last pay drawn in the case of all eligible persons who have completed the requisite number of years of service.

(c) The family pension to be 50% of the last pay drawn.

(d) Enhance the pension and family pension by 5% after every five years and 10% on attaining the age of 85 and 20% on attaining the age of 90.

(e) Commuted value of pension to be restored after 10 years or attaining the age of 70, whichever is earlier. Gratuity calculation to be on the basis of 25 days in the month as against 30 days as per the Gratuity Act.

(f) Fixed medical allowance for those pensioners not covered by CGHS and REHS to be increased to Rs.2000p.m.

(g) Provide one increment on the last day in service if the concerned employee has completed six months or more from the date of grant of last increment.

14. Exclude the Central Government employees from the ambit of the National Pension Scheme (NPS) and extend the defined benefit pension scheme to all those recruited after 1.1.2004.

15. In the absence of any recommendation made by 7th CPC, the Government must withdraw the stipulated ceiling on compassionate appointments.

16. Revise the following allowances/advances as under in place of the recommendations made by the 7th CPC:

The 7th CPC has recommended to abolish large number of allowances and interest free advances without going into the exact relevance in certain departments where the allowances are provided

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for. The allowances which are stated to be subsumed and which are clubbed with others also require consideration. If these allowances are withdrawn, it might affect adversely the very functioning of the Department itself in certain emergent situation. Of the allowances mentioned in the report for abolition, we have mentioned hereunder those pertaining to civilian employees which require to be retained.

In respect of advances the Commission appears to have taken a shylock view of the matter. Most of the under mentioned advances are required to meet out contingencies which the employees cannot manage to organize. These advances are, therefore, to be retained.

(i) Allowances

- a) Retain the rate of house rent allowance in place of the recommendation of the Commission to reduce it.
- b) Restructure the transport allowance into two slabs at Rs. 7500 and 3750 with DA thereof removing all the stipulated conditions.
- c) Fixed conveyance allowance: This allowance had no DA component at any stage. This allowance must be enhanced to 2.25 times with 25% DA thereon as and when the DA crosses 50%.
- d) Restore the island special duty allowance and the Tripura Special compensatory remote locality allowance.
- e) The special duty allowance in NE Region should be uniform for all at 30%.
- f) Overtime allowance whenever sanction must be based upon the actual basic pay of the entitled employee.
- g) Cash handling/Treasury allowance. The assumption that every transaction in government departments are through the bank is not correct. There are officials entrusted to collect cash and therefore the cash handling allowance to be retained.
- h) Qualification pay to be retained.
- i) Small family norms allowances
- j) Savings bank allowance
- k) Outstation allowance
- l) P.O. & RMS. Accountants special allowance.
- m) Risk allowance
- n) Break-down allowance
- o) Night patrolling allowance
- p) Special compensatory hill area allowance.
- q) Special allowance for Navodaya Vidhalaya Staff.
- r) Dress Allowance ceiling to be raised to Rs. 32,400/-p.a.
- s) Nursing Allowance to be raised to 2.25 times of Rs. 4800/-

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- t) All fixed Allowances to be raised to 2.25 times as per the principle enunciated by the commission
  - u) The erroneous statement in Para 9.2.5 to be corrected. Vide OM No. 13018/1/2009-Estt (L) dated 22.07.2009, DOP,P&W, the leave period for Child adoption has been increased to 180 days.
  - v) Restore the allowances abolished for the reason that it is either not reported or mentioned in the Report by the Commission

17. Advances

- w) Restore the following advances and revise the same to 3 times.
- x) Natural Calamity Advance
- y) Festival Advance
- z) LTC and TA advances
- aa) Medical advance
- bb) Education advance
- cc) Vehicle advances including cycle advance
- dd) 18. The stipulation made by the 7th CPC to grant only 80% of salary for the second year of CCL be rejected and the existing provisions may be retained
- ee) 19. 50% of the CGEIS premium to be paid by the Government in respect of Group B and C employees.
- ff) 20. Health insurance to be introduced in addition to CGHS/REHS and CCS (MA) benefits and the premium to be paid by the Government and the employee equally.
- gg) 21. Reject the recommendations concerning PRIS.
- hh) 22. Full pay and allowances to be provided for the entire period of WRIL.
- ii) 23. The conditions stipulated in clause (4) & (5) under Para 9.2.37 be removed
- jj) 24. Reject the recommendation made by the 7th CPC in Para 8.16.9 to 8.16.14 concerning dress allowance to PBOR as otherwise the five Ordinance Equipment factories under OFB will have to be closed down.

25. Set up a Group of Ministers' Committee to consider the anomalies including the disturbance of the existing horizontal and vertical relativities at the National level and Departmental/Ministry level with provision for referring the disputed issues to the Board of Arbitration under the JCM scheme.

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26. To increase the promotional avenue for technical and other supervisory staff.

## **NEWS FROM AIRF's AFFILIATES**

### **Observation of "All India Protest Day" 30.12.2015**

As per clarion call given by the All India Railwaymen's Federation (AIRF) and National Joint Council of Action (NJCA), "All India Protest Day" was observed by the affiliates of AIRF all over the Indian Railways on **30.12.2015** by holding massive demonstrations/dharnas, gate meetings, demonstrations etc. under the able-guidance of union leadership.

