

WHICH ONE IS RIGHT?

- ❖ Railway Board submitted to 7th CPC that classification of posts in Railways is different from other ministries which have been upheld by Hon'ble Supreme Court – 7th CPC accepted Board's contention.
- ❖ But, now Railway Board says that it is not aware of any Supreme Court judgement on Classification of posts.

7th CPC para - 11.40.114 Regarding the grant of Group 'B' status, Ministry of Railways is of the view that the grant of Group 'B' status to employees with identical Grade Pay in other ministries is as per the provisions of CCS(CCA) Rules, 1965, while posts in Railways are specifically excluded from the purview of these rules vide Rule 3(1)(a). Similarly, Central Civil Services (Revised Pay) Rules, 2008 are also not applicable to Railway servants who are governed by RS(D&A) Rules, 1968 and Railway Services (Revised Pay) Rules, 2008. This differentiation has been done keeping in view the unique functional, administrative and operational requirements of Railways which are very different from any other ministry or department in Government of India. **The Ministry of Railways further contends that these views of the ministry have been upheld by the Hon'ble Supreme Court and no change is warranted.**

Subject: Request for information under RTI Act, 2005-Application reg

- Was any Supreme Court judgment available on classification of posts (as Group 'A', 'B' & 'C') in Indian Railways.
- Copy of Supreme Court judgment (if) available on classification of posts in Indian Railways.

REPLY GIVEN BY RAILWAY BOARD

Sub :- Information sought by Mr. K. V. Ramesh

Ref :- RB/RTI/2015/010057200 dated 03/02/2016

Information sought by party	Ministry's Response
(i) Was any Supreme Court judgment available on classification of posts (as Group 'A', 'B' & 'C') in Indian Railways.	Pay Commission Directorate of Ministry of Railways is not aware of and has not dealt with any Supreme Court judgment relating to classification of posts (as Group 'A', 'B', 'C', 'D') arising out of implementations of 7 th CPC recommendations. Issues relating to such classification of posts are generally examined at a belated stage after implementation of Pay Commission Report. 7 th CPC recommendations are yet to be accepted by Government of India and deliberations are still going on.
(ii) Supreme Court judgment (if) available of posts in Indian Railways.	

Who so ever may be right or wrong? Sufferer is Railways, by undermining the status of SSE, CDMS, CMS & Sr.Er/IT, otherwise they can shoulder higher responsibilities as Gazetted.

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