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IRTSA FILES A CASE IN CAT CHENNAI FOR HIGHER GRADE PAY OF JE & SSE

A case has been filed by IRTSA in Chennai Bench of CAT on 29.4.2013, for grant of Grade Pay of Rs.4600 for Junior Engineers (JEs) and a Grade Pay of Rs.4800 for Senior Section Engineers (SSE) on Indian Railways - as resolved by Central General Body IRTSA, in its Meeting held on 4th & 5th December, 12 at RCF Kapurthala – as numerous Representations at various levels, had not brought in the much needed relief.

HIGHLIGHTS OF THE CASE

Original Application (OA) No 706/2013

IRTSA & Another-Vs-Union of India & Others.

IRTSA is represented by K.V.Ramesh, JGS/IRTSA

– as authorized by Central President & GS IRTSA.

A leading Advocate of Chennai High Court

K. M. Ramesh will plead on behalf of IRTSA

Hearing fixed on 12-7-2013

MAIN ARGUMENTS

1. Grade Pay granted to Junior Engineers and Senior Section Engineers are in violation of law of natural justice that “an equal cannot be over an equal” and the same are not commensurate with the duties and responsibilities shouldered by them in safe and efficient train operations.

2. While deciding the Grade Pay of Junior Engineers and Senior Section Engineers their hierarchical position, duties and responsibilities to supervise a large work force including Technicians, Senior Technicians and Clerical Staff including Clerks, Office Superintendent & Chief Office Superintendent working under them - were not considered - in complete disregard to the settled law that :

- i) An equal should not be over an equal;
- ii) Promotion’ implies advancement to a higher grade;
- iii) Supervisor should be in a scale higher than the Supervised.

3. Sixth CPC recommended that “Grade pay will determine the status of a post with a senior post being given higher grade pay. Grade pay being progressively higher for successive higher posts, the employees on promotion will get monetary benefit on promotion in the form of the increased grade pay apart from the benefit of one additional increment”. The same principle was followed by Sixth CPC by recommending the Grade Pay of Rs.2800 for Senior Technicians, below the JE Grade Pay.

4. Third Central Pay Commission kept the Apex scale of Technicians Rs.380-560 below the pay scale of Junior Engineers (then designated as Chargemen-B) granting them a scale of Rs.425-700. Master Craftsman (MCM) in the scale Rs.425-640 was introduced w.e.f. 14.2.1986 as personal post to Senior Technicians.

5. Pay scales of Rs.1400-2300 granted by Fourth Central Pay Commission to Chargeman-B (now JE), to Mistry (now Supervisors) and to MCM (now Senior technician). This resulted in hierarchal confusion, which was corrected by the Fifth and again by Sixth Central Pay Commissions to restore the vertical relativity between the JEs and Senior Technicians.

6. The correction made by the Fifth and Sixth Central Pay Commissions were each time undone by Ministry of Railways – by revising the grade of Senior Technicians at par with the Jes thus disturbing the vertical relativity between the JE and Senior Technicians who work under JEs.

7. Principal Bench of CAT New Delhi in OA No. 1527/1990 IRTSA-vs-UOI, had accepted the contention of the Petitioners and directed the respondents to consider higher pay scale to Jes as ‘an equal cannot be over an equal’. This direction was duly considered and accepted by Fifth Pay Commission while deciding the Pay scale of Jes – and it recommended a higher Pay Scale of Rs.5000-8000 for the Jes II – as against the scale of Rs.4500-7000 it recommended for Senior Technicians (Previously called MCM).

8. But later Government / Ministry of Railways upgraded the scale of Master Craftsmen (Senior Technicians) without correspondingly upgrading the scale of Chargemen (Junior Engineers/JEs).

9. Ministry of Railways tried to circumvent the problem of supervisors being placed in the same scale as that of the employees working under them; and the Railway Board through its letter No. E[NG]/I/99/PM7/3 (RBE No.31/2005), dated 22-2-2005 made the impracticable proposition that the work of Senior Technicians (MCM) in grade Rs.5000-8000 will be supervised by JE grade-I in the scale Rs.5500-9000 instead of JE-II in the scale Rs.5000-8000 – even though in actual practice the JE-II continued to supervise Senior Technicians (MCM).

(Highlights of OA on Grade Pay continued on page-3)

NOTICE

CEC - IRTSA WILL MEET AT CHANDIGARH ON 19-7-2013

See detailed notice on Page 8.

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“SUCCESS COMES TO THOSE WHO BELIEVE”



EDITORIAL

OUTSOURCING OF COACH CONSTRUCTION BY PRIVATE CONTRACTORS AT HIGHER COST SHOULD BE STOPPED

Basic management theory of outsourcing should bring the following advantages to any institution which decides to outsource its activities:

Business theory for streamlining requires finding ways to cut costs. When a contractor comes in to roll out a project, they have to bring in their own infrastructure, equipments and other things. An institution that wants to outsource its activity should not have invested heavily in-house. The problem of half of the infrastructure sitting around ideal in-house and going for outsourcing will make a situation of expenses run quit high.

In outsourcing we should get an objective viewpoint from an outsider. This is beneficial because an outsider doesn't have a motive or want anything to occur but to provide exactly what we are asking for. Outsourcing companies should be professionals and they have to come with their own skill sets that are in most cases expert – only if we don't have the skills in-house to perform a project.

Getting the job done faster also saves money. Outsourcing has to ensure the business saves money, has a higher efficiency, and more productivity. Outsourcing a project should ensure things running as quickly as possible.

