

RAILWAYS TECHNICAL SUPERVISORS ASSOCIATION

(Estd. 1965, Regd. No.1329, Website <http://www.irtsa.net>)

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No. IRTSA/ Memo/Classification/ 03-10

Dated: 21.02.2010

**The Chairman, Railway Board,
Rail Bhawan, New Delhi.**

Dear Sir,

Sub: Appeal for Classification of posts in Group-B gazetted - of Senior Section Engineers/ Section Engineers, CMT Staff & Stores Engineers in the Grade pay of Rs.4600 (in pre-revised scale of Rs.6500-10500 & Rs.7450-11500)

Ref: RBE No.5/2010, No.PC/VI/2009/II/RSRP/4, dated 08/01/2010.

We draw the kind attention of the Railway Board to the long pending demand of the cadre of Technical Supervisors / Engineers of all technical departments, for classification of their posts in Group B (Gazetted) - which are presently in the Grade pay of Rs.4600 (pre-revised scale of Rs. 7450-11500 and in Rs. 6500-10500). We extremely regret that the Railway Board has once again ignored the rightful aspirations of this cadre vide their orders cited above – causing much frustration and perpetrating the injustice to them. In this regard we very humbly draw the kind attention of the railway Board towards the following facts:

1. Vast majority of Technical Supervisors / Engineers of all technical departments remain and retire in the supervisory cadre in-spite of vast experience and expertise for over 25 to 30 years including the JEs (Junior Engineers) and SSE (Senior Section Engineers) even though they can be valuable assets to the administration by holding gazetted posts.
2. Almost all employees in Railways get nearly 5 to 6 promotions in service, only this category joining as supervisor and retire as supervisor, in 95% of cases they will be finding only one regular promotion inspite of 3 years Diploma in Engineering as qualification & 1&1/2 years of Training for Junior Engineers and BE / Graduate in Engineering as qualification and 1 year training for SE/SSE (Section Engineers / Senior Section Engineers). Considering their qualifications, training and important role as first level managers and multiple activities assigned to their job, it is sad that in their service most of them do not reach at least the base level of gazetted cadre.
3. a) Railways have the lowest ratio of Gazetted posts in Group A & B vis-à-vis Group C & D in comparison to all other Departments of Central Government. *(Please see Annexure-I).*
b) This is not only the root cause of all the stagnation & frustration amongst the Technical Supervisors on the Railways but it is also an impediment in effective execution administrative policies & plans due to lack of executive powers of the Technical Supervisors who are the 'spot managers. This is bound to have an adverse impact on the efficiency and safety on the Railways, as has been mentioned variedly by all the Railway Accident Inquiry Committees as well as by the Railway Reforms Committee.
4. CAT New Delhi in the O.A. NO: 835 OF 1989, T.A. NO: 199, *Indian Railways Technical Supervisors' Association (Petitioner) Versus Union of India (Respondent)* directed that the respondents to reconsider the matter of placing the members of the Association in the Grade of Rs.2000-3200 and Rs.2375-3500 in Group-B as has been done in the case of other Government servants like Accounts Officers (Rs.2375-3500) on Railway and Stenographers Grade Rs.2000-3200 in the Central Secretariat in the same scales within a period of four months from the date of receipt of a copy of the judgement. *Extracts from the Judgement of CAT/New Delhi – Annexure-II*
5. But unfortunately, the Railways did not accept either the recommendations of the Railway Accident Inquiry Committees or the Railway Reforms Committee; nor did it accept the spirit of the said

judgement of the CAT. IRTSA represented this issue several times over the years and persuaded the Railway Board but the Railway Board did not concede.

