

# Voice of Rail Engineers

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**INDIAN RAILWAYS TECHNICAL SUPERVISORS ASSOCIATION**

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## IRTSA HOLDS DHARNA IN FRONT OF BARODA HOUSE, NEW DELHI

On 15.3.2011 IRTSA organized a highly successful dharnas in front of Baroda House New Delhi between 10.00 hours and 14.00 hours. Technical Supervisors/Rail Engineers from all parts of the country participated in large numbers.

Sri.M.Raghaviah, General Secretary in his inaugural speech assured the community of Technical Supervisors his full support and persuasion with respective authorities in getting the genuine demands like Grade Pay up-gradation, Career growth, MACPS anomalies, Pre-revised scale of Rs.7450-11500 to CMA-I on par with Technical Supervisors, Incentive to Cadre to PCO staff, Anomaly of Drawing cadre I MACPS, etc.

Com.Shiva Gopal Mishra, GS/AIRF, in his address assured the Technical Supervisors/Rail Engineers all the support from the Federation. He appreciated the extraordinary spirit shown by the Technical Supervisors/Rail Engineers in highlighting their demands and wished all success.

Earlier, Er.M.Shanmugam, Central President, IRTSA in his speech urged the Railway Ministry to send a separate proposal in upgrading the grade pay of Technical Supervisors/Rail Engineers to the Finance Ministry instead of putting all the proposals in a single bandwagon. He said that Technical Supervisors/Rail Engineers are being humiliated continuously and they are being forced to take the decision of returning their Degree/Diploma certificates or burning the copies of them and requested the Railways/Government to take the correct action of accepting the just demands of Technical Supervisors/Rail Engineers.

Er.Harchandan Singh, General Secretary, narrated the main demands of Technical Supervisors / Rail Engineers including removal of Anomalies created after Sixth Pay Commission in the Grade Pay of Junior Engineers, Senior Section Engineers, C&M Engineers, Store Engineers and IT Engineers of the Railways; additional Staff or Honorarium / Compensatory Allowance / Incentive for additional workload to Open Line Depots, Sheds, C & M Labs and Stores etc.; exemption of all Allowances from Income Tax – as recommended by Fifth Pay Commission; immediate merger of 50% DA; and revision of wages of Central Government employees every 5 years - as in PSUs. Memorandum contained all the main demands of IRTSA and justification thereof.

Memorandum of demands – including the on Plight of Graduate Engineers, IT Engineers and PCO cadre Engineers were also handed over to the General Secretaries of the Federations.

K.V.Ramesh, Zonal Secretary/ICF moved the resolution which was passed unanimously. Earlier, Abdul Salam, Zonal Secretary/S.Rly, R.B.Singh, Zonal Secretary/WR, Goutham Maji, Zonal Secretary/CLW, R.K.Ponday, Zonal Secretary/NER, Kushal Kumar, Zonal Secretary/RWF, Rajendeer Singh Ankee, Zonal Secretary/DMW, Tamil Maran, Working President, S.Rly Dharsan Lal, President/RCF, Kalyan Banerjee, Working President/CLW, Dayalan, Secretary/Drawing/S.Rly and others spoke on the occasion.

## GS IRTSA MEETS Member Staff, Addl MS & Advisor/IR Railway Board

On 16<sup>th</sup> March, Er.Harchandan Singh, GS/IRTSA and Er.K.V.Ramesh, Zonal Secretary/ICF & ACT met Member Staff, Additional Member Staff, Advisor/IR and other officials to highlight the growing frustration among the Technical Supervisors/Rail Engineers.

In their discussion they highlighted Main demands of the Technical Supervisors / Rail Engineers including removal of Anomalies created after Sixth Pay Commission in the Grade Pay of Junior Engineers, Senior Section Engineers, C&M Engineers, Store Engineers and IT Engineers of the Railways and requested grant of GP Rs.4800 to JE/CMA/DMS & GP Rs.5400 to SSE/CMS/CDMS, additional Staff or Honorarium / Compensatory Allowance / Incentive for additional workload to Open Line Depots, Sheds, C&M Labs and Stores, withdrawal of uniform date of increment, uniform training period of one year to all App. Junior Engineers, inclusion of training period for the benefit of MACPS, Grant of Group-B status and combined cadre restructuring for Group-A, B and C, removal of anomalies in the MACPS including that of Design and Drawing Engineers. IRTSA delegation particularly urged upon the Railway Board to send a separate proposal to Ministry of Finance for Technical Supervisors / Rail Engineers in upgrading their Grade Pay.

Member staff, Additional Member Staff and Advisor/IR gave a patient hearing and assured to look into the issues raised.

### Units! Send Central Quota & Struggle Fund

Through Bank Draft in favour of "IRTSA" to:  
Central Treasurer IRTSA, Er O. N. Purohit, 106, Suraj Nagar,  
Jodhpur-342008 (Ph: 09828024476 & 02912713123)

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**"SUCCESS COMES TO THOSE WHO BELIEVE"**



**EDITORIAL****AN APPEAL TO MOF AGAINST  
SERIOUS INJUSTICE WITH CHEMICAL  
AND METALLURGICAL SUPERVISORS**

IRTSA has been constantly seeking justice from the Government and the Ministry of Railways regarding the Grade Pay granted after the Sixth Pay Commission to the Technical Supervisors and the **C&M Supervisors** on Railways. IRTSA has now taken up both these issues with Minister of Finance as justice had not so far been done to them, in spite of numerous representations at all levels.