Decision of Railway Board for full coach outsourcing doesn't fit into the theories briefed above. Railway Board has decided to purchase 60 ACEMU rakes, 20 DEMU rakes and 13 MEMU rakes from private/public sector companies namely Jessop & Co, BEML, Titagarh, Texmaco, and Bescor. To execute the contract Railways has made agreement with these companies for free supply of steel, Wheel set, and Electric Traction Equipments by Railways at their premises. ICF and RCF the two coach Production Units of Indian Railways have to provide complete set of drawings and technical details (drawings for Jig & Fixture, Specifications for bought-out items, Tools, Test schedules, quality control, etc) to these companies free of cost.

The first theory of contracting at lesser cost than in-house manufacturing gets defeated. Cost of these contracts are going to be very high than the cost of manufacturing by Railway Production Units. Rs.66.7 crores will be spent more by Railways to purchase 230 ACEMU coaches from BEML, Titagarh and Jessop & Co. Rs.55.2 crores will be spent more by Railways to purchase 160 DEMU Coaches from BEML.

Type	Company	No. of Coaches	Estimated higher cost (in lakh)
AC EMU	BEML	72	2051.94
AC EMU	TITAGARH	99	2821.42
AC EMU	JESSOP & CO	59	1799.45
DEMU	BEML	160	5517.18
Total		390	12189.99

This projected loss is only for the contracts of 45 rakes out of proposed contracts for 93 rakes, hence the loss will further increase proportionately.

Further, Railways has to bear the higher cost due to the Price Variation Clause (PVC). More disadvantageous to the Railways, benefit of PVC on steel, Electrical Machinery, Equipment & Batteries (supplied free of cost by Railways) cost escalation also given to the private companies.

Despite annual increase of more than 15% in consumer price index, 20% to 30% in steel cost, other alloys and Electrical equipments, COST OF MANUFACTURING AT ICF REMAINS ALMOST STABLE DURING THE LAST 3 YEARS.

Railways has also deviated from its own practice of purchasing coaches from BEML for nearly three decades which has the important element of "price cap" equivalent to the cost of ICF production cost.

Secondly, the contract also break the self sufficiency achieved by Railways on meetings its coaching requirement through its PUs. Besides the existing ICF & RCF/Kapurthala and just commissioned RCF/Raebareli.

As many as seven new coach factories have been announced in the last six Railway Budgets. The capacity of ICF and RCFs can also be doubled with the addition of minimal infrastructure and man power. This will avoid a situation of keeping in-house infrastructure ideal and going in for outsourcing, which will lead to huge cost escalation of passenger operations.

Due to introduction of LHB stainless steel high breed coaches POH schedule of coaches will be increased from 18 months to 36 months. This will result in availability of surplus capacity in all the POH workshops. Due to introduction of integrated rake maintenance system work load in maintenance yards will come down due to reduction in primary maintenance, secondary maintenance and IOH. Capacity of Rail Spring Karkhana, Gwalior which manufactures coil springs, will become surplus after switching over to LHB coaches by phasing out ICF designed coaches.

Potentials of POH workshops of Railways are underutilized now. Five mechanical workshops of Northern Railways have the total area of 16,70,555 Sq.m., out of which only 2,65,006 Sq.m (15.9%) is being used under covered area. Three mechanical workshops of Southern Railways have the total area of 382.6 acres out of which only 62.3 acres (16.2%) is the covered area. Engineering workshop of southern Railway uses 9.24 acres hectares (8.3%) as covered shed out of 111.7 acres available. Two of southern Railway workshops are situated next to ICF. Engineering workshop is located nearer to Chennai.

Thirdly, possibility of bringing in the new innovative thoughts also gets defeated as the contractor will be outsiders for Railways in coach building. Since all the technical know-how are going to be supplied to these companies by ICF and RCF. Contractors will not bring any professionalism or new expert skills in coach manufacturing. Instead, they will disengage the valuable link existing between user Railways, maintenance workshops and Production Units, which will create a major threat to the safe operation of trains. This agreement will also not reduce the cost to the tune of Design & Development cost incurred by ICF & RCF.

Fourthly the scope job done faster also negated as all these firms except BEML have to create their infrastructure to manufacture coaches in high numbers. They also have to recruit and train their human resources fresh.

Both the leading coach production units of Indian Railways (ICF and RCF) have always met their annual production target which is being increased every year without the addition of proportionate infrastructure and acute shortage of staff. They also developed new designs successfully to meet the present day requirements.

Editorial – Outsourcing ----- Continued on page - 8

**HIGHLIGHTS OF COURT CASE FILED BY IRTSA
ON GRADE PAY OF JES & SSES
(Continued from page-1)**

10. The Railway Labour Tribunal (1969) – headed by Justice Miabhoj – had held that the work in a section could not be segregated and also in most cases post of JE grade-I was not available at the same working area. Further, the benefit of fixation was allowed to Senior Technician on their promotion to JE-II from Senior Technician but the scale / Grade Pay was the same on promotion as JE from Senior Technician (earlier called Master Craftsmen/MCM).

11. The Railway Board orders dated 22-2-2005 mentioned above has become more irrelevant now as the JE-II in the pre-revised scale of Rs.5000-8000 and JE-I in the pre-revised scale of Rs.5500-9000 have been merged and granted the Grade Pay of Rs.4200 after Sixth CPC.

12. The Sixth CPC recommended the Grade Pay of Rs.4200 for JE I & II (merged together) and the Grade Pay of Rs.2800 for the Senior Technicians but the Railway Board later on (vide Railway Board's letter No. PC-VI/2008/IC/99 (RBE No.205/2009) Dated 25.11.2009) changed Grade Pay of Senior Technicians to Rs. 4200, which made the situation of JE I (Pre-revised scale of Rs.5500-9000) placed in the same Grade Pay of Senior Technician.