6. At one stage in 2002, the Railway Board agreed to concede the demand, at least partially, by upgrading all the posts in scale Rs.7450 – 11500 to Group-B gazetted but the Board wished for reduction of streams, so that the selection procedure becomes easier. But the matter did not proceed further from there onwards.
7. Recommendations of the Pay Commissions: Third, Fourth and Fifth Pay commissions had recommended for up grading the posts in the scale the maximum of which was Rs 9000 or more (i.e. at least all the posts in pre-revised scales of Rs.6500 – 10500 and Rs.7450- 11500) to Group B.
Details in Annexure - III
8. Subsequently the Government of India accepted the recommendations of the above Pay Commissions and directed all Departments of the Government to upgrade the posts to Group B Gazetted.
DOP's order in Annexure – IV
9. All Departments of Government of India including Ministry of Defence (except Railways) have implemented the DOP's order and upgraded all the posts in the pre-revised scale Rs.7450 -11500 and Rs.6500-10500 as Group-B gazetted posts.
10. Technical Supervisors of Civil Engineering, Mechanical, Electrical and Signaling Departments are responsible for Train Operations, movement of goods and acquisition, maintenance and continuous improvement of rolling stock and locomotive fixed assets. Their duties and responsibilities include safe running of trains, maintain highest order of safety, failure-proof maintenance of track, Bridges, locomotives, coaches, wagons, signaling system, and overhead equipment etc.
11. Indian Railways has been continuously upgrading its technology in train operations and maintenance, not only to provide services at the minimum cost but also to compete with other modes of travel e.g. road transport, low budget airlines etc. For this purpose continuous induction of new technology is introduced and continuous improvements are being made in the existing technology.
12. Technical Supervisors being the first level of management and control in the field have to update their knowledge and skills and acquire new ones to adopt the new technology and train/guide the staff working under their control for safe and efficient induction of new technologies in the Railway system.
13. The decision of not granting Group-B Gazetted status to the Senior Supervisors in Railways is the main cause of panic, dejection and frustration of the entire Technical Supervisor Cadre whose promotion channels in the present pattern is very bleak.
14. With virtually no career planning and hardly any avenues of promotion even till retirement, no new recruits with merit will aspire to join the railways as Technical Supervisor. This will become a major handicap for railways in the future thereby adversely affecting safety and efficiency on the Railways.
15. We therefore very humbly request the Railway Board for classification in Group B (Gazetted) of all the posts of Technical Supervisors / Engineers of all technical departments, - which are presently in the Grade pay of Rs.4600 (*pre-revised scale of Rs. 7450-11500 and in Rs. 6500-10500*) and render justice in the larger interest of both administration and the staff concerned

Yours faithfully,



Harchandan Singh,
General Secretary, IRTSA

1. Member Staff, Railway Board, Rail Bhavan, New Delhi
2. Member Mechanical, Railway Board, New Delhi
3. Member Electrical, Railway Board, New Delhi
4. Member Engineering, Railway Board, New Delhi
5. Advisor Industrial Relations, Railway Board, New Delhi.
6. Secretary (Establishment), Railway Board, Rail Bhavan, New Delhi.
7. Executive Director Pay Commission, Railway Board, Rail Bhavan, New Delhi.

**COMPARATIVE NUMBER OF GAZETTED POSTS ON RAILWAYS &
OTHER DEPARTMENTS**

S.N	Ministry / Department	%Group A	% Group B	% Group C	% Group D
1	Ministry of Agriculture	6.0	7.5	39.1	47.4
2	Ministry of Chemical and Fertilizers	18.2	30.8	29.8	21.2
3	Ministry of Civil Aviation	11.7	11.0	43.4	33.8
4	Ministry of Coal	10.5	19.7	45.6	24.2
5	Ministry of commerce and Industry	11.8	17.8	47.9	22.6
6	Ministry of Communication and Information Technology	1.7	3.7	76.9	17.7
7	Ministry of Consumer Affairs Food and Public Distribution	17.1	28.8	32.2	21.9
8	Ministry of Corporate Affairs	33.3	34.4	21.1	11.2
9	Ministry of Culture	1.2	2.9	60.7	35.3
10	Ministry of Defence	2.7	5.5	49.8	41.9
11	Ministry of Development of North Eastern Region	18.9	10.1	42.0	29.0
12	Ministry of Earth Sciences	6.2	30.1	38.7	25.0
13	Ministry of Environment and Forest	12.8	8.1	53.7	25.4
14	Ministry of External Affairs	16.4	32.3	35.1	16.2
15	Ministry of Finance	9.1	38.6	32.9	19.4
16	Ministry of Food Processing Industries	31.2	26.4	26.4	15.9
17	Ministry of Health and Family Welfare	11.6	7.6	41.8	39.0
18	Ministry of Industry & Public Enterprises	17.4	30.0	29.4	23.2
19	Ministry of Home Affairs	2.0	3.0	87.4	7.6
20	Ministry of Human Resource Development	15.3	33.2	31.2	20.3
21	Ministry of Information Broad casting	6.4	20.0	48.3	25.4
22	Ministry of Labour and Employment	14.4	18.7	47.1	19.8
23	Ministry of Law and Justice	13.7	28.8	33.5	24.0
24	Ministry of Micro, Small and Medium Enterprises	12.7	18.1	46.1	23.1
25	Ministry of Mines	18.5	54.9	4.4	22.2
26	Ministry of Minority Affairs	34.4	34.4	18.8	12.5
27	Ministry of New and Renewable Energy	24.6	20.6	35.2	19.6
28	Ministry of Overseas Indian Affairs	20.6	33.3	32.4	13.7
29	Ministry of Panchayati Raj	21.2	25.9	37.6	15.3
30	Ministry of Parliamentary Affairs	9.3	31.8	38.8	20.2
31	Ministry of Personnel, Public Grievances and Pension	11.9	12.4	64.3	11.5
32	Ministry of Petroleum and Natural Gas	14.5	38.2	25.3	22.0
33	Ministry of Planning	26.2	25.6	23.3	25.0
34	Ministry of Power	29.2	28.0	28.2	14.5
35	Ministry of Railways	0.6	0.5	61.9	37.0
36	Ministry of Rural Development	16.7	36.3	29.4	17.6
37	Ministry of Science and Technology	4.8	7.6	48.3	39.3
38	Ministry of Shipping, Road Transport and Highways	11.3	15.1	45.5	28.1
39	Ministry of Social Justice & Empowerment	15.8	36.8	30.0	17.4
40	Ministry of Statistics and Programme Implementation	7.3	24.3	56.4	12.0
41	Ministry of Steel	16.8	41.6	29.2	12.4
42	Ministry of Textiles	4.3	10.0	63.8	21.8
(Continued)					