C&M Supervisors ensure effective quality control and safety on Railways. Railway Board Management Services has considered C&M Organisation as the back bone of entire Quality Control and preventive maintenance exercise of all Engineering departments.

It is regretted that the higher qualifications, duties, responsibilities and accountability that are linked directly to the safety of train operations were not considered while deciding their pay band & grade pay.

Common bunching of pay scales equated pay scale / Grade Pays of C&M Supervisors with the categories earlier in lower scales than them. Pay scales of categories - which were previously in lower pay scales - were placed even two Grade Pays above the C&M Supervisors. The category of C&M Supervisors which was in the highest pay scale among all Group-C employees has been humiliated by being placed in lower Grade Pay than the categories, which do not shoulder as much responsibilities as the C&M Supervisors.

CMAs have unjustly been given the same Grade Pay of Rs 4200 at par with Master Craftsman / Senior Technicians – even though CMAs have higher qualifications of MSc/BE. This has greatly disturbed the relativity and undermined both their qualifications as well as the nature of their work – particularly since Recruitment qualifications of CMA-II (Pre-Revised scale of Rs.5000-8000) are BSc (Chemistry). Recruitment qualifications of CMA-I (Pre-Revised scale of Rs.5500-9000) Engineering Degree (Chemical / Metallurgy) / MSc (Chemistry). Trainee CMAs are given intensive practical & theoretical training for 1 year in CMT Laboratories in Workshops, Sheds, Depots & PUs.

Their multifarious jobs include Testing of materials and components for Mechanical / Metallurgical properties and Chemical compositions, Testing of Paints used for corrosion prevention on Rolling stock & other useful assets, Testing of Oil, Grease, Coolants & other Lubricants in Production Units/Diesel Sheds for proper running of Locomotives, Testing of Welding Consumables & Evaluation of Welders, Process control of welding of Bogie frames, Under-frames, Shell etc. at Shop Floor for Conventional, Export and LHB coaches, Radiographic testing of Welds (Critical joints), Castings, Forgings etc. , Ultrasonic Testing of Wheel & Axle during manufacture & service, Inspection (MPI) of Spring Steel bars & Springs, Process control in heat-treatments of Coiled Springs, Inspection & certification of components besides Carrying out failure analysis of components used in Rolling stock and advising necessary corrective and preventive action to avoid such premature failure. Further, they control monitoring of - environment around work-premises to comply with the Standards of Environment Management system (ISO14001/2004) and Occupational Health & Safety.

CMAs and CMAs are responsible for Timely testing of Materials and effective control of Processes to achieve Production targets and schedules of Rolling Stock etc. Procurement and maintenance of Stores, Inventory control and Material management, Optimum utilization of Men and Material Resources & Safety through intensive Supervision and Quality Control. Ensure Staff discipline, holding inquiries and effective house-keeping, Human Resource Management and maintenance of Industrial peace through redressal of on the spot and day-to-day grievances of staff.

It is unfortunate that both 5th and 6th pay commissions had undermined the significance and sensitiveness of the work content of the C&M Supervisors, their duties, responsibility and accountability in the system. Many decisive factors and criteria like 'higher professional qualifications', 'greater responsibilities', 'efficiency' as well as accountability towards 'public safety' of the Railways were just ignored by the Fifth Pay Commissions which placed them at par with other supporting non-technical staff. The Sixth Pay Commission had placed the C&M Supervisors even below the supporting staffs like the Accounts Staff, Teachers and Nurses - which were in the lower pay scales all through, but were placed even two grades higher than the C&M Supervisors, thereby not only disturbing the existing relativity but even seriously hurting their dignity and status.

Indian Railways has been continuously upgrading its technology in train operations and maintenance. For this purpose continuous induction of new technology is resorted to and improvements are being made in the existing technology. C&M Supervisors have to update their knowledge and skills and to acquire new ones to adapt to new technology and not only guide / train the staff working under their control for safe and efficient induction of new technologies but also to effectively execute the same.

If the pay scales / Grade Pay of this vital category of C&M Supervisors which is having responsibility in safe and efficient running of trains, are kept lower than that of pay scales of the categories like Accounts Staff which are having supportive roles, it is bound to adversely affect their efficiency and in turn that of the Railways. Continuous erosion of their real wages, lack of adequate avenues of promotion and non-redressal of their genuine problems. This humiliation is bound to create negative consequences if not redressed immediately.

It is regretted that even the recommendations of the Departmental Anomalies Committee of Ministry of Railways to the Ministry of Finance – made as long back as in 2009 - had not so far been accepted by the by the Ministry of Finance regarding the Grade Pay of C&M Supervisors and for some other categories of Indian Railways. The apathetic attitude of Railways / Government has created severe heartburn which needs to be addressed early.

It is imperative that CMAs in the Grade Pay of Rs. 4600 be granted the Grade Pay of Rs. 5400 and CMAs in Grade Pay of Rs.4200 be granted the Grade Pay of Rs.4800

(See complete Memorandum at [www.irtsa.net](http://www.irtsa.net))

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## **PRESIDENT IRTSA MEETS FINANCIAL COMMISSIONER RAILWAY BOARD**

On 28.4.11 M. Shanmugam, Central President/IRTSA met Smt. POMPA BABBAR Financial Commissioner, Railway Board. On behalf of IRTSA he welcomed her to the high office and wished her all success. He briefed the FC about Continuous neglect of Technical Supervisors / Rail Engineers and their mounting frustration due to denial to grant Grade Pay of Rs.5400 in PB-3 to Senior Section Engineers (SSE)/CMS/CDMS & Grade Pay of Rs.4800 in PB-2 to Junior Engineers (JE)/CMA/DMS on Indian Railways.