13. The Junior Engineers (Jes) and Senior Technicians have as such again been placed in the same Grade Pay of Rs.4200 – even though the Junior Engineers (Jes) supervise the Senior Technicians – which is totally in violation on principle of natural justice as well as against the settled law (by the Apex Court) that an “equal cannot be over an equal” – in keeping with the provisions of Article 39 of the Constitution of India.

14. Senior Section Engineers (SSEs) who are now in Grade Pay of Rs.4600 have to supervise the work of a very large number of Jes, Technicians and Senior Technicians, besides that of Stores Clerk, Office Clerks, Head Clerks, Office Superintendents and Chief Office Superintendents. The Chief Office Superintendents working under the SSE, have been also placed in the Grade Pay of Rs.4600 at par with SSEs – in disregard of the settled law that an equal should not be over an equal; & Supervisor should be in a scale higher than Supervised.

15. In view of higher nature of duties & responsibilities, the Pay Scale of SSE has always been higher than pay scales of Supervisors of other departments in Railways. During Third Pay Commission highest pay scales of Rs.840-1040 and Rs.840-1200 were allotted to the apex scale of Senior Technical Supervisors. All other categories including those of in the highest grade of Teachers, Nurses and Accounts Staff were allotted two or three grades below the SSEs/FO/PFO.

16. After the implementation of Sixth Central Pay Commission – the SSE with the direct recruitment element of Degree in Engineering had been allotted the Grade Pay of Rs.4600, whereas the apex scales of some of the other categories i.e. Teachers, Nurses and Accounts Staff were now placed in the Grade Pay of Rs.4800/ Rs.5400 and even higher – disturbing the vertical relativity, in complete disregard to the Qualifications, Training, Duties & Responsibilities of the SSE towards ensuring the safety and efficiency of the Trains & its related operations, repairs, maintenance and production processes.

17. The Fifth Central Pay Commission had adopted a Common Multiple Factor of 3.25 for all categories of Staff from S 1 to S 34 – except S-13 scale which was granted to SSE. Fifth Pay Commission has recommended only Rs.7000-11500 to the SSEs placed in S-13 scale. After a lot of representations and agitations by IRTSA it was later on revised to Rs.7450-11500, only minimum of the scale had been revised and corresponding revision of maximum of the scale had not been done. This had reduced the span of years of the scale from 20 years to 18 years. The scale has been kept low to accommodate S-14 scale above it by the difference of Rs.50 only.

18. The principle of Sixth Central pay Commission by calculating the Grade Pay as 40% of maximum of the Fifth Pay Commission scales had kept the S-13 (SSE) scale in disadvantageous position. 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 Central Pay Commission.

19. Apex pay scale of Senior Section Engineers (SSE) has always been higher than the pay scales of supervisors of other departments in Railways. After the Third pay commission highest pay scale of Rs.840-1200 was allotted to the apex scale of Technical supervisors i.e. Senior Section Engineer (then Foreman). Pay scales allotted to Technical Supervisors was even higher than that of pay scales allotted to Group-B (Gazetted).

20. In Indian Railways the direct recruitment in the Accounts cadre is in PB-1 with the Grade pay of Rs.2800 and in the Clerical & Station Master cadre it is also the same. In the case of Technical Supervisors the direct recruitment is made at the level of Junior Engineers (Grade Pay Rs.4200) with Diploma in Engineering as qualifications and one year Training. Senior Section Engineers are recruited with the educational qualification of Graduate in Engineering with a training of one year and granted PB-2 with the Grade Pay of Rs.4600.

21. Technical Supervisors, working in Indian Railways shoulder the direct responsibilities of safe, efficient & 'Failure-proof' production, repair, maintenance and operation of Rolling Stock, Locomotives, P-Way, Works, Bridges, Signal & Telecommunication systems, Over-Head Equipments (Electrification) and other assets and equipment on the Railways. Introduction of large number of new trains, addition of new assets and introduction of new technologies etc have substantially added to their duties and responsibilities over the years. Other departments provide only necessary support to them to enable them to discharge their functions.

22. The Honourable Supreme Court of India – (reported in (1996) 1 SCC 562) – has held as under:

“8. The High Court, in our opinion, was not right in holding that promotion can only be to a higher post in the Service and appointment to a higher scale of an officer holding the same post does not constitute promotion. In the literal sense the word “promote” means “to advance to a higher position, grade, or honour”;. So also ‘promotion’ means “advancement or preferment in honour, dignity, rank, or grade” (Ref: Webster's Comprehensive Dictionary,

(Highlights of OA on Grade Pay continued on page-4)

HIGHLIGHTS OF COURT CASE ON GRADE PAY*(Continued from page-1)*

International Edition., page1009) 'Promotion' thus not only covers advancement to a higher position or rank but also implies advancement to a higher grade.

(Ref: Union of India vs. S.S. Ranade (1995) 4 SCC 462 at page 468).

23. Relief sought:-

In view of the facts and grounds mentioned above, the applicant prays for the following reliefs:-

To issue direction to the respondents to enhance the Grade Pay of Junior Engineers on Railways to at least higher than those of the Senior Technicians working under them; and to enhance the Grade Pay of Senior Section Engineers on Railways to adequately above the Grade Pay of Junior Engineers and the Chief Office Superintendents working under them, with all the consequential benefits of arrears of pay and allowances with interest @ 18% per annum from the date the amount became due to the actual date of payment.

The petition has been filed at CAT Chennai along with the relevant supporting documents in 19 annexures.

