

INDIAN RAILWAYS TECHNICAL SUPERVISORS' ASSOCIATION

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



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No:IRTSA/42

Date:16.04.2026

The Chairman Cum CEO Railway Board

Respected Sir,

Subject: Pay level of Technical Supervisors.

Ref: CAT Chennai order in OA No.310/01568/2017 pleading higher pay level for Junior Engineers and Senior Section Engineers.

- 1) We would like to bring to your kind notice about the order of Central Administrative Tribunal Chennai, on OA No.310/01568/2017 pleading higher pay level for Junior Engineers and Senior Section Engineers.
- 2) Hon'ble Central Administrative Tribunal (CAT) Chennai directed Railway Board to take up the issue of pay anomaly of the applicants (SSE & JE), before the 8th CPC after getting the comments from the applicant association (IRTSA) within a period of three months from the date of receipt of a certified copy of this order. OA No.1568/2017 filed by Indian Railways Technical Supervisors Association (IRTSA) represented by Sri.K.V.Ramesh and 11 others -Vs- Union of India represented by Ministry of Railways, Ministry of Finance, DoPT, General Manager ICF and General Manager Southern Railway pleading for higher pay level for Junior Engineer and Senior Section Engineer.
- 3) Previously, IRTSA filed O.A.310/00706/2013 praying for higher Grade Pay for JEs (Junior Engineers) & SSEs (Senior Section Engineers) in Railways than the Staff working under them, to restore the vertical hierarchy as recommended by the 5th CPC & 6th CPC, based on higher duties & responsibilities shouldered by them, but the said relativity between JE & Senior Technician as recommended by 5th and 6th CPC was disturbed by Government.
 - a) OA was highlighting Railways decision to upgrade the Grade Pay of JE from Rs.4200 to Rs.4600 and SSE from Rs.4600 to Rs.4800 and asked for approval of Finance Ministry vide O.M.No.PC/VI/2009/DAC/1(P12) dated 11.06.2010.
 - b) OA was disposed of by Hon'ble CAT/Chennai by directing the 2nd Respondent (Ministry of Finance) to take action on the proposal of the Railways and to decide about it within 3 months.
 - c) Ministry of Finance, vide OM dated 29.11.2016 rejected the proposal of the Railway Board as well as the submissions of the applicants (IRTSA).
- 4) Being aggrieved the applicants (IRTSA) have filed the present OA seeking relief through OA No.310/01568/2017, challenging Ministry of Finance OM dated 29.11.2016. CAT Chennai in its order dated 26.02.2026 mentioned both side's argument including the following,
- 5) Ministry of Railways the respondents submitted that,
 - a) Ministry Railways while furnishing comments to 7th CPC said that, Holistic manner involving pay structure of Technical Supervisors cadre of all the Departments highlighting historical background and also brought about the implications on various horizontal and vertical relativities presently exist both within and outside the organization.
 - b) The 7th pay Commission had exhaustively analysed the issues raised and reported about Technical Supervisors from para 11.40.104 to 11.40.115.

- c) 7th CPC arrived its recommendations after an in-depth analysis of various demands raised by the Associations, inputs submitted by Ministry of Railway and considering inter-intra departmental relativities prevailing.
 - d) Acceptance of demand of the applicants (IRTSA) will have serious implications & cascading effects on the promotional hierarchy/avenue leading to demands from many employees for higher Grade Pay.
 - e) Empowered Committee of Secretaries (E-Cos) was constituted to screen the recommendations of the 7th CPC after taking into account the views of the concerned stakeholders viz, the Ministries/Departments, staff Associations and the JCM so as to firm up the final conclusions for approval of the cabinet. The E-Cos has considered the recommendations contained in the report of the 7th CPC and any fresh issue beyond the report had not been considered.
 - f) Proposal was made for revision of the pay structure of Senior Supervisors in Group 'C' of all departments (other than Accounts Department to upgrade 75% of such Supervisor from level 7 (erstwhile GP4600) to Level 8 (erstwhile GP4800) to iron out the anomalies which has arisen consequent to implementation of 6th CPC.
 - g) In support of their argument Ministry of Railways cited some judgements.
- 6) The Applicant (IRTSA) filed rejoinder which includes following point,
- a) 6th CPC cited the recommendations of 5th CPC, "Although Department of Expenditure issued orders that existence of the feeder and promotion posts in the same pay scale will not constitute an anomaly, however. these orders have consistently been rejected by the various courts of this country"
 - b) SSEs & JEs on the Railways have been unjustly placed in the Grade Pay of Rs.4600 and Rs.4200 respectively which are the same as those of the employees working under them, which violates the basic principle of law of natural justice upheld by various Court including by the Hon'ble Supreme Court of India that "An equal cannot be over an equal", 'Promotion' implies advancement to a higher grade; & Supervisor should be in a scale higher than Supervised.
 - c) 3rd CPC kept the pay scale of Master Crafts Man (now Senior Technician) Rs.425-640 below than JE Pay scale of Rs. 425-700. Considering the degree of skill, strain of work, experience involved, training required, responsibility undertaken, mental and physical requirements, avenues of promotion available and horizontal and vertical relativities, etc 3rd CPC recommended higher pay scales to JE & SSE.
 - d) 5th CPC accepted that the identical pay scales of Master craftsman, Mistry and Chargeman (now JE) have resulted in a large number of court cases.
 - e) 5th CPC specifically dealt with the problem of supervisor and supervised being placed in the same scale of pay and removed the anomaly by recommending the pay scale of Rs.4500-7000 to Master Craftsman and Rs. 5000-8000 for Technical Supervisors / Chargeman B (since re-designated as Junior Engineer-II). But later Government / Railways upgraded the scale of Master Craftsman without corresponding upgrading of the scale of JE.
 - f) 6th CPC recommended that promotion & feeder cadres being placed in identical pay scale is anomalous and recommended that 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.
 - g) 6th CPC recommended Grade Pay of Rs.4200 for JE I & II (merged together) and placed Senior Technician below JE by recommending the Grade Pay of Rs.2800.