He also handed over a memorandum on discrepancy in pay fixation of Apprentice Mechanics (Mech) selected by RRB, Chennai for ICF through single notification and seniors placed on lower pay than juniors causing frustration among them. FC assured to consider the issues raised by him.

### **GS IRTSA visits Eastern Zone**

#### **Addresses mass meetings of Engineers at Jamalpur, Kanchrapara & Asansol**

#### **Calls for mass mobilisation and effective participation in the ongoing struggle by IRTSA GS IRTSA**

Er. Harchandan Singh visited Eastern Zone in April 2011 and addressed mass meetings of Engineers at Jamalpur, Kanchrapara & Asansol. He called for mass mobilisation of Engineers on the Eastern Railway for pursuance of long pending demands. He called upon the Engineers to join the on-going struggle by IRTSA in pursuit of justice and better status for them.

A general meeting of IRTSA was held on 20th April, 2011 at Asansol where in the General Secretary IRTSA addressed the large number of Engineers of Asansol Division & CLW. He narrated the history and achievements of IRTSA and the challenges before the Rail Engineers. CEC Members from CLW (including Er Ashoke Chowdhury, Er B. K. Parshad, Er Joy Mukerjee) also addressed the Meeting along with active Members of Asansol and called for strengthening IRTSA on Eastern Railway. An Adhoc committee with following as Members was formed to launch Membership drive for the Association and hold the elections of the Divisional Executive Committee early.

Convenor: Er.C.N.Banerjee (CMA -I/MEMU CAR SHED/ASN).

Er. Shyamal Chatterjee (SSE/TRS/ASN).

Er. B.N. Chakraborty (SSE/TRS/ASN).

Er. Mehmood Ansari (JE/C&W/ASN).

Er. P.K. Samanta (JE/C&W/DURGAPUR).

Er. Prantik Mondol (SSE/C&W/ASN).

### **IRTSA HOLDS AGITATION IN FRONT OF DRM OFFICE, CHENNAI DIVISION, S. Rly**

DEMANDED CANCELING THE SUSPENSION OF Er. TAMILMARAN, VICE PRESIDENT/IRTSA AND TRANSFER OF OFFICIAL WHO DISTURB THE INDUSTRIAL PEACE.

On 28th March 2011, IRTSA conducted a mega agitation in front of DRM's office Chennai Division, Southern Railway. Supervising Engineers from Chennai division depots, office bearers from Southern Railway workshops and ICF participated in large numbers. They were condemning the arrogant and intolerable attitude of an officer whose divide and rule policy led to a major labour unrest in Chennai Division. They urged upon the DRM to cancel the suspension of Er. Tamilmaran who has been

suspended for the incident happened due to the misunderstanding instigated between two unions by the vested interests. Participants of the agitation urged upon the Southern Railway administration to considerably improve the working conditions of the Basin Bridge Coaching depot.

## **PRESIDENT IRTSA MEETS MEMBER MECHANICAL**

M. Shanmugam, Central President, IRTSA along with K.V. Ramesh, Zonal Secretary/IRTSA-ICF and other office bearers met Sri. Sanjiv Handa, Member Mechanical on 7.5.2011 during his visit to Chennai. The delegation handed over memorandum on Grade Pay and Group-B demand of Technical Supervisors / Rail Engineers. A memorandum on conditions of Coaching Depot, Basin Bridge, Chennai Division, Southern Railways was also handed over.

Power point Presentation made by IRTSA on augmenting the capacity of ICF and Southern Railway workshops in line with MR's VISION 2020 was also handed over.

### **REMEMBRANCE DAY FOR A MARTYR**

On 07.03.2011, Technical Supervisors/Rail Engineers of BBQ Coaching Depot, Gopalsamy Nagar Coaching Depot, TNPM goods yard, Tambaram Car Shed, Avadi Car Shed, Carriage & Wagon works, HQ/S.Rly and ICF participated in the silent rally organized in remembrance of Shri. Dilli Raja JE, who was run over by a train and lost his life exactly one year before, while performing his duty. The procession started in front of Chennai Central Station Manager's room and ended near the spot where the unfortunate accident happened. All the Engineers and staff participated in the procession condemned the attitude of Railways for their apathetic attitude towards Technocrats. They strongly condemned the lethargic attitude of some of the officers of Chennai Division for not taking any corrective and preventive measures to avoid the recurrence of such tragic incidents.

### **IRTSA DELEGATES MEET MEMBER (PU)**

On 30.4.2011 IRTSA delegates met Sri. Arunedra Kumar, Additional Member (PU) during his visit to C&W/PER. Er. K.V. Ramesh, Zonal Secretary/ICF, Er. Abdul Salam, Zonal Secretary/S.Rly, Er. Sunil Kumar, Secretary/C&W/PER, Er. Radha Krishnan, Vice President/ C&W/PER and other office bearers were present on the occasion. Er. K.V. Ramesh explained AM/PU about the following demands

1. Grant of Rs.4800 GP to JEs and Rs.5400 to SSEs.
2. Grant of PCO Allowance to JEs, SSEs & Staff of Production Control Organisation (PCO) in Southern Railway Workshops & ICF at par with Ex-cadre Supervisors of PCO.
3. Revision of rates of incentive bonus of SSE in workshops & Production Units - as per basic pay granted to them on financial up-gradation under MACPS.

Additional member (PU) gave a patient hearing to the delegates and assured to consider the demands favourably. Individual memorandums were also handed over to AM(PU) on the demands.