Addressing massive gathering, union leadership vehemently criticized retrograde recommendations of the 7th Central Pay Commission in the matter of Minimum Wage, rate of increment, abolition of certain allowances and advances, reduction in the House Rent Allowance and salary for woman employees availing second year CCL, etc. etc.

Our affiliates also lodged their strong protests against Government of India's indifferent attitude towards the working class, implementation of report of Bibek Debroy Committee, induction of 100% FDI in the Indian Railways, outsourcing/offloading, contractorisation, etc. etc. and demanded restoration of Old Pension Scheme, scrapping the NPS.

Our affiliates also handed over copy of the NJCA letter dated 10th December, 2015, containing 26-point Charter of Demands,(see website) submitted to the Cabinet Secretary, to their respective railway administrations, demanding immediate settlement of these issues.

### **NRMU (CR)**

#### **Special General Council Meeting**

**Special General Council Meeting** (SGCM) of NRMU (CR) was magnificently organized on 19th Dec. 2015 at UDUPI under the guidance and leadership of Com. **Venu P. Nair**, General Secretary, NRMU (CR).

Thousands of delegates and activists from Central Railway and KRCL were participated enthusiastically in this conference.

Decision taken by the AIRF Working Committee in favour of **INDEFINITE STRIKE** was unanimously approved by the SGCM.

In this regard, a resolution was placed and elaborately explained by Com. **Shyam Nayak**, AGS/NRMU in the SGCM for discussion and endorsement and Com. **S.P. Mishra**, Zonal Secretary, AIRF seconded the resolution effectively. All the delegates were unanimously accorded their approval with sky rocketing slogans and unstoppable applause.

In his introductory speech, Com. Venu P. Nair, GS/NRMU explained the circumstances effectively which forced AIRF/NRMU to go for striking action. Addressing to the meeting Com. Anthony D'Cruze, GS/SWRMU wholeheartedly appreciated the energetic and visionary leadership of Com. Venu P. Nair, GS/NRMU and outlined the compulsion of struggle and also expressed his commitment for the absolute unity.

Chief guest Com. Shiv Gopal Mishra, GS/AIRF elaborated the national scenario and explained

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all the vital and relevant issues and appealed to all Railwaymen to be ready for the decisive struggle. He also placed the details of proposed agitation programmes.

Within a week time of taking decision of proposed indefinite strike by AIRF working Committee on 11-12 Dec. 2015 at New Delhi, NRMU (CR) is one of the Zonal Union which got the mandatory approval of SGCM on 19th Dec. 2015 at Udupi.

### **Ambulance handed over to Matunga Workshop Employees**

In pursuance of policy and principle of humanity of National Railway Mazdoor Union (NRMU), one more unique initiative was taken by Com. Venu P. Nair, General Secretary, NRMU (CR) by handing over an ambulance on behalf of Union to the employees of Matunga Workshop which is celebrating centenary year and largest Workshop of Central Railway.

A grand, glorious and massive “Ambulance Handing Over’ ceremony was organized on 4th Jan. 2016 at east gate of Matunga Workshop with a view to present an unique live saving new year gift to 8000 employees of the Workshop.

Young, energetic and dynamic General Secretary of NRMU Com. Venu P. Nair handed over the key of Ambulance on behalf of NRMU to Shri Mahesh Kumar, CWM MTN in auspices presence of more than 4000 employees amidst unstoppable applause.

While addressing to the meeting, Com. Venu P. Nair explained the background and objectives of giving ambulance and also declared that expenses on account of fuel and maintenance for this Ambulance will be borne by NRMU and if there was any difficulty in providing ambulance driver by the administration, NRMU will take this as opportunity and ambulance driver will also be provided for the services of employees. He further declared that one more Ambulance will be given to C.Rly. Hospital Kalyan.

In his address, Shri Mahesh Kumar, CWM/MTN whole heartedly appreciated the unique and great initiative taken by the NRMU for the cause of employees and conveyed his gratitude on behalf of administration.

I am not sure about Indian Railways but in the history of Central Railway, it is the first occasion when any recognized Union has taken such a great initiative for the cause of common Railway employees.

## **NRMU**

### **Youth Convention of NRMU held at Haridwar 26.12.2015.**



Youth Convention of **Northern Railwaymen’s Union** was held at Haridwar on 26-27.12.2015, in which lots of enthusiastic youths from Northern Railway participated. Com. Shiva Gopal Misha GS/AIRF/NRMU was the Chief Guest of the Convention. Com. **S.K. Tyagi** President/NRMU chaired the said convention. Com. Mukesh Mathur GS/NWREU was Special Guest in this convention.

Com. **Shiva Gopal Mishra** urged the youths of



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Indian Railway to come forward and go for sustained struggle for their rights. He appreciated that youth are showing great enthusiasm in this convention. Com. **S.K. Tyagi** hailed the efforts of youths of Indian Railways for showing awareness towards their rights. He said that youth of today is very much advanced and know their rights and also know how to protect those.