To view the copy of original application and its annexures please visit www.irtsa.net

NOTE: Suggestions on the issue may be sent to GS/IRTSa on his Email ID: gsirtsa@yahoo.com and to JGS/IRTSa on Email ID rameshirtsa@yahoo.co.in.

GOVT. ORDERS ON STFF MATTERS**Children Education Allowance Scheme (CEA)****Frequently asked Questions and Answer**

DoPT letter No No. 21011/08/2013-Estt.(AL)

1. Whether Reimbursement of Children Education Allowance (CEA) for 3rd child is permissible if CEA has not been claimed for 1st and or 2nd child? As per OM dated 2.9.2008 CEA is admissible for two school going children does it mean any two school going children?

No. Reimbursement of CEA is not permissible for third child even if reimbursement has not been claimed in respect of first and/or second child. However, as per OM No.12011/03/2008- Estt.(AL) dated 11.11.2008, the Children Education Allowance would be admissible for more than two children where as a result of the second child birth results in birth of twins or multiple children. Further, reimbursement of CEA for the 3 child is also admissible in case of failure of sterilization operation. Such reimbursement is admissible only for the first child birth after failure of sterilization operation. This point was further clarified vide O.M. No.12011/16/2009-Allowance) dated 13.11.2009.

2. What types of fee are reimbursable? Whether Annual Charges and Transportation fees are reimbursable? Whether reimbursement towards purchase of school bag, water bottle, uniform, shoes and stationery is admissible?

As per OM No.12011/03/2008-Estt.(AL) dated 2.9.2008, tuition fee, admission fee, laboratory fee, special fee charged for agriculture, electronics, music or any other subject, fee charged for practical work under the programme of work experience, fee paid for the use of any aid or appliances by the child, library fee, games/sports fee and fee for extra-curricular activities are reimbursable subject to the condition that the aforementioned fee are charged by the school directly from the student.

No reimbursement is permissible for Annual Charges and Transportation fees. Besides, reimbursement for purchase of one set of text books and notebooks, two sets of uniforms prescribed by the school in which the child is studying, one pair of shoes, in an academic year are reimbursable. Uniform include all items of clothing prescribed for a day, as uniform by the school, irrespective of colours/winter/summer/PT uniforms. Reimbursement of school bags, pens/pencils, water bottle, stationery etc., may not be allowed. O.M. No.12011/08/2010-Estt.(AL) dated 30.12.2010 and O.M. No.12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers.

3. Whether CEA has been increased by 25% as a result of enhancement of Dearness Allowances beyond 50%?

This Department's OM No.12011/03 2008-Estt.(AL) dated 2.9.2008 clearly indicates that the limits "would be automatically raised by 25% every time the Dearness Allowance on the revised pay structure goes up by 50%". There is no need for any separate order from this Department to effect enhancement of CEA as a result of increase in DA by 50%. However, O.M. No.12011/01/2011-Estt.(Allowance) dated 4th May, 2011, has been issued to clarify this further.

4. Whether CEA can be claimed for the child for the same class twice?

The reimbursement of CEA is not linked to the performance of the child in his class. Even if a child fails in a particular class, the reimbursement is permissible. However, if the child is admitted in the same class in another school, although the child has passed out of the same class in previous school or in the mid-session, CEA shall not be reimbursable.

5. Whether CEA/Hostel Subsidy is allowed for initial two years of Diploma Courses?

Children Education Allowance/Hostel Subsidy is allowed for the initial two years of a diploma/ certificate course from Polytechnic/ITI/Engineering College, if the child pursues the course after passing 10th standard and the Government servant has not been granted CEA/Hostel Subsidy in respect of the child for studies in 11th and 12th standards. This is further subject to fulfillment of other conditions laid down in the O.M. No.12011/03/2008-Estt.(AL) dated 2.9.2008 and subsequent instructions issued from time to time.

6. What is hostel subsidy?

The term Hostel Subsidy would mean expenses incurred by the Government servant if he/she keeps his/her children in a hostel of a residential school/institution located beyond a distance of 50 kilometers from his/her residence.

7. Whether Hostel subsidy is reimbursable irrespective of transfer liability?

Hostel Subsidy is reimbursable to all Central Government Employees covered by the scheme, for keeping their ward in the Hostel of a residential school away from the station in which the employee is posted or residing irrespective of any transfer liability.

8. Whether Hostel subsidy can be reimbursed if the child is staying in a Hostel which is not part of residential school where he is studying?

No. Hostel subsidy is reimbursable only in case of child studying in a residential school and staying in hostel of the said residential school.

(FAQ on CEA continued on page-5)

FAQ on CEA (Continues from page-4)**9. What are the components of hostel subsidy?**

Hostel subsidy includes fee charged for boarding, lodging in addition to fee as mentioned in para 1(e) of OM No. 12011/03/ 2008-Estt.(AL) dated 2.9.2008.

10. Whether a Government servant is allowed to get 50% of the total amount subject to the overall annual ceiling in the first quarter and the remaining amount in third and/or fourth quarter?

Reimbursement of 50% of the entitled amount for the academic year can be allowed in the first and/or second quarter and the remaining amount can be reimbursed in the third and/or fourth quarter. The entire entitled amount can also be reimbursed in the last quarter. However, frontloading of the entire admissible amount is not permissible. O.M. No.12011/07(0/2011- Estt.(AL) dated 21.02.2012 refers

11. Whether any age limit has been prescribed for reimbursement of CEA in respect of children studying in nursery classes?