### **New Members Task Force**

Er. Syed Azmatullah - CMS/ICF - 09003149599

Er. Karunakaran, SSE/B-Shed - ICF - 09003149599

## CEC IRTSA CALLS FOR EARLY SETTLEMENT OF KEY ISSUES

Meeting of CEC IRTSA was held at Constantia Hall, YWCA, New Delhi on 15.3.2011 from 15 to 18 hours – After the Dharna & Demonstration at Northern Railway Head Qtrs, New Delhi, by hundreds of Engineers from all over India). A number of active members of IRTSA also participated in the Meeting as observers.

Meeting was chaired by Er. M. Shanmugam, Central President IRTSA. He congratulated the members for the successful Dharna and Demonstration earlier in the day at Baroda House; and for successful holding of the Protest Day at Local and Zonal levels.

Er. Harchandan Singh, General Secretary IRTSA explained the latest position of demands of IRTSA and asked for the opinion of the Members on the proposed Line of Action for further pursuance of demands – drafted by CP, GS & the Core Committee.

Three Power Point Presentations (PPP) were made on the Plight of Technical Supervisors. Er.Selvakumaran, presented a PPP on “Plight of Graduate Engineers in Railways”, Er.Abdul Salam, Zonal Secy/S.Rly presented a PPP on “Plight of Rail Engineers in the Open Line Depots” and Er.K.V.Ramesh made the presentation on “Career Progression of Rail Engineers”.

CEC appreciated that finally the long pending demand for grant of 1<sup>st</sup> Class / 2 AC pass to all JEs and others in Grade Pay of Rs.4200 - had been met after years of struggle.

CEC-IRTSA regretted that other Main demands of the Technical Supervisors had not yet been met by the Government. CEC urged upon the Railway Board and the Government to favourably consider and redress their just demands in the interest of natural justice and for greater safety, efficiency and better job satisfaction of Supervising Engineers on Railways – as per detailed Resolution attached herewith.

CEC-IRTSA resolved to observe the following action programme to highlight growing frustrations amongst the Technical Supervisors on Railways:

S.N	Day & Date	Programme	Location
1	20.5.2011 Friday	Dharna & Demonstration / “Candle Light Procession” at Zonal & Local level	Zonal / Local level
2	20.6.2011 Wednesday	Observance of Protest day with Demonstration, & Black Badges at Zonal & Local level	Zonal / Local level
3	24.8.2011 Tuesday 25.8.2011 Wednesday	a) Dharna & Demonstration at New Delhi b) Memorandums to Railway Board and Technically qualified MPs – highlighting the plight of Engineers on the Railways.	Jantar Mantar New Delhi
5	4 & 5.12.2011 -	CGB Meeting & All India Annual Conference of IRTSA	Lucknow

CEC authorized the Central President IRTSA and General

Secretary IRTSA to take necessary steps for early realization of demands and for the unity of the Engineers on the Railways for a joint struggle for the realization of the Main Demands. CEC also authorized them to issue necessary directives in this regard – for achieving the objectives.

**MEMBERSHIP & STRUGGLE FUND:** CEC- IRTSA appealed to all the Technical Supervisors / Rail Engineers to contribute Rs.1000 towards the Struggle Fund & Subscription (including Rs. 150 as Annual Subscription; Rs.50 for “Voice of Rail Engineers” ; Rs.200 as Zonal Struggle Fund and Rs. 600 as Central Struggle Fund)

### DOPT clarification on increase in certain allowances by 25% due to enhancement of Dearness Allowance w.e.f.1.1.2011.

No.12011/01/2011-Estt (allowance)

On the above mentioned subject, it is stated that consequent upon enhancement of Dearness Allowance payable to Central Government employees @ 51% w.e.f 1<sup>st</sup> January, 2011 vide Ministry of Finance, Department of Expenditure O.M.No.I(2)2011-E-II (B) dated 24<sup>th</sup> March, 2011, the following points are clarified.

- a) The annual ceiling limit for reimbursement of children Education Allowance shall be Rs.15000/- per child. Accordingly, the quarterly claim could be more than Rs.3750/- in one quarter and less than Rs.3750/- in another quarter subject to the annual ceiling of Rs.15000/- per child and Hostel subsidy shall be Rs.3750/- per month per child.
  - b) The rates of special allowance for child care for women with disabilities stands revised to Rs.1250/- per month ; and
  - c) The annual ceiling of reimbursement of education allowance for disabled children of Government employees shall be treated as revised to Rs.30,000/- per annum per child and the rate of Hostel subsidy for disabled children of Government employees shall be treated as revised from Rs.6000/- per child per month to Rs.7500/- per child.
2. These revisions are applicable w.e.f 1.1.2011.
3. These revisions shall be subject to other terms and conditions mentioned in this Department’s O.M. No.12011/03/2008 – Estt (Allowance) dated 2.9.2008 and O.M. No.12011/03/2008, dates 11.9.2008.

### “NO RETURNS” SCHEME FOR SALARIED CLASS EARNING UP TO RS. 5 LAKH - TO BE NOTIFIED

The Chairman of Central Board of Direct Taxes (CBDT), Sudhir Chandra, said that scheme to exempt salaried people earning up to Rs 5 lakh annually from filing income tax returns will be notified in the first week of June. The scheme was announced in the Union Budget 2011-12 by Finance Minister Pranab Mukherjee.

"A category of small-salaried tax payers whose net salaried income is not above Rs 5 lakh and whose tax is deducted at source by the employer who files return, will be exempted from filing returns," Chandra told reporters.