## **WCREU**

### **13<sup>th</sup> Annual General Meeting Held At Kota 18.12.2015**

Kota, 18 December, 2015, On the occasion of AGM Com. **Shiva Gopal Mishra** GS/AIRF, Com **Mukesh Mathur** GS/NWRU, Com **H.S.Sidhu**, GS/HMS, Com. **J.R.Bhosle**, Tresurar/AIRF, were given warm welcome by thousands of union activists having garlands and union banners & flags etc.

The AGM was addressed by Com Shiva Gopal Mishra GS/AIRF, Com Mukesh Mathur GS/NWRU, Com H.S.Sidhu, GS/HMS, Com. J.R.Bhosle, Tresurar/AIRF and Com Hussain Bux, President/WCREU. They all given a clarion call to all the railwaymen to get ready for the proposed "Indefinite Strike" in first week of March,2016.

Further, Com Mukesh Galav presented annual report of the union. He also explained about the amendments in the labour laws, privatization and Anti-labour report of Bibek deb roy committee, NPS. He also briefed about the activities done by the union to protest these anti labour policies of Govt. of India and call upon the railwaymen to get ready to face anti-labour policies of the government. .Smt. Seema Kumar/DRM, Shri P K B Meshram/ ADRM, Shri H S Meena/DPO were also present on this occasion.

## **ERMU**

### **14<sup>th</sup> Blood Donation Camp**

The Hq. women's council under ERMU/Kolkata –I, had organized their 14th blood donation camp on – 8th December, 2015 with the immense co-operation of B. R. Singh Hospital, E. Rly.,at Eastern Railway Recreation club Hall. The auspicious programme was inaugurated by Com. **Chapala Banerjee**, President/ERMU.

Com. S. K. Bandopadhyay, General Secretary/ERMU addressed the blood donors as well as the organizers with a few words about the necessity of these voluntary Blood donation camps and its role to build relationship amongst the workers above the caste, creed & religion. He further added that ERMU use to perform such social activities too for the betterment of the society. 85 Voluntary blood doners took part in the camp and 81 doners were found fit for donating blood, out of which 14 were female. Office bearers have donated blood. We feel proud for this auspicious social activity.

### **AIRF'S REFERENCES TO RLY. BOARD ON STAFF MATTERS**

Sub: Simplification of procedure for verification of service – adherence to the revised format - Reg.  
Ref.: DOP&T's OM No. 18019/7/2013-Estt. (L). dated 30/09/2015

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Ministry of Personnel, PG and Pensions, DoP&T vide above cited OM (photocopy enclosed) has advised all the ministries to strictly adhere to the following:-

- (i) The record of verification of service may henceforth be maintained only in Part V of the revised format of the Service Book as per the new format prescribed by this Departments aforesaid OM of 11-03-2008.
- (ii) The exercise for ensuring completion of the entries of service verification in the Part V of the new format, in respect of employees who are retiring within five years, may be undertaken immediately, by the concerned administrative authorities and concluded within a defined time frame, as may be worked out by such authority.
- (iii) Any gap in the verification of service may be intimated to the employee concerned, and simultaneously appropriate action for ensuring verification of missing spell may be taken by the Head of Office.
- (iv) The concerned Government servant may also be informed of deficiencies and gaps as regards missing entries relating to verification of service and the period thereof.

It would be in all appropriateness that the aforementioned instructions of the DoP&T should be implemented in the Railways without any further delay.

An early action in the matter shall be highly appreciated.

(No. AIRF/24(C) Dt.: December 22, 2015)

**Sub: Verification of qualifying service after 18 years service and 5 years before retirement - Reg.**

**Ref.: Ministry of Personnel, Public Grievances & Pension's O.M.No.1/19/2013-P&PW (E) dated 16.09.2015**

Ministry of Personnel, Public Grievances & Pensions Department of Pension and Pensioners Welfare, vide above cited O.M. has directed all the ministries/department of the Government for India to strictly comply with their instructions on the subject matter.

It would be quite appropriate that these instructions of the Ministry of Personnel, Public Grievances & Pensions should be implemented in the Railways in letter and spirit.

An early action in the matter shall be highly appreciated.

(No. AIRF/24 (C) Dt.: Dec. 23, 2015)

**Sub: - Payment of Arrear of Productivity Linked Bonus to Railwaymen for the year 2014-15**

In this connection, it is mentioned that Parliament has passed the Payment of Bonus (Amendment) Bill 2015 on 22-12-2015. This Bill has a proposal to increase ceiling limit of wages from Rs. 3500/- to Rs. 7000/-. It is also worth mentioning that Railwaymen has been given Payment of PLB on Rs. 3500/- for FY 2014-15.

Since Parliament has passed the Payment of Bonus (Amendment) Bill 2015, and it has come into force on 01.04.2014, it is therefore requested that payment of arrears in respect of PLB pertaining to FY 2014-15 may be disbursed to railway employees at the earliest.

(No. AIRF/387(252) Dt: Dec. 23, 2015)

**Sub: - Crackdown on Trade Unions and Disregard for Freedom of Peaceful Assembly and Association in Korea.**

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I am writing to you as a member of the four million-plus International Transport Workers' Federation to express my grave concerns over the ongoing crackdown on trade unions including the Korean Federation of Public Services and Transportation Workers' Unions (KPTU).