There is no minimum age prescribed for reimbursement of CEA in respect of children admitted in nursery classes. However, with regard to physically challenged children the minimum age of 5 (five) years was prescribed for disabled children undergoing non formal/vocational education. With effect from 21st February, 2012, the minimum age stipulated as 5 years for disabled children stand removed. Hence, there is no minimum age of child for whom reimbursement is claimed irrespective of the fact whether the child is disabled or not.

The maximum age for normal child is 20 years and for physically challenged children the maximum age is 22 years. O.M. No.12011/07(ii)/2011-Estt.(AL) dated 21.02.2012 refers.

12. Whether the school/institution should be recognized?

The school/institution has to be recognized by the Central or State Government or UT administration or by University or a recognized educational authority having jurisdiction over the area where the institution is situated. This also applies in respect of children studying in two classes prior to Class-I, i.e., nursery/LKG/UKG, etc. OM No. 12011/03/ 2008-Estt.(AL) dated 23.11.2009.

13. Whether CEA is payable for The children of Central Government employees and studying abroad, including children of citizens of Nepal/Bhutan but working in Government of India, and their children are studying in the schools in their native place?

The CEA is payable for the children of all Central Government employees including citizens of Nepal and Bhutan, who are employees of Government of India, and whose children are studying in the native place. However, a certificate may be obtained from the concerned Indian Mission that the school is recognized by the educational authority having jurisdiction over the area where the institution is situated.

14. What constitutes "Fee" as per para 1(e) of the O.M. dated 2/9/2008 and whether fee paid for extra-curricular activities to some other institute and reimbursement of, school bags, pens/pencils, etc., can be allowed? Is there any item-wise ceiling?

"Fee" shall mean fee paid to the school in which the child is studying, directly by the parents/guardian for the items mentioned in para 1(e) of the O.M. dated

2/9/2008. Reimbursement of school bags, pens/pencils, etc., may not be allowed. There is no item-wise ceiling. O.M. No.12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers.

15. Whether reimbursement can be allowed in case the original receipts are misplaced and duplicate receipts are produced by the Government servant?

Are the original receipts required to be attested/ countersigned/ rubber stamped by the school authorities? In case of misplacement of receipts given by the school/institution towards charges received from the parents/guardian, reimbursement may be allowed if the Government servant produces a duplicate receipt, duly authenticated by the school authorities. Receipts from private parties, other than the school, if misplaced shall not be entertained, even if a duplicate receipt is produced. Original receipts from school authorities need not be attested/ countersigned/rubber stamped by the school authorities. O.M. No.12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers.

16. Whether Development Fee/Parents' Contribution charged by the school/institution is reimbursable?

Reimbursement of Development Fee/Parents' Contribution is allowed w.e.f. 21st February,2012, vide O.M. No.12011/07(ii)/2011-Estt.(AL) dated 21.02.2012, on pro-rata basis, subject to the condition that the Government servant will have to certify that the school does not charge tuition fee. However, in respect of children studying in Kendriya Vidyalaya, the Vidyalaya Vikas Nidhi is reimbursable as it forms part of para 1(e) of O.M. No.12011/3/2008-Estt.(Allowance) dated 2.9.2008. O.M. No.12011/16/2009- Estt.(Allowances) dated 13.11.2009 refers.

17. Whether reimbursement of fee charged directly by the school for catering to the special needs of the child with disabilities duly certified by the concerned school authorities, in addition to items mentioned in para 1(e) of O.M. dated 2.9.2008, is permissible?

Reimbursement of fee charged directly by the school for catering to the special needs of the child with disabilities duly certified by the concerned school authorities, in addition to items mentioned in para 1(e) of O.M. dated 2.9.2008, is allowed w.e.f. 21st February, 2012.

IRTSA office bearers meeting at GOC/S.Rly & Mysore workshop

IRTSA office bearers meeting held at GOC workshop, Tiruchy on 23rd April and at Mysore Workshop on 24th April. Er.S.Karunakaran and K.V.Ramesh JGS/IRTSA visited two workshops to get the opinion from the office bearers on filing of case at CAT Chennai for grant of Grade Pay of Rs.4600/4800 for Junior Engineers (JEs) and a Grade Pay of Rs.4800/5400 for Senior Section Engineers. K.V.Ramesh explained the points of argument going to be placed in the CAT on behalf of IRTSA. K.Thirumaran Secretary/GOC and A.Zahir Hussain, President / GOC assured all the co-operation from Golden Rock Workshop, Southern Railway.

At Mysore K.L.Vinod Kumar, V.Suresh, Ramakrishnan and others interacted with the team. Apart from the CAT case main issues like Group-B gazette status, Cadre Restructure and MACPS anomalies were also discussed in the meeting.

AM (PU) & AM (STAFF) BRIEFED ON ISSUES RELATING TO TECHNICAL SUPERVISORS

On 4th May, Railway Board team which includes Sri.Arvind Khare, AM(PU), Sri.Naveen Tandon, AM(Elect), Sri.Arjun Rakshit, AM(Finance), Sri.Suresh.K.Seth, AM(Staff) and Sri.B.K.Sinha, Advisor (RS) visited ICF for a meeting with staff council on the issue of full outsourcing of coaches to non-railway companies for which ICF & RCF are required to give Design Drawings free of cost.

At the end of the meeting K.V.Ramesh, JGS/IRTSA briefly explained the demands of Technical Supervisors / Rail Engineers to AM/Staff, AM/PU and other members. Upgradation of Grade Pay of JE/CMA/DMS to Rs.4800 and SSE/CMS/CDMS/Sr.Engineer(IT) to Rs.5400 was explained briefly. MACPS anomalies including counting of training period for the purpose of MACPS, placing the Engineering Graduate entrants in the Grade Pay of Rs.4600 irrespective their entry date for the purpose of MACPS and Grant third financial up-gradation under MACPS on completion of 20 years of service from the first promotion were explained to the Board members.