- h) By upgrading the Grade Pay of Senior Technician to Rs.4200 on par with JEs, Basic recommendation of 6th CPC that "Seniority of a post will depend on the grade pay drawn. This will invariably be more for a higher level post" got violated, by placing the Grade Pay of both junior post (Sr. Technician) and Grade Pay of promotional post (JE) as Rs.4200.
 - i) Senior Technicians placed in the Grade Pay of Rs.4200 made the situation that JE I (Pre-revised scale of Rs.5500-9000) two grades above Senior Technician, have since been placed in the same Grade Pay of Senior Technician.
 - j) Railway Board's impracticable preposition that the work of Senior Technicians 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 No.31/2005), dated 22-2-2005 is also violated after modification done in 6th CPC recommendations.
 - k) Many categories who were in the pay scale Rs.425-700 on par with JE-II are now placed in pay level-7 of 7th CPC Pay matrix, whereas JE I pay which was Rs.550-750 above all these categories is placed only pay level-6 of 7th CPC pay matrix.
 - l) The 7th CPC in Para 5.1.23 recommended that "when the employee receives a promotion or non-functional upgrade, he/she progress one level ahead on the horizontal range"
 - m) The 7th CPC in para 1.27 also recommended that anomalies that were created after 6th CPC could not be rectified till date.
 - n) Judgement Hon'ble CAT Chandigarh in OA 060/00211/2014 held that, Railway servants specifically excluded from CCS rules 2008 as per explanatory memorandum. Due to unique nature, Railways stands in different footing than other Ministries of Central or State Governments.
 - o) Railways consciously made the decision vide its O.M dated 11.06.2010 to upgrade the Grade Pay of JE from Rs.4200 to Rs.4600 and SSE from Rs.4600 to Rs.4800 based on functional justifications, etc.
 - p) Railways claim for establishing parity between accounts & non accounts officer cadres and between accounts & non-accounts senior supervisory cadres of all departments is different from that of plea of applicant claiming higher Grade Pay / Pay Level for Technical Supervisors based on the recommendations of pay commissions and based on the settled law.
- 7) Railway claimed that, they have addressed the issue pertaining to supervisory categories in all the departments in holistic manner and implemented upgradation through RBE No.155/2022 dated t7.11.2022 wherein 50% of the SSE posts were upgraded from Level-7 (GP 4600) to Level-8 (GP 4800) and with the implementation of the same, the grievance of the applicants remains addressed.
- 8) Applicant (IRTSA) claimed the no proposal regarding recommendations of 7th CPC on pay level of Technical Supervisors has been sent to Ministry of Finance by Ministry of Railways. Further RBE No. 155/2022 dated 17.11.2022 neither give any relief to Junior Engineers nor the expected relief to Senior Section Engineers as claimed by the respondent (Railways).
- 9) High Power Committee of Railways accepted the fact that, traditionally, pay scales allotted to other operational departments have been higher than the pay scales of Supervisors of Accounts departments on the Railways.
- 10) **As the Pay Commission is the expert body for determining the pay structure, we are of the considered opinion that the Respondent Zonal Railway, to take up the issue with the Railway Board which in turn, in-line with their own OM No. PC VI/2009/DAC/1 (P12) dated 11.06.2010, shall take up the issue of pay anomaly of the applicants, after getting the comments from the staff associations, like the 1st applicant association/ before the already constituted 8th CPC. Accordingly, we direct the Railway Board to take up the issue of pay anomaly of the applicants,**

before the 8th CPC after getting the comments from the 1st applicant association within a period of three months from the date of receipt of a certified copy of this order.

11) We request for necessary action from your goodself for the acceptance of our plea of higher Pay level for Junior Engineers and Senior Section Engineers working in Indian Railways.

Thanking you



K.V.RAMESH
General Secretary, IRTSA
9003149578

Enclosures

- 1) Copy of order of CAT Chennai in OA No.310/01568/2017.
- 2) Detailed memorandum on Pay Level of Technical Supervisors working in Indian Railways.

Copy for kind information and necessary action please

- 1) The Secretary, Ministry of Finance, New Delhi.
- 2) The Secretary, Ministry of Personal & Training, New Delhi.
- 3) The General Manager, Integral Coach Factory, Chennai-38.
- 4) The General Manager, Southern Railways, Chennai.
- 5) The Secretary, Room No.227, Railway Board, New Delhi -110001

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01568/2017

Dated, the 26th day of February, Two Thousand Twenty Six

CORAM :

**HON'BLE MR.M.SWAMINATHAN, MEMBER (J)
&
HON'BLE MR.M.L.SRIVASTAVA, MEMBER (A)**

1. Indian Railways Technical Supervisors Association (IRTSA),
Rep. by its Senior Joint General Secretary
Shri. K. V. Ramesh, G3-LIKITH HOMES,
3-Lakshmanan Nagar West Street,
Peravallur, Chennai-600 082

2. V.P. Abdul Salam,
3. T.N. Unni,
4. Satyajeet Prasad,
5. N. Manikandan,
6. Deepak. R.
7. V.N.K. Chaitanya,
8. S. Sonu,
9. B. Manimaran,
10. P. Vishnu,
11. S. Nirmal Chandran,
12. E. Girish,

... Applicants

By Advocate .. Mr.K.M.Ramesh

Vs.