I urge you to cease the serious attacks on freedom of peaceful assembly and association in your country.

In the context of what appear to be extremely regressive labour reforms, my union has been following the situation in South Korea carefully and is extremely concerned by the growing severity of union repression, involving multiple raids on union offices and investigation, arrest and imprisonment of union officers and members.

As ITF members, we recall that your government does have an obligation to respect fundamental labour rights, including the right to freedom of association as a member of the ILO, and are party to the Korea-US Free Trade Agreement and Korea-EU Free Trade Agreement.

I therefore call upon you to;

Give up the charges of sedition against trade unionists. All arrest warrants against trade unions should be immediately withdrawn; imprisoned trade unionists should be released and the charges against them dropped.

Fully guarantee the right to peaceful assembly and association in relation to upcoming protest and strike action against the labour market reforms and express our support for the demand to withdraw these reforms.

In the Pulmuone drivers' strike, release all imprisoned workers and facilitate negotiations between the union and company to find a quick and fair solution to the current dispute that guarantees safety and rights in Pulmuone's supply chain.

Thank you for your attention, I would be grateful to hear your timely comments on this important matter. (No. AIRF /31-D(G) Dt: Dec. 15, 2015)

**Sub: - Extending the facility of Internet booking in current reservations in PRS and also IRCTC upto half an hour before schedule departure of trains.**

**Ref: - Board's Commercial Circular No. 66/2015.**

The orders issued vide Board's Commercial Circular cited were implemented throughout the Indian Railways and the following difficulties are being faced by the Ticket Checking staff:

1. The PRS Counters being operated at different locations are maintaining different timing. For example PRS Secunderabad and PRS Howrah are issuing tickets up to 10 minutes before the schedule departure of the train where as the PRS NDLS is issuing tickets up to 5 minutes before the schedule departure of the train, due to which the on board Ticket Checking Staff are unable to get the supplementary booking charts.
2. Due to the above, the on board Ticket Checking Staff after checking the train are allotting the berths which are vacant as per the demand of the passengers by collecting the difference of fares, but the same berths are booked en-route through internet.
3. The Ticket Checking Staff are confirming the RAC passengers when the berths falling vacant due to getting down of passengers en-route. But, due to this new system these

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berths are also being allotted through internet and the on board Ticket Checking Staff are not aware of this due to non receipt of supplementary Charts.

4. Even because of lack of supplementary charts, the on board Ticket Checking Staff are unable to check the authenticity of the tickets booked on internet.

The board are requested to appraise the above difficulties to the concerned authorities of the board and communicate instructions to all the Zonal Railways, on the subject matter to avoid the inconvenience to Ticket Checking Staff and also the passengers.

(No.AIRF/42(i)(493) Dt: Dec. 21, 2015)

## **RAILWAY BOARD'S ORDERS**

### **Sub:- Grant of Transport Allowance @ Rs.7000/-+DA thereon to officers drawing Grade Pay of Rs.10000/- on Non-functional basis-clarification req.**

Attention is invited to Board's letter of even number dt. 12.09.2014 (RBE No.100/2014) whereby it has been clarified that the officers of organized services drawing Grade Pay of Rs.10000/- under NFU Scheme are not eligible for grant of Transport Allowance 7000/- P.M.+D.A thereon. References have been received from some of the Zonal Railways seeking guidelines as regards effecting recovery or otherwise of overpayments made to such officers due to erroneously allowing Transport Allowance @ Rs.7,000/- p.m. + D.A thereon.

2. In context of the above, it is stated that as per general principles of financial propriety, any amount paid to the employee in excess of what is due to him has to be recovered. Further, the Hon'ble Supreme Court in matter of Chandi Prasad Uniyal and Ors Vs State of Utrakhand & Ors (Civil Appeal No. 5899/2012) vide their order dt; 17.08.2012 have observed that "any amount paid/received without authority of law can always be recovered barring few exceptions of extreme hardships but not as a matter of right, in such situations law implies an obligation on the payee to repay the money, otherwise it would amount to unjust enrichment".

3. As per mandate of the rulings of the Hon'ble Supreme Court, necessary action to recover the payment made against Transport Allowance may please be taken immediately.

4. This issue with the concurrence of Finance Dte. of Railway Board.

(RBE No.145/2015.No PC-V/2010/A/TA/1, New Delhi, dated 17.11.2015)

### **Sub:- Modified ACP Scheme (MACPS) for Railway employees-clarification regarding.**

Reference is invited to para-2(i) of Board's letter of even number dated 31.01.2013 (RBE No.08/2013) regarding regulation of MACP,-scheme in cases involving unilateral transfer on own volition to a lower post in another unit/organization after earning a promotion in previous organization. This issue has been raised in PNM Forum by AIRF as item No. 26/2013 and it has been agreed to circulate DoP&T's instructions contained in para-2(i) of their OM dt. 04.10.2012 as it is. The instructions contained in para-2(i) of DoP&T's said O.M are reproduced below:-

"This Department's O.M No.35034/3/2008-Estt.(D) (Vol.II), dt. 01.11.2010 ; provides that in case of transfer 'including unilateral transfer on request', regular service rendered in previous organization/office shall be counted along with the regular service in the new organization/office for the purpose of getting financial upgradations under the MACP Scheme. However, financial upgradation under the MACPS shall be allowed in the immediate next higher grade pay in the

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hierarchy of revised Pay Bands as given in CCS (Revised Pay), Rules, 2008. "It is now further clarified that wherever an official, in accordance with terms and conditions of transfer on own volition to a lower post, is reverted to the lower Post/Grade from the promoted Post/Grade before being relieved 'for the new organization/office, such past promotion in the previous organization/office will be ignored for the purpose of MACP Scheme in the new organization/office'".