AM/Staff said that Railway Board is aware of the demands of this vital category and assured their demands will be considered positively. He also said that Cadre restructure and Group-B upgradation of 3500 posts from the Grade Pay of Rs.4600 are in advanced stage and will be completed soon. Demands of Stores Engineers including cadre restructure and creation of additional posts were also raised with the members.

CENTRAL PRESIDENT VISITS S.C.RLY

On 22nd and 23rd April Central president Er.M.Shanmugam along with Er.V.P.Abdul Salam, Zonal Secy/S.Rly, M.T.Sujith Kumar Wrk.President/S.Rly and Er.G.Aranganathan Divisional Secy/ICF has toured extensively in GTL Division and TPTY workshop /S.C.Rly. During the visit meetings were held at C&W Depot/ TPTY, Diesel Shed/GTL and Diesel Shed/GY which were attended by large number of Technical Supervisors.

Er.Rajesh SSE/TPTY Coaching Depot, Er. Pratap Singh SSE/Diesel Shed/GY, and Er.Syed Ahamed SSE/Diesel Shed/GTL were instrumental and very enthusiastic organizing the meetings. During the meetings Central President spoke in detail about the various issues faced by the category. He condemned the Railway Ministry for not implementing the VI CPC's and DOPT's decision of granting Group B status to posts carrying GP of 4200 and above even while all other departments have implemented it. He further explained about the decision arrived at 46th CGB and CEC held at RCF, Kapurthala to file court cases for grant of Grade Pay of Rs.4600/4800 for Junior Engineers (JEs) and a Grade Pay of Rs.4800/5400 for Senior Section Engineers(SSE) on the Indian Railways. He explained in detail about the case filed in CAT, Chennai by IRTSA.

Er.Abdul Salam spoke about the importance of unity among the cadre and stressed the need for spreading awareness among the Technical Supervisors about the numerous important issues of the category being pursued by IRTSA. He requested the Engineers to ensure good number of participants in every agitation or seminar organized by IRTSA at Zonal level as well as all India level.

Subject: Launch of RTI web portal for online filing of RTI application.

No. 1/1/2013-IR, Department of Personnel & Training
22/04/2013

A Web Portal namely RTI Online with URL <https://rtionline.gov.in> has been launched. This portal, developed by NIC, is a facility for the Indian Citizens to online file RTI applications and first appeals and also to make online payment of RTI fees. The prescribed fees can be paid through Internet banking of State Bank of India and its associate banks as well as by Credit/Debit cards of Visa/Master, through the payment gateway of SBI linked to this site.

2. At present, this facility is available only for Department of Personnel and Training (DoPT). It is planned to extend this facility to all the Ministries/Departments of Govt. of India within a month. This facility is presently not proposed to be extended for field offices/attached/subordinate offices.

3. This system would work as RTI MIS also. The details of RTI applications received through post should also be entered into this system. The system would also provide for online reply of RTI applications, though reply could be sent by regular post also.

4. It is requested that full co-operation may be extended for the successful implementation/roll out of this facility. First of all, it is necessary that the RTI Nodal Officers, officials of RTI Cell and all the CPIOs / FAAs of the Ministries/Department sare trained to use this facility. Arrangements have been made to provide training to the RTI Nodal Officers, RTI Cell officials and the NIC/IT personnel attached with the Ministries/Departments, by DoPT with the help of NIC, within next 2-3 weeks. The schedule for such training would be intimated to the RTI Nodal Officers directly. It is requested that training for all the CPIOs and FAAs may be organized by the concerned Ministry/Department, through these officers trained by DoPT / NIC5. The screen shot of the home page of the portal, the terms and conditions and copy of the O.M.No.1/1/2013-IR dated 08.04.2013 issued in respect of DoPT are enclosed for information. 6. The contents of this OM may be brought to the notice of all concerned.

IRTSA felicitates Er. S.D.Raghavan, President IRTSA / Arokkonam, on retirement



Technical Supervisors and staff of Engineering Workshop, Arokkonam gave a fitting farewell to S.D. Raghavan, dynamic and senior leader of IRTSA on his superannuation from Railways on 31st May. Er. M. Shanmugam, President IRTSA, K.V.Ramesh, JGS, ER Karthikeyan and many others spoke about the contribution made by him for IRTSA and Engineering Workshop Arokkonam. Er. Mathiazghan proposed the vote of thanks.

IRTSA UNITS

Send News of your activities for publication in VRE & IRTSA Website www.irtsa.net to General Secretary, IRTSA by Phone & Email to gsirtsa@yahoo.com and K.V.Ramesh, JGS/IRTSA rameshirtsa@yahoo.co.in

IRTSA Units! Send Central Quota & Legal Fund

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

RAILWAY BOARD ORDERS**1. Sub: Payment of Dearness Allowance to Railway employees — Revised rates effective from 01.01.2013.**

Railway Board letter No: No. PC-VI/2008/1/7/2/1 (RBE No.38 /2013, dated 26/04/2013)

Please refer to this Ministry's letter of even number dated 03.10.2012 (S.No PC-VI/303, RBE No.112/2012) on the subject mentioned above. The President is pleased to decide that the Dearness Allowance payable to Railway employees shall be enhanced from the existing rate of 72% to 80% with effect from 1st January, 2013.

2. The provisions contained in Paras 3, 4 & 5 of this Ministry's letter of even number dated 09.09.2008 (S.No.PC-VI/3, RBE No 106/2008) shall continue to be applicable while regulating Dearness Allowance under these orders.