ANNEXURE – I (Continued)					
COMPARATIVE NUMBER OF GAZETTED POSTS ON RAILWAYS & OTHER DEPARTMENTS (CONTD.)					
43	Ministry of Tribal Affairs	26.2	38.9	23.0	11.9
44	Ministry of Urban Development	4.5	13.0	59.3	23.2
45	Ministry of Water Resources	11.9	16.1	45.9	26.1
46	Ministry of Women & Child Development	11.5	20.3	42.4	25.9
47	Ministry of Youth Affairs and Sports	9.3	27.1	44.7	18.9
48	Department of Atomic Energy	26.2	23.8	36.3	13.6
49	Department of Space	47.5	20.5	25.9	6.1
50	Cabinet Secretariat	9.2	26.5	56.5	7.8
51	Central Vigilance Commission	16.5	32.3	25.6	25.6
	Total strength in Group-A,B,C&D (33,58,049)	95,207	1,78,018	21,56,924	9,25,710
	Average (As per proportionate of total strength in Group-A,B,C&D)	2.8	5.3	64.2	27.6
	Total Strength in Group-A,B&C (24,30,149)	95,207	1,78,018	21,56,924	
	Average (as per total in Group-A,B&C)	3.9	7.3	88.8	
35	Ministry of Railways				
	Total strength in IR Group A, B, C & D	8285	7247	873536	521578
	Average as per total strength in Group A, B, C & D	0.6	0.5	61.9	37.0
	Total strength in IR Group A, B, & C	8285	7247	873536	
	Average as per total strength in Group A, B & C	0.9	0.8	98.3	

(Ref: Sixth Central Pay Commission Report)

A. I. (All India) - Total & Average Strength of employees & Officers

		Group-A	Group-B	Group-C	Group-D
i)	A.I. Total strength in Gr A, B, C & D (33,58,049)	95,207	1,78,018	21,56,924	9,25,710
ii)	A.I Average (On total strength in Gr A, B, C & D)	2.8%	5.3%	64.2%	27.6%
iii)	A.I. Total strength in Gr A, B & C	95207	178018	2156924	Group D Not Counted
iv)	All India Average (On total strength in Gr A, B & C)	3.9%	7.3%	88.8%	Group D Not Counted

Railways – Total & Average Strength of employees & Officers

		Group-A	Group-B	Group-C	Group-D
v)	Railways Total strength in Gr A, B C & D	8285	7247	8,73,536	521578
vi)	Railways Average (On total strength in Gr A, B & D) *	0.6%	0.5%	61.9%	37.0%
vii)	Railways Total strength in Gr A, B C	8285	7247	8,73,536	Group D Not Counted
viii)	Railways Average (On total strength in Gr A, B & C) **	0.9%	0.8%	98.3%	Group D Not Counted

EXTRACTS FROM THE
JUDGEMENT OF CAT/NEW DELHI
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. NO: 835 OF 1989

T.A. NO: 199

Indian Railways Technical Supervisors' Association - Petitioner

Versus

Union of India – Respondent

Para 11 & 12.....