2. The instructions issued on MACP Scheme vide para-2(i) of Board's letter of even number dt.31.10.13 stands modified to the above extent.

3. This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

(RBE No.147/2015No.PC-V/2009/ACP/2.New Delhi, dated 23.11.2015)

**Sub: Admissibility of two additional increments (non-absorbable) in 5th CPC pay scales w.e.f. 01.01.96 to the Nursing staff possessing B.Sc. Nursing.**

**Ref: Ministry of Railway's letter of even number dated 28-02-2005.**

Both the federations (AIRF & NFIR) have raised the issue regarding admissibility of two additional increments to the Nursing Staff possessing B.Sc. (Nursing) qualification.

On this issue references have been received from a few Railways seeking clarification whether the Nursing staff possessing B.Sc. (Nursing) are entitled for the benefit of two additional increments after the implementation of 5th CPC pay scales w.e.f. 01-01-1996.

2. In this context it is stated that on implementation of Fourth CPC pay scales, Ministry of Health and Family Welfare in supersession of Ministry of Finance's OM dated 08-5-1975, issued OM dated 23-3-1988 issued instructions regarding grant of additional increments to Nursing Staff. The said OM provides for grant of two increments (non-absorbable) to the Nursing Staff holding Bsc. Nursing as additional qualification w.e.f.

(a) 1-10-1986 to those Nursing Staff in service who possess the Degree/Post Graduate Degree in Nursing as on that date;

(b) the date of appointment to those who possess the Degree/Post Graduate Degree in Nursing qualification, who are recruited after 1-10-1986;

(c) the date of publication of result of the Degree/Post-Graduate Degree in Nursing for those in service who acquire the Degree/Post-Graduate Degree qualification after 1-10-1986.

2.1. The OM dated 23-3-1988 of Ministry of Health and Family Welfare further stipulates that only two additional non-absorbable increments will be admissible to a nurse in a particular grade where possession of such qualifications are not required as per Recruitment Rules and that grant of these increments are subject to the condition that the concerned Nursing Staff is not required to possess the qualification, for which the increment is claimed, as a condition of employment and that they have not been allowed a higher initial pay on account of the said qualification prior to or on or after 01-10-1986.

3. Subsequently, on implementation of Fifth CPC pay scales, the aforementioned Scheme regarding grant of two additional increments to the Nursing Staff holding B.Sc. Nursing as additional qualification was reviewed and in consultation with Ministry of Health and Family Welfare, it was decided to continue the Scheme. Necessary instructions in this regard were

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issued vide Board's letter dated 28-2-2005 (RBE No. 37/2005). Evidently, the said Scheme for grant of two additional increments has continued even after 01-01-1996 without any change in the terms and conditions as applicable earlier.

4. This has the concurrence of the Finance Directorate of the Ministry of Railways.

(RBE No. 148/2015. No.PC-V /2003/1/7/6/1.,New Delhi, dated 23.11.2015)

**Sub: - Rates of Night Duty Allowance w.e.f. 01.07.2015**

Consequent to sanction of an additional installment of Dearness Allowance vide this Ministry's letter No.PC-VI/2008/I/72/1 dated 24.09.2015, the President is pleased to decide that the rates of Night Duty Allowances notified vide Annexure "A" and "B" of Board's letter No. E (P&A)II-2015/HW-1 dated 08.06.2015 stand revised with effect from 01.07.2015 as indicated at Annexure "A" in respect of "continuous", "Intensive", 'Excluded' categories and workshop employees, and as indicated at Annexure 'B' in respect of 'Essentially Intermittent' categories.

2. This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

(RBE No.149/2015.No.E(P&A)II-2015/HW-1.New Delhi, dated 23-11-2015)

**Sub: Revision of the rates of Allowance in lieu of Running room facilities, Shunting Duty Allowance, Trip Allowance and Commercial duty Allowance payable to the running staff with effect from 1-1-2014.**

**Ref: Board's letter of even no. dated 1-10-2009 &22-04-2014.**

In terms of Board's letter of even no. dated 22.04.2014, the rates of Allowance in lieu of Running room facilities, Shunting Duty Allowance, Trip Allowance and Commercial duty Allowance which were laid down vide Board's letter No. E(P&A)-11/2005/RS-34 dated 1-10-2009, were increased by 25% with effect from 01.01.2011 consequent upon increase in the rate of DA to 51%.

2. Subsequent to enhancement in the rates of Dearness Allowance to 100% w.e.f 01.01.2014, the matter has been examined and it has been decided by Board that the rates of Allowance in lieu of Running room facilities, Shunting Duty Allowance, Trip Allowance and Commercial Duty Allowance shall increase by a further 25% w.e.f 01.01.2014 over the rates laid down vide Board's letter No. E (P&A) -11 / 2005 / RS - 34 dated 1-10-2009.