"The scheme for this category will be notified in the first week of June," he said. "But if the taxpayer is claiming a refund from the I-T department, then he will have to file the return." The scheme will provide relief to about 80 lakh people from filing I-T returns.

"A new facility has been introduced on filing of electronic returns. At the click of the mouse, a portal will open on which you can view every month how much money your employer has deducted, and whether it has been deposited in the government kitty," Chandra said.

Source- PTI

**IRTSA MEMORANDUMS TO RAILWAY BOARD****1. Subject: REVISION OF RATES OF INCENTIVE BONUS OF SSE IN WORKSHOPS & PRODUCTION UNITS - AS PER BASIC PAY GRANTED TO THEM ON FINANCIAL UPGRADATION UNDER MACP**

Ref: Railway Boarder letter No.2008/M(W)/814/38, Dated 29.10.2009, 23.02.2010 and 27.7.2010 on the subject Revision of hourly rates of incentive bonus and bonus factor of workshops and PUs.

1. We seek your kind intervention in respect of needless confusion created on account of Railway Board's Clarification dated 27.7.2010 on revision of hourly rates of incentive bonus and bonus factor.

2. As per Board's letter No. 99/M(Prod.)814/35 dated 22.5.2000 and 16.03.2004, SSEs (Senior Section Engineers) supervising the staff working on the shop floor are entitled for payment of incentive bonus at the rate of 15% of the basic pay.

3. After the implementation of SCPC recommendations Railway Board through it's letter No.2008/M(W)/814/38, Dated 29.10.2009 granted incentive bonus at the rate of 15% of revised basic pay w.e.f. 1.12.2009. Board also further clarified in its letter even no. dated 23.02.2010 that, Incentive payment should be decided on the basis of the post/designation held by the employee and the hourly rate/bonus factor corresponding to that post/designation.

4. Para 16 of annexure of MACPS order (RBE N0.101/2009, dated 10.06.2009) states that, on grant of financial up-gradation under the scheme, there shall be no change in the designation, classification or higher status.

5. However, financial and certain other benefits which are linked to the pay drawn by an employee such as HBA, allotment of Government accommodation shall be permitted. At no place it was stated that the basic pay being granted on financial up-gradation should be treated as officiating pay. For all purposes including retirement benefits except that of status, basic pay granted on financial up-gradation is being treated as regular pay.

6. But, board in it's second clarification on 27.7.2010 (on incentive bonus) advised an impracticable practice of granting incentive at flat rate of 15% of the substantive basic pay of the regular post held by SSE and not the basic pay granted to them on financial up-gradation under MACP. This is completely discriminatory and impracticable, since pay granted on financial up-gradation is not officiating pay.

7. Basic pay/Grade Pay drawn before the financial up-gradation cannot also be taken as substantive pay. This violates the basic spirit of MACPS recommendations that the benefits linked to basic pay shall be permitted in the pay granted on financial up-gradation due to MACPS.

8. **Hence it is requested that the second clarification issued by Railway Board on 27.7.2010 may please be withdrawn.**

**2. Sub: Counting of training period of Junior Engineers (JEs), Senior Section Engineers (SSEs) and other Technical non-gazetted staff for financial upgradation under ACPS/MACPS - Request for kind intervention and immediate redressal.**

Ref: 1. O.M No. 35034/3/2008-Estt. (D) Dated 19th

May, 2009 of DOP&T.

2. Railway Board's OM RBE No 101 dated 10.6.2009.

3. Railway Board's letter No.E(NG)/90/IC1/1, Dated 04.02.1991.

1. We would like to bring to your kind notice the following genuine demand of Technical Supervisors / Rail Engineers for counting of Training period for financial upgradation under MACPS, denial of which puts them in a disadvantageous position vis-a-vis the non-technical employees without training in the same Scale of Pay / Pay Band.

2. Persons selected for regular appointment in Technical departments for the posts like **Junior Engineers (JEs), Senior Section Engineers (SSEs), CMA , CMS** and other Technical posts are required to undergo training for periods varying from one year to two years before formally taking charge.

3. Training imparted to those recruited through the Railway Recruitment Boards and later absorbed as Junior Engineers (JEs), Senior Section Engineers (SSEs) on Railways is not pre-appointment training in nature (as that of the Apprentices recruited under the Apprentices Act). The Stipend paid during the training period to them is from the Revenue account and the Department of Personnel & Training (DOPT) had already decided earlier that the training period shall be counted for pensionary benefits, for issue of passes and drawal of increments, etc.

4. Non-technical employees who are not required to undergo any training even though recruited on the same date along with the Technical employees in the same Scale of Pay / Grade Pay earn their Financial upgradation through ACPS/MACPS well before the Technical Staff. This put the technical employees in a disadvantageous position vis-a-vis the non-technical employees, since the period spent in the training by the technical employees are not counted for the purpose of financial upgradation, under MACPS.

5. Railway Board's letter No.E(NG)/90/IC1/1, Dated 04.02.1991 on the subject of Counting of training period for the purpose of drawing increments, states that, in case where a Government servant has been selected for regular appointment and before formally taking charge of the post for which selected, the Government servant is required to undergo training, the training period undergone by such Government servant whether on remuneration of stipend or otherwise may be treated as duty for the purpose of drawing increments.

6. This had been implemented for the purpose of drawing increments as otherwise the concerned employee, particularly the non-gazetted in technical departments, where the training period is a long one is put to perpetual disadvantage vis-a-vis the staff in non-technical jobs who are recruited along with technical staff in the same scale of pay.