11 We are clearly of the view that there exists no justification for the exception made as there appears to be no rationale behind it nor there appears any nexus with the objects sought to be achieved. It is significant that the 4th Pay Commission report has been accepted by the Govt. of India as per Department of Personnel & Training Notification dated 30th June, 1987 (even No. dated 7th July 1987); Ministry of Personnel, Public Grievances & Pension by O.M. dated 1.3.88 has placed stenographers in non-secretariat organisations by which they have been classified as Group B Gazetted. In Railway Board's letter dated 21.5.76 it has been accepted that "a post carrying a Pay Scale that of the applicants will be classified as Group 'B' subject to exceptions as may be made by the Railway Ministry".

12 In view of the above, we direct the respondents to consider the question of classification so as to do away with the anomaly of the type indicated above. Consequently it is directed that the respondents reconsider the matter of placing the members of the Association in the Grade of Rs.2000-3200 and Rs.2375-3500 in Group-B as has been done in the case of other Government servants like Accounts Officers (Rs.2375-3500) on Railway and Stenographers Grade Rs.2000-3200 in the Central Secretariat in the same scales within a period of four months from the date of receipt of a copy of this judgement. With these observations the O.A. stands disposed of finally.

There shall be no order as to costs.

Sd/-
(P.S.HABEEB MOHAMED)
MEMBER (A)

Sd/-
(RAM PAL SINGH)
VICE CHAIRMAN (J)

RECOMMENDATIONS OF THE PAY COMMISSIONS

1. **Third pay commission recommended Group 'B' (Gaz) status** to posts having the maximum of the scale not less than Rs 900 but less than Rs 1300. The pay scale of Asst.Shop Supt. (SE) at that time was Rs 700-900 and that of Shop.Supt (SSE) was Rs 840-1040.
2. **Fourth pay commission recommended Group 'B' (Gaz) status** to Central Civil Posts carrying a pay or scale of pay with maximum of not less than Rs2900- but less than Rs4000. The pay scale of Asst.Shop Supt. (SE) at that time was Rs 2000-3200 and that of Shop.Supt (SSE) was Rs 2375-3500.
3. Even though **fifth pay commission expressed a different view** in classification of staff and clubbed the above grades of Technical Supervisors also with the group of gazetted officers, the **Government issued orders** for classification of staff **on the basis of pay ranges**, which are **not implemented in Railways**. Vide letter no 13012/1/98/Estt. (1) dt 20/04/1998 and then vide letter no 13012/1/98 Estt 911 dt 12/06/1998 Department of personnel and Training instructed that the posts with the pay scale in which max. of **pay scale is not less than Rs9000 and but less than Rs 13500 be classified in Group 'B'**. The DOP letter also mentioned that the order should be implemented with in three months from the date of issue of the order.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

ORDER

New Delhi, the 20th April, 1998

S.O.332 (E) – In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution read with rule 6 of the Central Civil Services (Classification, Control and Appeal) Rules, 1963 and in supersession of paragraph 2 of the notification of the Government of India in the Department of Personnel and Administrative Reforms number S.O.5041 dated the 11th November, 1975, as amended by the notification of Ministry of Personnel Public Grievances and Pensions (Department of Personnel and Training) number S.O.1752 dated the 30th June, 1987 and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby Directs that with effect from the date of publication of this order in the Official Gazette, all Civil Posts under the Union shall be classified as follows:-

Sl.No	Description of Posts	Classification of Posts
1	A Central Civil post carrying a Pay or a Scale of Pay with a Maximum of not less than Rs.13,500	Group A
2	A Central Civil post carrying a Pay or a Scale of Pay with a Maximum of not less than Rs.9000 but less than Rs.13,500	Group B
3	A Central Civil post carrying a Pay or a Scale of Pay with a Maximum of over Rs.4000 but less than Rs.9000	Group C
4	A Central Civil post carrying a Pay or Scale of Pay the Maximum of which is Rs.4000 or less	Group D

Explanation - For the purpose of this order:-

- (i) 'Pay' has the same meaning as assigned to it in F.R.9(21)(a)(I);
- (ii) 'Pay or Scale of Pay', in relation to a post, means the Pay or the Scale of Pay of the post prescribed under the Central Civil Services (Revised Pay) Rules, 1997.