3. The other terms and conditions for admissibility of Allowance in lieu of Running room facilities, Shunting duty Allowance, Trip Allowance and Commercial duty Allowance shall remain unchanged.

4. This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

(RBE No.151/2015No.E(P&A)II-2005/RS-34 New Delhi, dated 30.11.2015.)

**Sub: Clarification regarding qualification prescribed for open market recruitment to the post of Lab. Assistant, Gr.II in Pay Band of Rs.5200-20200 (Grade Pay: Rs. 2000).**

Attention is invited to Board's letter of even number dated 12.11.2011 (RBE No.225/2001) wherein qualification for direct recruitment to post of Lab. Assistant, Gr.II in Pay Band of Rs.5200-20200 (Grade Pay: Rs. 2000) has been prescribed as under:-

“Matriculation with Science, plus Diploma in Medical Lab. Technology (DMLT)”

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2. Further instructions were issued vide letter No. E(NG)II/2002/RR-1/57 dated 04/8/2006 which provided for equivalence of Certificate Course in DMLT with Diploma in DMLT subject to fulfillment of following conditions: (i) The course has been done from the institution which is recognized by a University or Technical Board of State Government/Central Government authority; (ii) The duration of the course is at least 01 year; (iii) During the course the candidate should have done the training on full time basis; and (iv) At the end of the course, there should be a system of examination which has been successfully passed by the candidate.

3. Matriculation has, however, been replaced by 12th (10+2 stage) in Science vide RBE No. 49/2015.

4. In connection with selections for the category of Lab. Assistant, Gr.II (CEN 06/2010 and 05/2012) undertaken in terms of instructions contained in para 1 & 2 above, following clarification has been sought by one of the Railway Recruitment Boards:-

(i) Whether Certificates/Diploma issuing Institutions (a) Janardan Rai Nagar Rajasthan Vidyapeeth (Deemed), Udiapur (Rajasthan); (b) Rajdhani Institution of Paramedical Technology, Alwar; and (c) S.D.M. Hospital, Jaipur are recognized;

(ii) Whether Certificate/Diploma obtained viz. BBC. in MLT (3-1/2 year), Diploma Course in MLT (2 year), One Year Certificate Course in MLT and Diploma Course (2 year) of Training in the Theory and Practical of Medical Lab. Technology (18 month as student Trainee & 6 month as Apprentice Lab. Staff) are acceptable; and

(iii) Whether Diploma/Certificate obtained through distance education/extension education are to be accepted or otherwise.

5. The matter has been examined in consultation with Health Directorate of this Ministry and accordingly instructions contained in letter No. E(NG)II/2002/RR-1/57 dated 04/8/2006 and E(NG)II/2005/RR-1/8 dated 28/8/2014 are reiterated. The same may be strictly adhered to. It has also been decided that qualification/courses which have been obtained on full time basis shall only be accepted towards the prescribed qualification and qualifications obtained through distance learning mode will not be accepted.

(RBE No. 153/2015. No. E (NG)-II/2001/RR-1/20. Dt: 7/12/2015.)

**Sub: Retention of Railway accommodation in the event of deputation of Railway officers to non-Railway PSUs / Statutory / Autonomous Bodies / Societies.**

The existing policy instructions on retention of Railway accommodation for officer proceeding on deputation to non-Railway PSUs/Societies are contained in Board's letter No.E(G) 2000 QR-1-23 dated 01.06.2001. As per these instructions Railway officers in the event of their deputation to non-Railway PSUs/Societies are eligible to retain Railway accommodation for a period of two months after which they are to be treated as unauthorized occupants.

2. The aforesaid instructions regarding retention of Railway accommodation by Railway officers on deputation to non-Railway PSUs/Societies have since been reviewed by Railway Board. In exercise of the powers vested with full Board for making reasonable relaxations in public interest in all or any of the existing provisions regarding allotment/retention of Railway accommodation and charging of rent therefor for a class/group of employees, Railway Board have now decided in partial modifications of the existing instructions that Railway officers posted to non-Railway

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PSUs/Statutory/Autonomous Bodies/ Societies on mandatory basis shall be eligible to retain Railway accommodation during the period of deputation. In such cases it shall be required that the office of Establishment Officer, Department of Personnel & Training issues a certificate that the posting of the officer concerned to PSU / Statutory/Autonomous Bodies/Society is on mandatory basis without seeking his/her option and is in public interest,

3, In cases of employees on deputation to PSUs/Statutory/Autonomous Bodies/Societies who are allowed to retain their Railway accommodation as above, the concerned PSU/Organization shall credit to the concerned Railway Unit the amount equivalent to the entitlement for the House Rent Allowance of the Railway employee availing the retention facility plus the flat rate of Licence fee prescribed by the Railway.

4. This issues with the concurrence of Finance Directorate of the Ministry of Railways.

(R.B.E.No:155 /2015,No.E(G)2015 QR1-3.New Delhi, Dated:10.12.15.)