7. Non-inclusion of training period for the purpose of financial up-gradation under MACPS, discriminates the Technical employees compared to the non-technical employees recruited in the same Scale of Pay/Grade Pay in the same period, defeats the basic spirit of Railway Board's letter No.E(NG)/90/IC1/1, Dated 04.02.1991 in removing the disadvantageous position of Technical employees in getting their annual increment, pensionary benefits, pass eligibility etc.

**IRTSA Memos to Rly. Board (Continued from Page -5)**

8. As stated in Para 3 above, the Stipend paid during the training period to them is from the Revenue account and the Department of Personnel & Training (DOPT) had already decided earlier that the training period shall be counted for pensionary benefits and drawal of increments, etc.

**9. It is, therefore requested, that the training period of Junior Engineers (JEs), Senior Section Engineers (SSEs), CMA , CMS on Railways be counted as regular service for the purpose of ACPS / MACPS.**

**3. Sub: Eligibility of First class travel for JEs and others in the Grade Pay of Rs.4200 - Residential Card Pass, School Card Pass and School Cheque Pass.**

**Ref:** 1. Railway Board's Letter No. E(W)97 PS5-1/62-A dated 8.7.2003 (RBE 119/2003) ACS No. 41.

2. Railway Board's letter No. E(W)2008/PS 5-1/38 dated 6th Jan, 2011 (RBE 3-2011)

In reference to the Board's letter on revised pay limits for entitlement of Privilege Pass/PTOs, we would like to bring to your kind notice the following issue for your favourable consideration.

**1. Residential Card Pass** is issued to a Railway servant for performing rail journey from the place of residence to the place of his work.

**2. School Card Pass** is issued to each such student son/ daughter of the railway servant to commute between the station of the residence of the railway servant and the station nearest to the school/ college on production of a certificate from the recognised institution where the student is studying.

**3. School Cheque Pass** is issued to each such student son/ daughter who is dependent on the railway servant on production of a certificate from the recognised institution where the student is studying and which is away from the headquarters of the Railway servant for undertaking journeys specifically listed in a schedule.

4. Prior to the issue of Railway Board order on revised pay limits for entitlement of Privilege Pass/PTOs, (Railway Board's letter No. E(W)2008/PS 5-1/38 dated 6th Jan, 2011 (RBE 3-2011)) travel eligibility for all the three kinds of passes referred above were same as that of passes issued on privilege account. Refer Board's letter No. E(W)97PS5-1/62 (RBE No/119/2003) dated 08/07/2003 in the annexure.

5. Railway Board's orders on revised pay limits for entitlement of Privilege Pass/PTOs, in Sixth Pay Commission Scales (vide Railway Board's letter No. E(W)2008/PS 5-1/38 dated 6th Jan, 2011 (RBE 3-2011)) granted First class travel eligibility to all the employees in the Grade Pay of Rs.4200.

6. Hence, it is requested that, First class travel entitlement may please be awarded for the Residential Card Pass, School Card Pass and School Cheque Pass for all the employees in the Grade Pay of Rs.4200 as given in the case of privilege pass in same principle followed earlier.

**4. Sub: Revised Training Module of one year for Junior Engineers of Mechanical Department**

**Ref:** 1. No.E(MPP)/2009/3/12, Dated 21.12.2009 RBE 225/2009

2. RBE No.11/2009, No.E(MPP)/2009/3/16, dated 15 -01-2010.

3. RBE No.34/2010, No.E(MPP)/209/3/17, dated 23.2.2010.

1. We draw your kind attention to the following issue reg. uniform training period of one year for all the Junior Engineers of all Departments of Indian Railways - including Design & Drawing JEs.

2. Based on the Report of the Task Force under Human Resource Reforms Committee constituted to review the Training Modules for the Trainees, induction training period for the App.JEs were modified as 52 weeks (one year) instead of one and half year training.

3. The revised training module has been introduced after a detailed study, this will also ensure more productivity by the way of availability of more manpower.

4. Even though revised training modules have since been issued for Electrical, Signal & Telecommunication, and Civil Engineering Departments (vide RBE No.11/2009, No.E(MPP)/2009/3/16, dated 15-01-2010, RBE No.225/2009, No.E(MPP)/2009/3/12, Dated 21.12.2009 and RBE No.34/2010, No.E(MPP)/209/3/17, dated 23.2.2010 ); the same have not yet been issued for App. JEs of Mechanical Department.

**5. It is therefore requested that Revised Training Module with 52 weeks duration may please be issued for App. Junior Engineers of Mechanical department including Design & Drawing JEs in line with the uniform one year training period for all App. JEs.**

**IRTSA Memorandum to Minister of Finance**

**Regarding Grade Pay of Technical Supervisors (Senior Section Engineers & Junior Engineers) on Indian Railways.**

**Reference:-i) Gazette notification No.470, Ministry of Finance G.S.R. 622(E) dated 29-8- 2008**

**ii) Railway Service (Revised Pay) Rules, 2008 RBE 103 (4.09.2008), RBE 108 (11.09.2008), RBE 124 (22.09.2008).**

1. We seek your kind intervention - since we have not been able get justice so far in spite of numerous representations at various levels - in respect of serious injustice regarding the Grade Pay of Technical Supervisors on Railways – as notified vide orders cited above & by the Sixth Pay Commission.

2. It is regretted that even the recommendations of the Departmental Anomalies Committee and Priority Committee of Ministry of Railways to the Ministry of Finance – made as long back as in 2009 - had not so far been accepted by the by the Ministry of Finance regarding the Grade Pay of Senior Section Engineers & Junior Engineers and for some other categories of Indian Railways

3. Technical Supervisors, shoulder direct responsibilities of safe and efficient running of Trains through front line supervision and management of "Failure Proof" production, repair, maintenance and operation of Rolling Stock, Locomotives, Permanent Way, Works, Signal & Telecommunication systems, Overhead Equipments (OHE) and other assets and equipment on the Railways.