3. The additional installment of Dearness Allowance payable under these orders shall be paid in cash to all railway employees. The arrears may be charged to the salary bill and no honorarium is payable for preparing separate bill for this purpose..

2. Sub :- Grant of 3rd Financial upgradation under MACPS – Clarification regarding.

Rly. Bd's letter No : PC-V/2009/ACP/20/CLW, dated 5.3.2013

Ref :- CLW's letter No:CMA/Ruling/453, dated 19.02.2013.

With reference to CLW's above cited letter, it is stated that Board's letter dated 13.12.2012 has been issued as a sequel to the instructions contained in para-8 of Annexure to Board's policy instruction on MACPS dated 10.06.2009 (RBE No.101/2009) and therefore has to be viewed in context thereof only. Further, while implementing MACP Scheme these instructions i.e. para-8 of Annexure to Board's instruction dated 10.06.2009 and Board's letter dated 13.12.2012 has to be seen in light of the cadre structure / hierarchy of progression that has emerged as result of implementation of 6th CPC Pay structure.

As regards example No. I (a), it is stated that a Technical Supervisor, who has joined in Grade Pay 4200 on direct recruitment basis and have earned promotion to next post in the Grade Pay of Rs.4600 is entitled to be considered for grant of 2nd and 3rd financial upgradations to GP-4800 and GP-5400 of respectively under MACPS subject to fulfillment of terms & conditions relating to the scheme.

As regards example No. I (b), it is stated that a directly recruited SSE in GP Rs.4600 is entitled to be considered for grant of 1st, 2nd and 3rd financial upgradations to the GP-4800/PB-2, GP-5400/PB-2 and GP-5400/PB-3 respectively under MACPS subject to fulfillment of terms & conditions relating to the scheme.

As regards example No. II (a), it is stated that next promotional post for chief Matron's post is Assistant Nursing Officer (ANO) in the same Grade Pay of Rs.5400/PB-3, therefore, Chief Matron entitled to be considered for 3rd financial upgradation to the same Grade Pay of Rs.5400/PB-3 in terms of Board's letter dated 13.12.2012 (RBE No.142/2012).

As regards example No. II (b), a staff nurse directly recruited in the Grade Pay Rs.4600 is entitled to be considered for 3rd financial upgradation under MACPS to the Grade Pay of Rs.5400 in PB-3 in terms of provisions contained in para-8.1 of Annexure to Board's letter dated 10.06.09 (RBE No.101/2009)

3. Sub: Rates of Night Duty Allowance w.e.f. 01.01 .13.

RBE No.48/2013, dated 21.5.13

Consequent to sanction of an additional Installment of Dearness Allowance vide this Ministry's letter No. PC-VI/2008/1/7/2/1 dated 26.04.2013, the President is pleased to decide that the rates of Night Duty Allowance, as notified vide Annexures 'A' and 'B' of Board's letter No. E(P&A)II-2012/HW-1 dated 21.11.2012 stand revised with effect from 01.01.2013 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.

4. Rates of Night Duty Allowance (NDA) with effect from 01.01.2013 for 'intensive', 'continuous', and 'excluded' categories and work shop staff.

S. No.	Pay Band	Grade Pay	Rate of NDA (in Rs.)
1	4440 - 7440	1300	60.60
2	4440 - 7440	1400	61.45
3	4440 - 7440	1600	63.15
4	4440 - 7440	1650	63.55
5	5200 - 20200	1800	121.40
6	5200 - 20200	1900	122.25
7	5200 - 20200	2000	123.05
8	5200 - 20200	2400	126.40
9	5200 -20200	4200	129.75
10	9300 - 34800	4200	219.75
11	9300 - 34800	4600 and above	148.75

Rates of Night Duty Allowance (NDA) with effect from 01.01.2013 for 'Essentially Intermittent' categories of staff.

S. No.	Pay Band	Grade Pay	Rate of NDA (in Rs.)
1	4440 - 7440	1300	40.40
2	4440 - 7440	1400	40.95
3	4440 - 7440	1600	42.10
4	4440 - 7440	1650	42.35
5	5200 - 20200	1800	80.95
6	5200 -20200	1900	81.50
7	5200 - 20200	2000	82.05
8	5200 - 20200	2400	84.25
9	5200 -20200	2800	86.50
10	9300 - 34800	4200	144.50
11	9300 - 34800	4600 and above	148.75

Sub: Validity of Duty / Privilege / Post Retirement Complimentary Passes in Duronto Express trains

No: E(W)2009/PS 5-1/30, RBE.No: 20/2013, dated 01.03.2013

Ref : This Office letter No.E(W)2009/PS5-1/30 dated 21.03.2012.

Instructions have been issued vide this office letter of even No.E(W)2009/PS5-1/30 dated 21.3.2012 permitting railway officials to travel in Duronto Exp. Trains while travelling on Duty subject to certain conditions.

2. On a demand raised by recognized Federations at DC/JCM forum, a proposal has been under consideration for allowing booking of berths / seats in Duronto Express trains by serving / retired Railway servants on Duty / Privilege / Post retirement complimentary Passes.

2.1 After due deliberations, Board have decided to allow booking of berths / seats in Duronto Express trains by serving / retired railway servants on Duty / Privilege / Post retirement complimentary Passes on the pattern of Rajdhani / Shatabdi Express trains without any exception. However, number of berths to be earmarked in Duronto Exp. Trains on duty pass quota will be as under:1A-4, Executive Class-4, 2AC-6, 3AC-16, CC-4, SL-20, 2S-20

STOP OUTSOURCING OF COACH CONSTRUCTION TO PRIVATE FIRMS AT HIGHER COST (Editorial – Continued from page – 2)

After earning the huge profit, these companies will not have the responsibility in the safety and performance of the coaches supplied by them. Since the steel and Electric traction equipments are supplied by Railways free of cost, lion's share of responsibility will fall on the shoulders of Railways. Again Railways has to perform the quality control activity more than once on the same item.