1. Union of India,
Rep. by the Secretary, Government of India,
Ministry of Railways, Railway Board,
Rail Bhawan, New Delhi-110 001.

2. Secretary, Ministry of Finance,
Expenditure, Government of India,
North Block, New Delhi - 110 001.



3. Secretary,
Ministry of Personnel and Training,
Government of India, North Block,
New Delhi-110 001. --

4. The General Manager,
Integral Coach Factory, Chennai - 600 038.

5. The General Manager,
Southern Railway, Park Town,
Chennai - 600 003 --

... Respondents

By Advocate .. Dr.D.Simon (R-1,4 &5)
Mr.Su.Srinivasan (R2 & 3)



ORAL ORDER**(Pronounced by Hon'ble Mr.M.L.SRIVASTAVA, Member(A))**

The applicants have filed the present OA under Section 19 of the Administrative Tribunals Act, 1985, seeking the following relief:

"To call for records relating to the impugned OM No.36(1)/E.III.B/2015 dated 29.11.2016 issued by the 2nd Respondent denying grant of Grade Pay of Rs.4600 to Junior Engineers(JEs) above Senior Technicians working under them and quash the same and consequently direct 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 / Pay Level of Senior Section Engineers (SSEs) on Railways to adequately above the Grade Pay of Junior Engineers and the Chief Office Superintendents working under them, based on superior recruitment qualifications, nature and conditions of service, duties and multifarious responsibilities shouldered by JEs & SSES on Railways for efficient train operation and based on decision taken and the proposal made by the Railway Ministry to upgrade the grade pay of JEs (Junior Engineers) from Rs.4200 to Rs.4600 in 6th CPC and level 7 in 7th CPC; & upgrade the grade pay of SSE (Senior Section Engineers) on Railway from Rs.4600 to Rs.4800 in 6th CPC and level 8 in 7th CPC, 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 and to pass any other order or direction deemed fit and proper in the facts and circumstances of the case."

2. The brief facts of this case as stated by the applicant are as follows:

2.1 The 1st Applicant is an Association of Technical Supervisors working in Indian Railways. The Applicants are aggrieved persons as they are working as Senior Section Engineer & Junior Engineer in Integral Coach Factory & Southern Railway. The grievance of the applicants is that under Railway Service Revised Pay Rules issued on



11.09.2008 and 02.08.2016 followed by Railway Board's Orders, implementing 6th Pay Commission and 7th Pay Commission Recommendations, the grade pay of Rs.4200/Pay level-6 has been granted to Junior Engineers (JEs) at par with Senior Technicians who are working under them. Likewise, the grade pay of Rs.4600/Pay level-7 has been granted to Senior Section Engineers (SSES) at par with Chief Clerk and Chief Office Superintendent who are working under them. The grant of same grade pay/Pay level to supervisors and to the employees who are working under them is totally unjust and illegal; causes great frustration, serious concern and reduces the efficiency and also the same has been granted without taking into account the comparative duties and responsibilities of the said supervisors and the staff working under them.

2.2 The 1st applicant filed O.A.310/00706/2013 praying for higher Grade Pay for JEs (Junior Engineers) & SSES (Senior Section Engineers) in Railways than the Staff working under them, to restore the vertical hierarchy as recommended by the Fifth and Sixth Pay Commissions, based on higher duties & responsibilities shouldered by them, but the said relativity between JE & Senior Technician as recommended by 5th and 6th Pay Commissions was disturbed by Government. However after the issue was taken up in the Departmental Anomaly Committee, Railway Ministry (1st respondent)



decided to upgrade the Grade Pay of JE from Rs.4200 to Rs.4600 and SSE from Rs.4600 to Rs.4800 and asked for approval of Finance Ministry (2nd respondent) vide O.M.No.PC/VI/2009/DAC/1(Pt2) dated 11.06.2010. But Ministry of Finance did not respond to the OM submitted by Ministry of Railways. These were some of the major points submitted by Indian Railways Technical Supervisors Association (IRTSA) in the said OA. The above said OA was disposed of by this Hon'ble Tribunal by directing the 2nd Respondent (Ministry of Finance) to take action on the proposal of the Railways and to decide about it within 3 months on OM No.PC/VI/2009/DAC/1(Pt2) dated 11.06.2010 which was pending for approval of MOF for allotment of Grade Pay of Rs.4600 to JEs and Grade Pay Rs.4800 to SSES.

2.3 The 1st Applicant had submitted a copy of orders passed in OA No. 310/00706/2013 to the 2nd Respondent (Ministry of Finance) by representation dated 18.08.2016 giving justification on the merits of the case and urged to upgrade the JEs & SSEs to the Grade Pay Rs.4600 & Rs.4800 respectively, as per decision of the Departmental Anomalies Committee. This was followed up with reminder and queries under the RTI. The 2nd Respondent (Ministry of Finance), vide OM dated 29.11.2016 rejected the proposal of the Railway Board as well as the submissions of the applicants by not only falsely negating the facts but also referring to extraneous factors to deviate from the core



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issues involved in the matter. Being aggrieved the applicants have filed the present OA seeking the aforementioned relief.