[F.No.13012/1/98-Estt.(D)]

HARINDER SINGH, Jt. Secy.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

ORDER

New Delhi, the 9th April, 2009

S.O.946(E): In exercise of powers conferred by the proviso by the to article 309 and clause 5 of article 148 of the constitution read with rule 6 of the Central Civil Service (Classification, Control and Appeal) Rules, 1965 and in supersession of the notification of the Government of India in the Department of Personal and Training number S.O.332 (E) dated the 20th day of April, 1998 and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, except as respects things done or omitted to be done before such supersession, the President hereby directs with effect from the date of publication of this order in the Official Gazette, all civil posts under Union, shall be classified as follows:-

Sl. No.	Description of Posts	Classification of Posts
1.a	A Central Civil posts in Cabinet Secretary's scale (Rs.90000-fixed) Apex scale (Rs.80000-fixed) and Higher administrative Grade plus scale (Rs.75500-80000) and	Group-A
b	A central Civil post carrying the following grade pays:- Rs.12000, Rs.10000, Rs.8900 and Rs.8700 in the scale of pay of Rs.37400-67000 in Pay Band-4, and Rs.7600, Rs.6600 and Rs.5400 in the scale of pay of Rs.15600-39100 in pay Band-3	
2	A central Civil post carrying the following grade pays:- Rs.5400, Rs.4800, Rs.4600 and Rs.4200 in the scale of pay of Rs.9300-34800 in Pay Band-2	Group-B
3	A central Civil post carrying the following grade pays:- Rs.2800, Rs.2400, Rs.2000, Rs.1900 and Rs.1800 in the scale of pay of Rs.5200-20200 in Pay Band-1	Group-C
4	A central Civil post carrying the following grade pays:- Rs.1300, Rs.1400, Rs.1600, Rs.1650 in the scale of Pay of Rs.4440-7440 in 1S scale	Group-D (till the posts are upgraded)

Advance correction slip to Indian Railway Establishment Code Vol.I (Fifth Edition- 1985)
Second reprint edition-2003.

Advance correction slip No.110

Rule 107 of Indian Railway Establishment Code Vol. I (Fifth Edition-1985) shall be substituted as under :

107. (1) With effect from 08.01.2010 subject to exceptions made in the footnotes below and also subject to such exceptions as Ministry of Railways may, by any general or special orders make from time to time, Railway Service posts shall be classified as follows :

S.No.	Description of Posts	Classification of posts
1 (a) (b)	A Railway Service post in Apex Scale (Rs.80000-fixed), Higher Administrative Grade plus scale (Rs.75500-80000) and HAG Scale (Rs.67000-79000); and A Railway Service post carrying Grade Pay Rs.10000, Rs. 8900 and Rs.8700 in Pay Band PB-4 (Rs. 37400-67000) and Grade Pay Rs. 7600, Rs. 6600 and Rs. 5400 in Pay Band PB-3 (Rs.15600-39100) but excluding the posts falling in S.No. (2) & (3) below.	Group A (Gaz.)
2	A Railway Service post carrying Grade Pay Rs.5400 and Rs.4800 in Pay Band PB-2 (Rs.9300-34800) but excluding the posts falling in S.No. (3) below: The posts of Assistant Nursing Officer carrying Grade Pay Rs.5400, Principal/Head Master/Head Mistress (Secondary/High School & equivalent) (Basic Grade & Sr. Grade) carrying Grade Pay Rs. 5400/6600 in Pay Band PB-3 (Rs.15600-39100) and Non-functional Grade of Group 'B' Gaz. posts of various organized Railway services & RBSS/RBSSS carrying Grade Pay Rs.5400 in Pay Band PB-3 (Rs.15600-39100) will continue to be classified as Group 'B' (Gaz.).	Group B (Gaz.)
3	A Railway Service post carrying Grade Pay Rs.4600 and Rs.4200 in Pay Band PB-2 (Rs.9300-34800), Grade Pay Rs.2800, Rs.2400, Rs.2000, Rs.1900 and Rs.1800 in Pay Band PB-1 (Rs.5200-20200). The posts of S.O. (Acs) / Sr. SO (Acs), TIA / Sr.TIA and ISA / Sr. ISA (Merged grades) carrying Grade Pay Rs.4800 in Pay Band PB-2 (Rs.9300-34800), Nursing Sister carrying Grade Pay Rs. 4800 in Pay Band PB-2 (Rs.9300-34800), Matron / Chief Matron (Merged Grade) carrying Grade Pay Rs.5400 in Pay Band PB-3 (Rs.15600-39100), Primary School Teacher/Trained Graduate Teacher/Post Graduate Teacher and equivalent (Basic/Senior/Selection Grade) carrying Grade Pay Rs.4800/5400/6600 in Pay Band PB-2/PB-3 (Rs.9300-34800/15600-39100) will continue to be classified as Group 'C'.	Group C
4	A Railway Service post carrying Grade Pay Rs.1650, Rs.1600, Rs.1400, Rs.1300 in Pay Band IS (Rs.4440-7440).	Group D (till the posts are upgraded)