The contracts have no cost advantage, no accountability, no new Designs, no innovations, no new technologies, no new techniques, no increase in safety & carrying capacity of Indian railways, But will only results in outflow of Nation's wealth for the benefit of private players, which will lead not only to the closure of Railway Production units, but will challenge the basic existence of Indian Railways in the present form which is serving the Nation at all level and one of the important symbol of National integration. Contracts packed in favour of private players should be dropped.

IRTSA TEAM MEETS MEMBER MECHANICAL

IRTSA office bearers led by M.Shanmugam, President / IRTSA met **Sri. Keshav Chandra, Member Mechanical** during his visit to Chennai on 1st April, 2013. K.V.Ramesh, JGS/IRTSA, V.P.Abdul Salam, Zonal Secretary/S.Rly, V.B.Naryanan, Zonal Secretary/ICF and many others were present.

President handed over a memorandum to MM on grant of Grade Pay Rs.4800 to JE/CMA/DMS and Rs.5400 to SSE/CMS/CDMS/Sr.Engineer(IT), grant of Group-B Gazetted status to SSE / CMS / CDMS / Sr.Engineer(IT)

Earlier IRTSA Staff Council members discussed with Member Mechanical, about the revised training module of supervisors of Mechanical department (No.E(MPP) 2009/3/10, RBE No. 81 /2011,dated 03.06.2011), which necessitates only 26 weeks (six months) training for promitee JEs and demanded that the training may curtailed and given at ICF itself.

RAIL ENGINEERS

I) LAUNCH AN INTENSIVE DRIVE FOR MEMBERSHIP & STRUGGLE-CUM-LEGAL FUND (AS PER RESOLUTION OF CEC/CGB IRTSA) & SEND THE CENTRAL QUOTA & STRUGGLE-CUM-LEGAL FUND TO CENTRAL TREASURER IRTSA ER. O. N. PUROHIT, 106, SURAJ NAGAR, JODHPUR-342008 BY DD IN FAVOUR OF IRTSA.

II) RESOLUTION OF CEC/CGB IRTSAADOPTED ON 4 & 5 DEC. 2012 REG: RAISING OF LEGAL-CUM-STRUGGLE FUND: WHEREAS CGB and CEC have decided to file two Court Cases for Higher Grade Pay of JE & SSE and for Grant of Group B to Senior Technical Supervisors; It has also been decided to continue to pursue and struggle and agitate for acceptance of all the long pending and genuine demands of Rail Engineers as per Resolutions of IRTSA; CGB & CEC hereby, Resolve, appeal to all the Rail Engineers – especially the Members of IRTSA to contribute an amount of Rs.1000 towards LEGAL-CUM-STRUGGLE FUND OF IRTSA ----; and send the same at the earliest to Central Treasurer IRTSA.

NOTICE

CEC - IRTSA WILL MEET AT CHANDIGARH ON 19-7-2013

CEC meeting of IRTSA will be held on 19.7.2013 at Chandigarh - as per following programme at Ambedkar Bhawan, Sector-37, (Near Batra Theatre) Chandigarh on 19th July, 2013 between 10.00 hours and 18.00 hours.

1. Opening address by Central President & General Secretary.
2. Review of position of Case filed by IRTSA in CAT, Chennai vide Original Application (OA) No 706/2013 for grant of Grade Pay of Rs.4600 to Junior Engineers (JEs) and a Grade Pay of Rs.4800 to Senior Section Engineers (SSE).
3. Review of Preparation for filing of Court Case for grant Group-B Gazetted Status to SSE/CMS/CDMS/Sr.Engineer (IT) as recommended by Sixth CPC and as per orders of DOP&T - as implemented by all Central Government Departments except Railways.
4. Review of Implementation of decisions of Cadre Restructuring Committee (CRC).
5. Review on resolutions of demands adopted in the Central General Body Meeting of IRTSA, held of 4th & 5th December, 2012 at RCF Kapurthala.
6. a) Review of collection of Membership subscription/ Central Quota and Legal-Cum-Struggle Fund in 2013.
b) Consideration of proposal to increase Annual Subscription of IRTSA to Rs.250 from 2014 & to consider other Constitution Amendments.
7. Steps to increase circulation of the journal "Voice of Rail Engineers"
8. Action Programme for current year.
9. Decision on Annual Conference and 48th Central Body Meeting of IRTSA.
10. Other items with the permission of the Chair.

CEC Members are requested to please attend positively and to give prior intimation regarding arrivals to General Secretary, IRTSA by Phone & Email to gsirtsa@yahoo.com and K.V.Ramesh, JGS/IRTSA rameshirtsa@yahoo.co.in

No:IRTSA/CEC Meeting/2013
Dated 10-6-2013

Harchandan Singh,
General Secretary, IRTSA

Er. S.REHMAN LIVES IN OUR HEART



Er. S. Rehman, Senior Vice President CEC / IRTSA and Zonal Secretary / Northern Railway left for heaven abode on 25th March, 2013. Courageous leader with conviction was working as SSE in Northern Railway Workshop Charbagh LKO. Under his leadership. Er Rahman was a dynamic leader of IRTSA.

Rail Engineers across the country expressed their shock and heartfelt condolence on his sad demise..

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