3. After notice, the respondents have entered appearance through their counsel and filed their reply statement refuting all the averments made in the OA except those which are admitted on facts and also reiterating the statements made by them in the impugned order.

3.1 The respondents submitted that the Ministry of Railways while furnishing comments to the 7th CPC vide OM dated 13.04.2015, mentioned all the facts in a holistic manner involving pay structure of Technical Supervisors cadre of all the Departments highlighting historical background and also brought about the implications on various horizontal and vertical relativities presently exist both within and outside the organization. The 7th CPC after having detailed consultation and analyzing the demands submitted by various staff Associations through their memorandum and in the personal meeting held with the commission and also taking into account the inputs submitted by the Ministry of Railways submitted its report on 19th November 2015. The 7th Pay Commission in its recommendations neither introduced any new pay scale nor merged any of the pay scales prevailed in the 6th CPC regime and replaced the grade pay and running pay band system and introduced a new pay matrix. The pay matrix comprises two dimensions. It has horizontal range in which



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each level correspondence to a functional role in the hierarchy and has been assigned the number from 1 to 18. The vertical range for each level denotes pay progression within that level. The starting point of the pay matrix is the minimum pay. On recruitment an employee join at a particular level and progress within level as per the vertical range. The minimum is usually on a an annual basis based on annual increments during the time of their next promotion on a non-functional financial upgradation he/she progresses one level ahead on the horizontal range. The new pay matrix is common to all the Central Government Employees.

3.2 The 7th Pay Commission had exhaustively analysed the issues raised and reported as under:-

Technical Supervisors

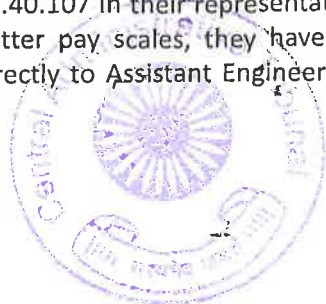
11.40.104 Technical Supervisors on Indian Railways play a vital role in the safe and efficient Report of the Seventh CPC 748 Index running of the trains. Presently, their cadre structure is as follows:

Designation	Grade Pay
Sr. Section Engineer (SSE)	4600
Junior Engineer (JE)	4200

11.40.105 At the level of JE, there is 50 percent direct recruitment with educational qualification requirement of Diploma in Engineering. Remaining 50 percent seats are filled departmentally, 25 percent through Limited Departmental Competitive Examination (LDCE) and 25 percent through selection from the highest category of technicians, viz., Master Technician.

11.40.106 At the level of SSE, 20 percent seats are directly filled with educational qualification required of Bachelor in Engineering. Remaining 80 percent seats are filled departmentally through seniority cum suitability.

11.40.107 In their representations to the Commission, besides asking for better pay scales, they have demanded that JEs should be promoted directly to Assistant Engineers, without going through the stage of SSE.



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.

11.40.115 Considering the arguments proffered by the concerned ministry, no change is recommended in the classification of these posts. Other demands lack merit.

3.3 The applicants have not considered the detailed submission made by the 7th CPC in its recommendations pertain to Technical Supervisors category, a plain reading of which makes abundantly clear that 7th CPC arrived its recommendations after an indepth analysis of various demands raised by the Associations, inputs submitted by Ministry of Railways and considering inter-intra departmental relativities prevailing. The applicant has not submitted any substantial reason to negate the logic arrived by 7th CPC while recommended the replacement scale to the Technical Supervisors category. Further acceptance of demand of the applicants will have serious implications on various horizontal/vertical relativities within and outside the organization leading to industrial unrest / huge burden on public exchequer. The same will have cascading effect on the promotional hierarchy/avenue leading to demands from many Railway employees



for higher Grade Pay. Based on the recommendations of 6th CPC, similar revised pay structure of PB2/GP Rs.4200 and 4600 has been given to numerous other categories on the Railways which were in pre-revised scales Rs.5000-8000/5500-9000 and 6500-10500/7450-11500.

3.4 Ministry of Finance (implementation cell) vide their O.M. Dated 23.12.2016 advised that Empowered Committee of Secretaries (E-Cos) was constituted to screen the recommendations of the 7th CPC after taking into account the views of the concerned stakeholders viz, the Ministries/Departments, staff Associations and the JCM so as to firm up the final conclusions for approval of the cabinet. The E-Cos has considered the recommendations contained in the report of the 7th CPC and any fresh issue beyond the report had not been considered. Subsequently, it has been decided that other administrative issues specific departments/cadres/posts may be examined by the concerned Ministries/Departments as the transaction of Business Rules/ allocation or business rules. MoF also advised Ministry of Railways to re-consider the proposal and furnish self-contained detailed proposal for consideration of the Department of Expenditure. Keeping in view the advise tendered by MoF, a consolidated proposal on the following issues was forwarded to Department of Expenditure/Ministry of Finance vide Ministry of Railways O.M. Dated 08.02.2017:



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(i) Revision of Pay Levels of Group 'B' Officers of all Railway Departments (other than Accounts Departments) to Level-10 and Level-9 of the 7th CPC pay matrix on par with the Pay Levels of Group 'B' officers of the Accounts Department of the Railways.