**Sub:- Selection for the post of Ticket Examiner against 16-2/3% LDCE quota.**

As the Railways are aware, in terms of Para 189 of IREM, 16-2/3% quota of posts in the lowest grade of Commercial Clerks, Ticket Collectors, Office Clerks and other categories of Clerks like Store Clerks etc, are to be filled by promotion of Matriculate erstwhile Group 'D' employees GP Rs.1800 to GP Rs.1900/GP Rs.2000 with a minimum of two years' service in the concerned seniority unit entirely on merit on the basis of competitive examination. The minimum educational qualification to the above categories in GP Rs.1900 for direct recruitment have been revised w.e.f. 17.12.2014 as 12th (+2 stage) or its equivalent examination with not less than 50% Marks in the aggregate, 50% marks is not to be insisted upon in case of SC/ST/Ex-servicemen.

2. A question has been raised by one of the Railways whether consequent upon revision of minimum education qualification from Matriculation to 12th (+2 stage) or its equivalent examination with not less than 50% Marks in the aggregate, 50% marks should not be insisted upon in case. of SC/ST/Ex-servicemen employees promotion to the above categories in PB-1 Rs.5200- 20200 GP Rs.1900/GP Rs.2000 against 16-2/3% promotion quota or otherwise.

3. The matter has been considered by the Board. It has been decided that, while the fresh selection against 16-2/3% promotion quota may be conducted as per the clause of revised qualification in case of SC/ST/Ex-servicemen too, the existing staff eligible otherwise as on 17.12.2014 (date on which the educational qualification has been revised) with the pre-revised qualification i.e. Matriculation may also be considered to be eligible to the selection for promotion against the said quota irrespective of the fact whether they are Gen/OBC/SC/ST/Ex-servicemen as per the extant procedure.

(RBE. No. 157/2015.No.E(NG)I-2015/CFP/5. New Delhi, dated 15.12.2015)

**Sub: - Periodical transfer of non-gazetted Railway employees.**

In terms of the extant policy, Railway employees; holding sensitive posts including those who frequently come into contact with public and/or contractors/suppliers, are required to be transferred every four years.

A comprehensive list identifying such posts was also prepared and circulated to the 'Railways. All the instructions issued by Board from time to time in this regard were consolidated at



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a glance and issued to Zonal Railways & Production Units under Board's letter of even number dated 03.04.2014 (copy enclosed) for better implementation of this policy.

2. It has come to the notice that the above policy instructions/guidelines of Board not being followed in letter and spirit by some of the field units, it is therefore considered essential to re-iterate Board's policy on Periodical/Rotational transfer for strict compliance in its true spirit.

(RBE 158/2015.No.E(NG)I-2009/TR/7 dated 17.12.2015)

**Sub:- Increasing promotion quota percentage for technician III posts in Diesel/Electric Loco/EMU sheds on Indian Railways from existing 20% to 25%.**

Attention is invited to para 159 of Indian Railways Establishment Manual, Vol-I, 2009 (reprint edition), emphatically towards procedure prescribed for Diesel Electric Loco/EMU Sheds, which is filled hitherto by:

- (i) 60% plus shortfall, if any, against LDCE quota as at (iii) below by selection from course completed Act Apprentices, and ITI passed candidates in relevant trades from the open market; serving employees who are "Course Completed Act Apprentices" or ITI qualified could be considered against this quota allowing age relaxation as applicable to serving employees; and
- (ii) 20% from serving semi-skilled and unskilled staff with educational qualification as laid down in Apprentices Act; and
- (iii) 20% by promotion of staff in the lower grade as per prescribed procedure.

2. Consequent to up-gradation of required minimum educational qualification to Matriculation and demand raised by the General Secretary for increasing the Promotion quota, the matter has been examined by the Board keeping in view the changed scenario and it has been decided that henceforth posts of skilled Artisans in Diesel/Electric Loco/EMU Sheds may be filled as under:

- (i) 50% plus shortfall, if any, against LDCE quota as at (ii) below by selection from Course Completed Act Apprentices, and ITI passed candidates in relevant trades from the open market; serving employees who are "Course Completed Act Apprentices" or ITI qualified could be considered against this quota allowing age relaxation as applicable to serving employees; and
- (ii) 25% from serving semi-skilled and unskilled staff with educational qualification as laid down in Apprentices Act; and
- (iii) 25% by promotion of staff in the lower grade as per prescribed procedure.

3. Accordingly, Para 159 of Indian Railway Establishment Manual, Vol-I, 2009 (reprint edition ) is amended so far concerned with filling up the posts of Diesel/Electric Loco/EMU Sheds, as per ACS No. 231 enclosed herewith.

**Indian Railways Establishment Manual, Vol-1, 1989 (First Reprint Edition 2009) Advance Correction Slip No. 231**

**Chapter I, Section 'B', Sub-Section-III containing rules governing recruitment and training of Group 'C' staff.**

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Change the contents of 'Note' and quotas reflected for Diesel/electric Loco/EMU sheds as under :

- (i) 50% plus shortfall, if any, against LDCE quota as at (ii) below by selection from Course Completed Act Apprentices, and ITI passed candidates in relevant trades from the open market; serving employees who are "Course Completed Act Apprentices" or ITI qualified could be considered against this quota allowing age relaxation as applicable to serving employees; and
- (ii) 25% from serving semi-skilled and unskilled staff with educational qualification as laid down in Apprentices Act; and
- (iii) 25% by promotion of staff in the lower grade as per prescribed procedure.

