

By Registered Post

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

RIGHT TO INFORMATION CELL

No.RTI Cell/2007/567

New Delhi, Dated: 1.8.2007

✓ Shri Harchandan Singh,
32 Phase -6,
Mohali,
Chandigarh.

**Sub: Information sought under Right to Information
Act-2005.**

Dear Sir,

Reg: - Group B - issues raised with D.O.P.

Kindly refer to your letter dated 11.7.2007, which was received in this office on 18.7.2007, seeking information under the Right to Information Act, 2005.

The requisite information regarding item No.6, 7 and 8 as received from the Directorate concerned is enclosed herewith. Information regarding item No.s 1 to 5 and 9 and 10 has been supplied by DOP & T.

In case, you are not satisfied with the information, you may prefer an appeal within 30 days as provided in the Act to the Appellate Authority viz. Additional Member (Commercial) Railway Board, New Delhi.

DA: As above.

huc
1.8.07
(B.L. Meena)
Public Information Officer
Railway Board.

Copy to: Shri N. Balaram, Under Secretary, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), North Block, New Delhi for information w.r.t. his letter No.28034/1-45/2007-Estt. (A) dated 11.7.2007

fns

No. RTI Cell/2007/567

Ref: Letter from Shri Harchandan Singh, General Secretary, Indian Railways Technical Supervisors Association, calling for certain information regarding Classification of Posts, under RTI Act, 2005.

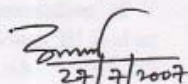
Comments on item Nos. 6 – 8

Item No. 6: DOP&T is aware that Rs.1640-2900/Rs.5500-9000, Rs.2000-3200/Rs.6500-10500 and Rs.2375-3500/Rs.7450-11500 are all Group 'C' posts in Ministry of Railways. DOP&T is also aware that their orders regarding Classification of Posts have not been implemented by the Ministry of Railways in totality. Regarding the judgement in O.A. 836/89, it is stated that the Hon'ble Court directed the respondents (Ministry of Railways) 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'. In compliance with the above directives, Ministry of Railways considered the matter and passed a Speaking Order dated 27.4.92 rejecting the claim of the applicants for grant of Group 'B' Gazetted status in the scale of Rs.2000-3200 and Rs.2375-3500. Later in another court case the Hon'ble CAT/Madras upheld the stand taken by the Railways and thus abstained itself from further judicial interference. Since DOP&T was not a respondent in the case, it is not known whether they are aware of the Court's decision or not.

Item No. 7: Having regard to organizational imperatives and operational and functional efficiency of the Railway system, it has not been possible to implement the directions relating to classification issued by DOP&T in totality. A detailed proposal giving reasons for non-implementation of DOP&T's orders including special peculiarities in respect of Classification of Posts in the scale Rs.7450-11500 as Group 'C' instead of Group 'B' was sent to DOP&T vide Ministry of Railways' I.D. Note dated 11.1.1999 (copy enclosed). No reply/opinion of DOP&T in this regard has been further received in this Ministry.

Item No. 8: In the OM dated 12.6.98, DOP&T had advised that specific reasons for not implementing the orders dated 20.4.98 regarding Classification of Posts may be conveyed to DOP&T. In compliance with the above advice, Ministry of Railways had, accordingly, sent the requisite proposal to DOP&T vide I.D. Note dated 11.1.1999 ibid.

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27/7/2007
S.O/PC-V

Copy of Note sent by Ministry of Railways to DOP&T
S. No. 6
Dated 11.1.1999

Government of India (Bharat Sarkar)
Ministry of Railways (Rail Mantralaya)
Railway Board.

Sub: Classification of posts-regarding.

Will the Department of Personnel & Training, Ministry of Personnel, Public Grievances and Pensions refer to their O.M. No.13012/1/98-Estt(D) dt.12.6.98 conveying the revised classification of posts after the revision of pay scales on the recommendations of V CPC. They may also kindly refer to this Ministry's I.D Note of even Number dated 7.9.98, seeking extension in time limit for obtaining exemption from applicability of the above mentioned orders.

2. Para 4 of the O.M. dated 12.6.98 states that all posts would henceforth be classified strictly in accordance with the norms prescribed under the notification dated 20.4.98.

3. In this regard, it may be stated that the classification of posts as per norms prescribed by DOP&T would entail a considerable departure from the existing position on the Railways.. According to the DOP&T's notification, post carrying pay scale with a maximum of not less than Rs.9000 but less than Rs.13500 would be classified as in Group 'B'. This would mean that staff in the pay scale of Rs.5500-9000 (pre-revised scale of Rs.1640-2900), Rs.6000-9800 (a special grade introduced for Mail/Express Drivers under Fifth CPC scales), Rs.6500-10500 (pre-revised scale of Rs.2000-3200), Rs.7450-11500 (Pre-revised scale of Rs.2375-3500) will also be classified as Group 'B' in addition to the existing posts in Rs.7400-12000 which already constitute Group 'B'.