(ii) Revision of the pay structure of Senior Supervisors in Group 'C' of all departments (other than Accounts Department to upgrade 75% of such Supervisor from level 7 (erstwhile GP4600) to Level 8 (erstwhile GP4800) to iron out the anomalies which has arisen consequent to implementation of 6th CPC.

Ministry of Railways pursued the proposal through various reminders and personal meetings. It has been communicated by Department Expenditure on 16.10.2018 that since the matter of implementation of the 7th CPC recommendations for upgradation of certain categories of posts mentioned in Annexure III of Ministry of Finance's O.M. dated 25.07.2017, including the posts of Railways Accounts Department and Chemical and Metallurgical organisations are under consideration with the Department of Personnel and Training (DOP&T) as per the decision of the Cabinet dated 29.06.2016 and the proposal of Ministry of Railways has a linkage with it, the proposal of the Railways forwarded on 08.02.2017 would be considered after a decision in the matter is taken by the DoPT. Since the proposal is still under consideration, it is premature for the applicants to approach the Tribunal at this stage.



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3.5 In support of their contentions, the respondents have relied upon the following judgments:

(i) Judgement of the Hon. Apex Court in the case of State Bank of India Vs. M.R.Ganesh Babu [2002 (4) SCC 556]

(ii) Judgement of the Hon. Apex Court in the case of State of West Bengal & Ors. Vs. Hari Narayan Bhowal & Ors [1994 (4) SCC 78]

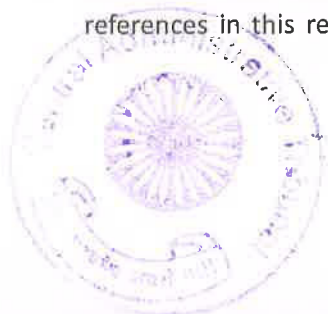
(iii) Order of the CAT, Chandigarh Bench dated 12.03.2016 in OA No.211/2014 (IRTSA Vs. UOI & Ors.)

Hence they prayed for dismissal of the OA.

4. The applicant has filed a rejoinder to the reply statement filed by the respondents reiterating the averments made in the OA. They have relied on Para 2.2.2 & 2.2.3 of the 6th CPC which are reproduced as under:

2.2.2 The Fifth CPC had compressed many scales. The number of pay scales was reduced from 51 pay scales as on 31.12.1995 to 34 pay scales by the Fifth CPC. In many cases, this led to the promotion and feeder cadres being placed in an identical pay scale. Although Department of Expenditure issued orders that existence of the feeder and promotion posts in the same pay scale will not constitute an anomaly, however, these orders have consistently been rejected by the various courts of this country. The Commission, therefore, had two options:- i) To evolve a new system of pay scales that would effectively address most of the existing anomalies. Or ii) To make sufficient modifications in the scheme of pay scales given by Fifth Central Pay Commission so as to ensure that various anomalies existing across various ministries/departments/ organizations are removed.

2.2.3 The latter option was not feasible as the number of these anomalies was very large and the Commission continued to get references in this regard even though a period of more than 10 years



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had elapsed since the date of implementation of the Fifth Central Pay Commission pay scales. The difficulty became greater as the Commission's efforts were to reduce the number of scales even further. This was considered necessary for de-layering the Government with a view to hasten decision making and improving the existing delivery mechanisms for benefit of the citizens. Further, a mechanism of rewarding performers also had to be incorporated in the new system of pay scales. To achieve all this, the Commission has had to evolve a new system of pay bands. (emphasis supplied)

The applicants have submitted the following justifications to support their case:

(a) Senior Section Engineers (SSEs) & Junior Engineers (JEs) on the Railways have been unjustly placed in the Grade Pay of Rs.4600 and Rs.4200 respectively which are the same as those of the employees working under them, which violates the basic principle of law of natural justice upheld by various Court including by the Hon'ble Supreme Court of India that "An equal cannot be over an equal", 'Promotion' implies advancement to a higher grade; & Supervisor should be in a scale higher than Supervised.

b) The 3rd CPC kept the pay scale of Master Crafts Man (now Senior Technician) Rs.425-640 below than JE Pay scale of Rs. 425-700. Considering the degree of skill, strain of work, experience involved, training required, responsibility undertaken, mental and physical requirements, avenues of promotion available and horizontal and vertical relativities, etc 3rd CPC recommended higher pay scales to JE & SSE.



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.

g) 6th CPC recommended Grade Pay of Rs.4200 for JE I & II (merged together) vide para 7.36.77 and placed Senior Technician below JE by recommending the Grade Pay of Rs.2800 vide para 7.36.71 & 3.8.27. By upgrading the Grade Pay of Senior Technician to Rs.4200 on par with JEs, Basic recommendation of 6th CPC that "Seniority of a post will depend on the grade pay drawn. This will invariably be more for a higher level post" got violated, by placing the Grade Pay of both junior post (Sr. Technician) and Grade Pay of promotional post (JE) as Rs.4200.

h) Senior Technicians placed in the Grade Pay of Rs.4200 made the situation that JE I (Pre-revised scale of Rs.5500-9000) two grades above Senior Technician, have since been placed in the same Grade Pay of Senior Technician.

i) Railway Board's impracticable preposition that the work of Senior Technicians 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 No.31/2005), dated 22-2-2005 in Ann A-13) is also violated (letter No. E[NG]/1/99/PM7/3 (RBE after modification done in 6th CPC recommendations).