4. Technical Supervisors are "directly responsible" for optimizing production, quality control and safety of Trains and millions of Passengers traveling daily on the Railways. Introduction of large number of high-speed new trains, addition of new assets and introduction of new technologies and reduced manpower etc have substantially added to their duties and responsibilities

(Continued on Page – 7)



**Memorandum to Finance Minister req Grade Pay***(Continued from Page – 6)*

5. Technical Supervisors, who are the backbone of the Railway system and safety thereof, are being denied of their justifiable Grade Pay. Higher duties, responsibilities and accountability that are linked directly to the safe operation of trains were not considered while deciding their pay band & grade pay.
6. Common bunching of pay scales equated pay scale / Grade Pays of Technical Supervisors with the categories working under them. Pay scales of categories - which were previously in lower pay scales - were placed even two Grade Pays above the Technical Supervisors. The category of Technical Supervisors - which was in the highest pay scale among all Group-C employees (**as indicated in Annexure I & II**) - has been humiliated by being placed in lower Grade Pay than the categories, which do not shoulder as much responsibilities as the Technical Supervisors.
7. It is unfortunate that both 5th and 6th pay commissions had undermined the significance and sensitiveness of the work content of the Rail Engineers, their duties, responsibility and accountability in the system. Many **decisive factors & criteria like 'higher professional qualifications', 'longer training period' & 'greater responsibilities' as well accountability towards 'public safety' and 'efficiency' of the Railways were just ignored** by the Fifth Pay Commissions which placed them at par with other supporting non-technical staff. The Sixth Pay Commission had **placed the Technical Supervisors even below the supporting staffs** – thereby not only disturbing the existing relativity but even seriously hurting their dignity and status.
8. The categories like Accounts Staff, Teachers and Nurses - which were in the lower pay scales all through - were placed even two grades higher than the Technical Supervisors (**as indicated in Annexure II & III**). Worse still - the pay of categories which worked under the Technical Supervisors, were also equated to them - undermining the Supreme Court judgment that **"the pay of a supervisor cannot be equal to the person being supervised"**.
9. Indian Railways has been continuously upgrading its technology in train operations and maintenance. For this purpose continuous induction of new technology is resorted to and improvements are being made in the existing technology. The Technical Supervisors being the first level of management, control the field and have to update their knowledge and skills and to acquire new ones to adapt to new technology and not only guide / train the staff working under their control for safe and efficient induction of new technologies but also to effectively execute the the same.
10. If the pay scales / Grade Pay of this vital category of Technical Supervisors, which is having direct responsibility in safe and efficient running of trains, are kept lower than that of pay scales of the categories like Accounts Staff - which are having supportive roles – it is bound to adversely affect their efficiency and in turn that of the Railways. Continuous erosion of their real wages, lack of adequate avenues of promotion and non-redressal of their genuine problems. This humiliation needs to be removed early.
11. **Following are some of the factors contributing to the perpetration of injustice with the Rail Engineers / Technical Supervisors on the Railways:**
- i) Higher recruitment qualification, longer initial training, higher responsibilities shouldered by these categories in the core activity of Railways *have* been ignored by 6th Pay Commission & the Government while deciding the Grade Pay of Technical Supervisors (Junior Engineers & Senior Section Engineer on the Railways) - (*Details submitted in Annexure I*).
  - ii) Existing relativity has been disturbed vis-à-vis Accounts Staff & Para-Medical (Nursing Cadre) in spite of higher qualifications and longer period of training and intensive job requirements—involving public safety and efficiency of the Railways.-(*Table submitted in Annexure II*).
  - iii) Fifth CPC had denied application of multiple factor of 3.25 only to S 13 scale. If the same common multiple factor of 3.25, was applied by the Fifth CPC to the scale of SSE (S-13), they should have been given the Pay scale of Rs 8000-13500 by the Fifth CPC and consequently their grade pay should have been Rs.5400 after the Sixth CPC.
  - iv) Ratio between Minimum Pay of Group D to Minimum Pay of Senior Section Engineers had fallen from 4.28 after Third Pay Commission to only 2.63 after Sixth CPC,
  - v) Junior Engineers have at present unjustly been given the same Grade Pay of Rs 4200 at par with Master Craftsman / Senior Technicians – even though they supervise the MCM (Master Craftsman / Senior Technicians). This has greatly disturbed the vertical relativity in the cadre hierarchy and violated the law of natural justice by equating the Supervisor with the Supervised and placing the feeder and promotional posts in the same pay scale.
  - vi) Increase in Duties & responsibilities of Technical Supervisors due to modernization, introduction of high speed trains & numerous other factors have all been ignored. Including technological advancements in Railway Engineering, greater application of sophisticated skill, safety & intensive supervision by the Technical Supervisors on the Railways for production, repair and maintenance of Locomotives, Coaches, Wagons, Signaling, P-Way, Works and Bridges etc.
  - vii) Multifaceted duties & responsibilities, stringent punishments for any shortcomings, tough selection procedure that requires knowledge in all the fields of Railways were not considered.
  - viii) While for other categories the work has eased due to modernization, the duties and responsibilities of the Technical Supervisors had increased many folds.
12. It is extremely painful that not even the barest minimum concern was shown by anybody in deciding the pay of a JEs (**Junior Engineers**) and SSEs (**Senior Section Engineers**) who performs the highly responsible duty in the core activities of Indian Railways. The apathetic attitude of Railways / Government has created severe heartburn among this category which needs to be addressed early.
13. **It is, therefore, requested that, keeping in view the submissions made in the foregoing Paras:**
- a. **Senior Section Engineers in pre-revised scale of Rs.7450-11500 & presently in Grade Pay of Rs.4600 may be granted the Grade Pay of Rs 5400.**
  - b. **Junior Engineers in the in pre-revised scale of Rs.5000-8000 & Rs.5500-9000 - presently in Grade Pay of Rs.4200 - may be granted the Grade Pay of Rs.4800.**