(RBE 159/2015.No.E(NG)-2014/PM7 /1,dt. 18.12. 2015)

**Sub: Liberalized Active Retirement Scheme for Guaranteed Employment for Safety Staff (LARSGESS) – Inclusion of additional categories – PNM/ AIRF Item No. 38/2012 and PNM Item No. 14/2013.**

The following five categories in GP 1800 were brought under the purview of LARSGESS vide Board's letter of even number dated 24.03.2014:-

- (i) Electrical Power Staff working on track.
- (ii) Track Machine Staff working on track.
- (iii) Bridge Staff working on track.
- (iv) TRD Staff working on track.
- (v) PWI Khalasis working on track.

2. Pursuant to issue of the ibid instructions, the employees' Federations have been demanding removal of the term "working on track" suffixed with these categories on the ground that the same employee who has been covered under this Scheme may be working at different places at different point of time and may not always be working on track. The matter has been considered by the Board and it has been decided to delete the term "working on track" suffixed with these categories.

3. The revised instructions would be applicable from the retirement/recruitment cycle of January-June 2016 onwards.

(RBE No.160/2015.No. E(P&A)-2010/RT-2.dated 18.12.2015)

**Sub: Clarification regarding grant of CTG.**

**Ref: East Central Railway's letter No; ECR / Fin /Admin / CTG / Gaz dated 19.10.2015.**

A doubt has been raised by one of the Railways whether reimbursement of expenditure towards transportation of personal effects by road in addition to 100% CTG is admissible when employees do not avail Kit Pass.

2. It is clarified that vide Board's letter No. E (W) 2004/PS-5-9- . 8.2011, personal effects and transportation of car have been per road on reimbursement basis to the place of posting in case of transfer of settlement after retirement. This entitlement is in addition to CTG as per rates prescribed in Board's letter No. F (E)/2011/AL-28/26 dt. 14.02.20 F~)i/2008/AL-28/15

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dt. 29.12.2010 and F(E)I/2011/AL-28/18 dated 13.0~0 .04.2014.  
3.This disposes off East Central Railway letter dated 19.10.2015.

(RBE no.161/2016.No. F(E)I/2015/AL-28/57,03.12.2015)

**Sub: Representation from Railway servants on service matters – reiteration of instructions – regarding.**

Attention is invited to Railway Board's letter no. E(D&A) dated 25.05.2010 whereby copies of Railway Board's earlier instructions and Department of Personnel and Training's Office Memoranda on the above subject were circulated on the Railways.

2. In this regard, Department of Personnel and Training has issued O.M. No.11013/08/2013-Estt. (A-III) dated 31.08.2015, reiterating the earlier instructions issued in this regard. Rule 3(1)(iii) of the Central Civil Services (Conduct) Rules, 1964 referred to in para 3 of the O.M. dated 31.08.2015 corresponds to Rule 3(1) (III) of Railway Services (Conduct) Rules 1966. The Department of Personnel and Training's O.M. dated 06.06.2013, referred to in para 1 of their of their above O.M. is available at their website 'persmin.nic.in/DOPT.asp' under 'OMs & Orders – 'Vigilance' – 'CCS(Conduct) Rules'.

3. It is reiterated that all concerned are required to strictly comply with the aforesaid instructions and violation(s) may entail suitable action.

**OFFICE MEMORANDUM**

The undersigned is directed to refer to O.M. of even number dated 6th June, 2013 wherein instructions have been issued on submission of representation by Government servants about their service matters. In spite of these instructions, it has been observed that Government servants including officers/ officials of para military forces and Army personnel continue to represent directly to the Prime Minister, Minister, Secretary (P) and other higher authorities directly.

2. As per the existing instructions, wherever, in any matter connected with his service rights or conditions, a Government servant wishes to press a claim or to seek redressal of a grievance, the proper course for him is to address his Immediate official superior, or Head of his office, or such other authority at the appropriate level who is competent to deal with the matter in the organisation.

3. Such submission of representations directly to other authorities by passing the prescribed channel of communication has to be reviewed seriously and appropriate disciplinary action should be taken against those who violate these instructions. This can rightly be treated as an unbecoming conduct attracting the provisions of Rule 3(1) (iii) of the Central Civil Services (Conduct) Rules, 1964. It is clarified that this would include all forms of communication including through e-mails or public grievances portal etc.

4. Attention in this connection is also invited to the provision of Rule 20 of CCS (Conduct Rules, 1964 prohibiting Government servants from bringing outside influence in respect of matter pertaining to his service matter. Representation by relatives of Government servant is also treated as outside influence as clarified vide MHA OM No.F.25/21/63~Estt.(A) dated 19.09.1963.

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5. It is reiterated that these instructions may be brought to the notice of all Govt. servants including officers/ officials of para military forces and member of armed forces and action taken against those who violate these instructions.

(RBE No.162/2015.No.E(D&A) 2015 GS1-6,29.12.2015)