j) Many categories who were in the pay scale Rs.425-700 on par with JE-II are now placed in pay level-7 of 7th CPC Pay matrix, whereas JE-I pay which was Rs.550-750 above all these categories is placed only pay level-6 of 7th CPC Pay matrix.

k) The 7th CPC in Para 5.1.23 recommended that "when the employee receives a promotion or non-functional upgrade, he/she progress one level ahead on the horizontal range".

l) The 7th CPC in para 1.27 also recommended that anomalies that were created after 6th CPC could not be rectified till date. Also suggested that an appropriate body may be created to look into anomalies, if any arising out of the implementation of the recommendations of the Seventh CPC.

m) In para 22.3 & 22.6 of the Judgement Hon'ble CAT Chandigarh in OA 060/00211/2014, it has been held that Railways is a multi-disciplinary operational system governed by separate pay rules and DAR rules and it is not governed by CCS & CCS classification, control & appeal rules. Railway servants specifically excluded from CCS rules 2008 as per explanatory memorandum. Due to unique nature, Railways stands in different footing than other Ministries of Central or State Governments.

n) Railways consciously made the decision vide its O.M dated 11.06.2010 to upgrade the Grade Pay of JE from Rs.4200 to Rs.4600



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and SSE from Rs.4600 to Rs.4800 based on functional justifications, etc.

o) Railways made a decision to place 29,721 posts of SSE in Grade Pay Rs.4800, based on the recommendations of 7th Pay Commission in para 11.40.113 pertaining to Technical Supervisors of its report, recommending that Ministry of Railways should consider enhancing the number of posts in the next higher level.

p) Railways' claim for establishing parity between accounts & non-accounts officer cadres and between accounts & non-accounts senior supervisory cadres of all departments is different from that of plea of applicant claiming higher Grade Pay / Pay Level for Technical Supervisors based on the recommendations of pay commissions and based on the settled law.

5. The respondents have also filed a reply to the rejoinder reiterating the averments made in the reply. It is further submitted that the respondents have addressed the issue pertaining to supervisory categories in all the departments in holistic manner through constitution of three member committee and based on its recommendations a firmed up proposal for upgradation of pay scales of supervisory categories of seven departments was forwarded to Ministry of Finance and the same after concurred by Ministry of



Finance have been implemented through RBE No.155/2022 dated 17.11.2022 wherein 50% of the SSE posts were upgraded from Level-7 (GP 4600) to Level-8 (GP 4800) and with the implementation of the same, the grievance of the applicants remains addressed.

6. The applicants have also filed an additional rejoinder wherein they have contended that the proposal sent by the respondents, as stated by them in the additional reply, was not for Technical Supervisors category consisting of Junior Engineers and Senior Section Engineers and to support the same he has produced a copy of the RTI reply dated 21.08.2019 wherein it is stated that "No proposal regarding recommendations of 7th CPC on pay level of Technical Supervisors as contained in paras 11.40.104 to 11.40.115 of 7th CPC report has been sent to Ministry of Finance by Ministry of Railways. Further RBE No.155/2022 dated 17.11.2022 neither give any relief to Junior Engineers nor the expected relief to Senior Section Engineers as claimed by the respondents. Senior promotional post of Junior Engineers (JE) is placed in same GP- Rs.4200/Level 6 along with junior feeder post of Senior Technicians who are working under Junior Engineers. 50% upgradation given in the pay level of supervisors through RBE 155/2022 dated 17.11.2022 neither cover 7th CPC recommendations for SSE in para 11.40.113, nor given 100% upgradation for SSEs from Level-7 to Level-8 and non-functional



financial upgradation to Level-9 after four years of service in Level-8 on par with Accounts cadre. High Power Committee of Railways accepted the fact that "Traditionally, pay scales allotted to other operational departments have been higher than the pay scales of Supervisors of Accounts departments have been higher than the pay scales of Supervisors of Accounts departments on the Railways. Railway Board has also pointed out that post 6th CPC, the relativity between the Accounts and non-Accounts Supervisors has already been upset, with the former now occupying a higher pay grade (GP 4800/L-8) as compared to the latter (GP 4600/L-7). Further upgradation of the former, in isolation, would accentuate this disparity and could lead to problems at the operational/field level.

7. Heard M/s K.M.Ramesh, learned counsel for the applicants and Mr.Su.Srinivasan, learned senior standing counsel for the respondents R-2 & 3 and Dr.D.Simon, learned standing counsel for the respondents R-1,4 & 5 and perused the material placed on record and scrutinized the whole conspectus of the case.

8. It is an admitted fact that all along there is a perceptible anomaly in the cadre of the applicants and the issue was taken up by the Departmental Anomaly Committee, Railway Ministry (1st respondent) which decided to upgrade the Grade Pay of JE from Rs.4200 to Rs.4600 and SSE from Rs.4600 to Rs.4800 and asked for



approval of Finance Ministry (2nd respondent) vide O.M.No.PC/VI/2009/DAC/1(Pt2) dated 11.06.2010. However, the 2nd Respondent (Ministry of Finance), vide OM dated 29.11.2016 rejected the proposal of the Railway Board.

9. It is pertinent to note that though the 6th CPC opined that "as the Fifth CPC had compressed many scales, the number of pay scales was reduced from 51 pay scales as on 31.12.1995 to 34 pay scales by the Fifth CPC which in many cases, led to the promotion and feeder cadres being placed in an identical pay scale. Although Department of Expenditure issued orders that existence of the feeder and promotion posts in the same pay scale will not constitute an anomaly, however, these orders have consistently been rejected by the various courts of this country", the 7th CPC in Paras 11.40.104 to 11.40.115 has elaborately discussed only about classification of the posts and grant of Group B status to JEs/SSEs, but not about the promotion and feeder cadres being placed in an identical pay scale.