*(For Annexure please visit website: [www.irtsa.net](http://www.irtsa.net))*

## Procedure for Refund of Excess TDS Deducted / Paid

[F.NO. 385/25/2010-IT(B)], DATED 27-4-2011

1. The procedure for regulating refund of amount paid by the deductor in excess of the tax deducted at source (TDS) and/or deductible is governed by Board circular No. 285, dated 21-10-1980.

2. Subsequent to issue of circular No. 285, new sections have been inserted under Chapter XVII-B of the Income-tax Act, 1961. References have been received by the Board regarding inclusion of these sections also for the purpose of issue of refund of excess amount of the TDS deducted/deductible.

3. In consideration of the above and in supersession of the circular No. 285, dated 21-10-1980, the Board prescribes the following procedure for regulating refund of amount paid in excess of tax deducted and/or deductible in respect of TDS on residents covered under sections 192 to 194LA of the Income-tax Act, 1961. This circular will not be applicable to TDS on non-residents falling under sections 192, 194E and 195.

4. The excess payment to be refunded would be the difference between: (i) the actual payment made by the deductor to the credit of the Central Government; and (ii) the tax deductible at source.

4.1 In case such excess payment is discovered by the deductor during the financial year concerned, the present system permits credit of the excess payment in the quarterly statement of TDS of the next quarter during the financial year.

4.2 In case, the detection of such excess amount is made beyond the financial year concerned, such claim can be made to the Assessing Officer (TDS) concerned. However no claim of refund can be made after two years from the end of financial year in which tax was deductible at source.

5. However, to avoid double claim of TDS by the deductor as well as by the deductee, the following safeguards must be exercised by the Assessing Officer concerned:

5.1. The applicant deductor shall establish before the Assessing Officer that:

(i) it is a case of genuine error and that the error had occurred inadvertently;

(ii) that the TDS certificate for the refund amount requested has not been issued to the deductee(s); and

(iii) that the credit for the excess amount has not been claimed by the deductee(s) in the return of income or the deductee(s) undertakes not to claim such credit.

5.2. Prior administrative approval of the Additional Commissioner or the Commissioner (TDS) concerned shall be obtained, depending upon the quantum of refund claimed in excess of Rupees One Lakh and Rupees Ten Lakh respectively. After meeting any existing tax liability of the deductor, the balance amount may be refunded. 6. In view of provisions of section 200A of the Income-tax Act prescribing processing of statement of TDS and issue of refund with effect from 1-4-2010, this circular will be applicable for claim of refunds for the period upto 31-3-2010.

## NEW PENSION SCHEME HAS BEEN CHALLENGED IN THE CAT-MADRAS

According to the new scheme, employees appointed on or after 01.01.2004 in the Railways would be governed by the new pension scheme which would be governed by 'Pension Fund Regulatory Development Authority' which would function under the overall control of Ministry of Finance. According to the new scheme, 10% of Pay and DA of an employee would be deducted and an equal amount would be contributed by the central government.

The entire pension scheme is being authorized through various executive orders, which cannot be done to govern the retirement benefits of government employees which has to be in tune with Articles 41 to 43 of the Constitution, alleges the application. The notifications issued by the government constituting PFRDA dated 10.10.2003 and 14.11.2008 are unconstitutional, as they have not been issued by the President of India and authenticated as required under Article 77 of the Constitution and the ordinance sanctioning this also lapsed in 2005, which renders the entire process without authority of law alleges DREU in its application.

The new pension scheme - which is mandatory to government employees - curtails them from exercising any option said V. Daniel, a Helper in Southern Railway. According to the New Pension Scheme, any citizen of India can join the Scheme and they can choose their Fund Managers or opt for different schemes whereas no such option is available to government servants.

The application also raised serious apprehension over the way in which their funds are being exposed to market risk and they cite the risk clause in the offer document of the NPS which says that "there are no guarantee on investments and investments involve risks such as trading volumes, settlement risk, liquidity risk, default risk, including possible loss of principal". The application also cited the statement of PFRDA Chairman that pension fund managers regulated by PFRDA are not giving minimum guarantee on returns in their products.

Besides seeking quashing of the notification and grant retiral benefits to all employees on par with those who joined prior to January 1994, the application sought an interim injunction against the notification and also to release family pension and gratuity to certain employees who died after the introduction of the new scheme.

The matter came up before the Madras Bench of the CAT comprising Members K. Elango and R. Satapathy. Counsel R. Vaigai advanced arguments on behalf of the DREU and highlighted how the funds of the employees are being entrusted with private players and are subjected to undue risks. She also apprised the Bench that the government as an employer cannot transfer its funds to a private player and expect him to discharge government's obligation.

After hearing the arguments on behalf of the applicant and of the central government, the Bench ordered interim relief directing the railway authorities to offer gratuity and family pension to all employees who joined after January 2004 within four weeks from the date of application and posted the matter for June 1.

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