4. Under the existing dispensation, the group 'B' strength in Railways is about 6,300. The V Pay Commission have recommended improved pay structure for the subordinate offices, which has meant that in most of the cadres, the posts which were earlier in the grade of Rs.1600-2660 stand upgraded to the grade of Rs.1640-2900, the equivalent revised scale for which is proposed to be classified as in Group 'B'. The additional number of staff, who have been allotted Rs.5500-9000 (Pre-revised grade Rs.1640-2900), Rs.6000-9800 (the new scale allotted to Mail/Express Drivers), Rs.6500-10500 (pre-revised grade Rs.2000-3200) Rs.7450-11500 (pre-Revised grade Rs.2375-3500) after implementation of V CPC's recommendations, and who would thus be brought into the Group 'B' fold as a result of classification notified by DOP&T would be almost one lakh.

5. Since the existing Group 'B' officers in the Railways are all gazetted, and enjoy certain additional benefits, the grant of Group 'B' status to additional categories of staff is also likely to lead to demands for additional pass facilities, rest house facilities, stenographic assistance, separate office accommodation etc. Besides, placement of a very large number of Railway employees in Group 'B'

fold, would lead to diluting the primacy of position which the existing group 'B' officers enjoy in the Railways. This will result in corresponding impact in the matter of accountability leading to an overall deterioration in the functional efficiency of the system.

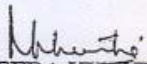
6. The proposed classification does not also make special provision for classification of Group 'B' officers of Accounts and Audit Departments in the Government, who have been placed in the selection grade of Rs.2200-4000 (Revised grade Rs.8000-13500), without being accorded group 'A' status. Since placement of officers in group 'A' requires concurrence of UPSC, classifying such Accounts Officers in Group 'A' will lead to procedural complications, and will defeat the very purpose of providing the benefit of selection grade in these cadres.

7. Further, if the Ministry of Railways were to adopt the directives of DOP&T in the matter of classification, this would necessitate certain administrative requirements being met with regard to recruitment rules etc., and the same may not be conducive to efficient functioning of the Railway system. Specifically, in terms of orders issued vide DP&AR O.M. No.AB-14017/15/84-Estt.(RR) dated 18.08.1984 issued by DOP&T, it is mandatory for all departments/Ministries to obtain the approval of UPSC for framing and amending recruitment rules for all Group 'A' & 'B' posts services. These instructions have been further amplified through their letter No.AB-14017/12/87/Estt(RR) dated 18.03.1988, which stipulates that recruitment rules for Group 'A' & 'B' posts/services as approved by the administrative ministry/department, should be referred to DOP&T for clearance. The proposals in this regard have to be accompanied by detailed information related to recruitment rules for feeder posts and higher posts, sanctioned strength of the posts for which rules are being framed as also of the lower and higher posts etc. After DOP&T's concurrence, the administrative ministry/department is required to refer the draft recruitment rules to UPSC.

8. Such a process would constitute a serious impediment in the process of framing recruitment rules and filling up posts at various levels. In the present day scenario, General Managers of the Zonal Railways have substantial authority in these matters and can frame recruitment rules/AVC for most of the categories now sought to be brought under Group 'B' fold. Any requirement to consult DOP&T and UPSC would necessitate uniformity of Recruitment Rules and Avenue of promotions across the railways and would take away the flexibility of approached that exists today. Since amendment to such centrally determined RRs and AVCs would also require clearance of DOP&T and UPSC, delays in filling up posts would inevitably take place, leading to erosion of functional and operational efficiency of the system.

In view of above position explained above the adoption of the classification as indicated vide your O.M. dated 12.6.98 will create administrative difficulties.

Accordingly, after detailed examination of the matter, it has been decided by the Ministry of Railways that the revised classification should not be adopted for the Railway Staff and officers in its totality and the classification of posts in Group 'B' should continue on the presently existing basis. It is, therefore, requested that Ministry of Railways may be permitted to maintain statusquo and given relaxation from the application of the gazette Notification dated 20.4.98 to the extent indicated above.


(NEERA KHUNTIA)
Director, Pay Commission,
Railway Board.

20/11/99
14/11/99

Kind attention: Smt. Bhavani Thyagarajan, Director(JCA)
Ministry of Personnel, Public Grievances & Pensions (Deptt. of Personnel & Training)
Ministry of Railways (Railway Board) LD.No.PC-V/98/1/2/1 dated 11.1.99. ✓

निर्देश (रेलवे) संख्या
ISSUE (B) 18/11/99
18/11/99
18/11/99