10. In compliance with the orders of this Tribunal in OA 706/2013, the Ministry of Finance, Department of Expenditure, Vide OM dated 29.11.2016 has considered the issues raised by the applicants and negated the claim of the applicants stating that the Pay Commissions are expert bodies to go into such issues and since the 7th Pay Commission also considered the issue of the JEs/SSEs in Railways and



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not recommended any change in their pay scale, the same cannot be considered. Further, in Government, horizontal relativity is an important factor for pay scales and if the Grade Pay of Rs.4200 & Rs.4600 is revised, it will have a cascading effect on all the posts which are in the same Grade Pay. The fact of higher and lower posts lying in a same Grade Pay does not appear to be unique in this case nor as a result of the 6th CPC alone. The same issue arose in some cases at the time of 5th CPC. An order was issued by the Ministry of Finance on 24.11.2000 that if it is not possible to merge the post on functional reasons, then the benefit of fixation of pay on promotion, even though promotion taking place in the same pay scale, may be given and a similar order was issued after the 6th CPC also on 07.01.2013.

11. It is pertinent to mention that the 7th CPC while deliberating on the issues raised by the Railways mentioned that, "As far as the JE->SSE->Assistant Engineer career progression on Indian Railways is concerned, it may be pointed out that such a structure is not unique to Indian Railways. Similar progression exists in Border Roads Organizations, Ordnance Factories and few other organizations. The Ministry of Railways has strongly defended the continuation of this arrangement on functional grounds. It has also been pointed out to the Commission that the Recruitment Rules of most of the organised



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technical services on Railways already contain provisions to maintain 1:1 ratio between direct recruits and promoted officers”.

12. Further, the Railway Board has forwarded a consolidated proposal on the following issues to Department of Expenditure/Ministry of Finance, vide O.M. Dated 08.02.2017:

(i) Revision of Pay Levels of Group 'B' Officers of all Railway Departments (other than Accounts Departments) to Level-10 and Level-9 of the 7th CPC pay matrix on par with the Pay Levels of Group 'B' officers of the Accounts Department of the Railways.

(ii) Revision of the pay structure of Senior Supervisors in Group 'C' of all departments (other than Accounts Department) to upgrade 75% of such Supervisor from level 7 (erstwhile GP4600) to Level 8 (erstwhile GP4800) to iron out the anomalies which has arisen consequent to implementation of 6th CPC.

The said proposal for upgradation of pay scales of supervisory categories of seven departments forwarded to Ministry of Finance was concurred by Ministry of Finance and the same have been implemented through RBE No.155/2022 dated 17.11.2022 wherein 50% of the SSE posts were upgraded from Level-7 (GP 4600) to Level-8 (GP 4800).

13. As the Pay Commission is the expert body for determining the pay structure, we are of the considered opinion that the Respondent Zonal Railways, to take up the issue with the Railway Board which in turn, in line with their own OM No. PC VI/2009/DAC/1 (P12) dated 11.06.2010, shall take up the issue of pay anomaly of the applicants, after getting the comments from the staff associations, like the 1st



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applicant association, before the already constituted 8th CPC. Accordingly, we direct the Railway Board to take up the issue of pay anomaly of the applicants, before the 8th CPC after getting the comments from the 1st applicant association within a period of three months from the date of receipt of a certified copy of this order.

14. The OA is disposed of in the above terms. No costs.

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CAT (Procedure) Rules
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Case Number: OA 1568/17.....

Date of Judgement: 26/2/26..

Copy made ready On 27/3/26

Sudhakar 27/3/26
SO/CO/CR/REGISTRAR
CAT MADRAS BENCH



INDIAN RAILWAYS TECHNICAL SUPERVISORS' ASSOCIATION

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



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No:IRTSA/42

Date:16.04.2026

The Chairman Cum CEO Railway Board

Respected Sir,

Subject: Pay level of Technical Supervisors.

Ref: CAT Chennai order in OA No.310/01568/2017 pleading higher pay level for Junior Engineers and Senior Section Engineers.

- 1) We would like to bring to your kind notice about the order of Central Administrative Tribunal Chennai, on OA No.310/01568/2017 pleading higher pay level for Junior Engineers and Senior Section Engineers.
- 2) Hon'ble Central Administrative Tribunal (CAT) Chennai directed Railway Board to take up the issue of pay anomaly of the applicants (SSE & JE), before the 8th CPC after getting the comments from the applicant association (IRTSA) within a period of three months from the date of receipt of a certified copy of this order. OA No.1568/2017 filed by Indian Railways Technical Supervisors Association (IRTSA) represented by Sri.K.V.Ramesh and 11 others -Vs- Union of India represented by Ministry of Railways, Ministry of Finance, DoPT, General Manager ICF and General Manager Southern Railway pleading for higher pay level for Junior Engineer and Senior Section Engineer.
- 3) Previously, IRTSA filed O.A.310/00706/2013 praying for higher Grade Pay for JEs (Junior Engineers) & SSEs (Senior Section Engineers) in Railways than the Staff working under them, to restore the vertical hierarchy as recommended by the 5th CPC & 6th CPC, based on higher duties & responsibilities shouldered by them, but the said relativity between JE & Senior Technician as recommended by 5th and 6th CPC was disturbed by Government.
 - a) OA was highlighting Railways decision to upgrade the Grade Pay of JE from Rs.4200 to Rs.4600 and SSE from Rs.4600 to Rs.4800 and asked for approval of Finance Ministry vide O.M.No.PC/VI/2009/DAC/1(P12) dated 11.06.2010.
 - b) OA was disposed of by Hon'ble CAT/Chennai by directing the 2nd Respondent (Ministry of Finance) to take action on the proposal of the Railways and to decide about it within 3 months.
 - c) Ministry of Finance, vide OM dated 29.11.2016 rejected the proposal of the Railway Board as well as the submissions of the applicants (IRTSA).
- 4) Being aggrieved the applicants (IRTSA) have filed the present OA seeking relief through OA No.310/01568/2017, challenging Ministry of Finance OM dated 29.11.2016. CAT Chennai in its order dated 26.02.2026 mentioned both side's argument including the following,
- 5) Ministry of Railways the respondents submitted that,
 - a) Ministry Railways while furnishing comments to 7th CPC said that, Holistic manner involving pay structure of Technical Supervisors cadre of all the Departments highlighting historical background and also brought about the implications on various horizontal and vertical relativities presently exist both within and outside the organization.
 - b) The 7th pay Commission had exhaustively analysed the issues raised and reported about Technical Supervisors from para 11.40.104 to 11.40.115.

- c) 7th CPC arrived its recommendations after an in-depth analysis of various demands raised by the Associations, inputs submitted by Ministry of Railway and considering inter-intra departmental relativities prevailing.
 - d) Acceptance of demand of the applicants (IRTSA) will have serious implications & cascading effects on the promotional hierarchy/avenue leading to demands from many employees for higher Grade Pay.
 - e) Empowered Committee of Secretaries (E-Cos) was constituted to screen the recommendations of the 7th CPC after taking into account the views of the concerned stakeholders viz, the Ministries/Departments, staff Associations and the JCM so as to firm up the final conclusions for approval of the cabinet. The E-Cos has considered the recommendations contained in the report of the 7th CPC and any fresh issue beyond the report had not been considered.
 - f) Proposal was made for revision of the pay structure of Senior Supervisors in Group 'C' of all departments (other than Accounts Department to upgrade 75% of such Supervisor from level 7 (erstwhile GP4600) to Level 8 (erstwhile GP4800) to iron out the anomalies which has arisen consequent to implementation of 6th CPC.
 - g) In support of their argument Ministry of Railways cited some judgements.
- 6) The Applicant (IRTSA) filed rejoinder which includes following point,
- a) 6th CPC cited the recommendations of 5th CPC, "Although Department of Expenditure issued orders that existence of the feeder and promotion posts in the same pay scale will not constitute an anomaly, however. these orders have consistently been rejected by the various courts of this country"
 - b) SSEs & JEs on the Railways have been unjustly placed in the Grade Pay of Rs.4600 and Rs.4200 respectively which are the same as those of the employees working under them, which violates the basic principle of law of natural justice upheld by various Court including by the Hon'ble Supreme Court of India that "An equal cannot be over an equal", 'Promotion' implies advancement to a higher grade; & Supervisor should be in a scale higher than Supervised.
 - c) 3rd CPC kept the pay scale of Master Crafts Man (now Senior Technician) Rs.425-640 below than JE Pay scale of Rs. 425-700. Considering the degree of skill, strain of work, experience involved, training required, responsibility undertaken, mental and physical requirements, avenues of promotion available and horizontal and vertical relativities, etc 3rd CPC recommended higher pay scales to JE & SSE.
 - d) 5th CPC accepted that the identical pay scales of Master craftsman, Mistry and Chargeman (now JE) have resulted in a large number of court cases.
 - e) 5th CPC specifically dealt with the problem of supervisor and supervised being placed in the same scale of pay and removed the anomaly by recommending the pay scale of Rs.4500-7000 to Master Craftsman and Rs. 5000-8000 for Technical Supervisors / Chargeman B (since re-designated as Junior Engineer-II). But later Government / Railways upgraded the scale of Master Craftsman without corresponding upgrading of the scale of JE.
 - f) 6th CPC recommended that promotion & feeder cadres being placed in identical pay scale is anomalous and recommended that 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.
 - g) 6th CPC recommended Grade Pay of Rs.4200 for JE I & II (merged together) and placed Senior Technician below JE by recommending the Grade Pay of Rs.2800.

- h) By upgrading the Grade Pay of Senior Technician to Rs.4200 on par with JEs, Basic recommendation of 6th CPC that "Seniority of a post will depend on the grade pay drawn. This will invariably be more for a higher level post" got violated, by placing the Grade Pay of both junior post (Sr. Technician) and Grade Pay of promotional post (JE) as Rs.4200.
- i) Senior Technicians placed in the Grade Pay of Rs.4200 made the situation that JE I (Pre-revised scale of Rs.5500-9000) two grades above Senior Technician, have since been placed in the same Grade Pay of Senior Technician.
- j) Railway Board's impracticable preposition that the work of Senior Technicians 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 No.31/2005), dated 22-2-2005 is also violated after modification done in 6th CPC recommendations.
- k) Many categories who were in the pay scale Rs.425-700 on par with JE-II are now placed in pay level-7 of 7th CPC Pay matrix, whereas JE I pay which was Rs.550-750 above all these categories is placed only pay level-6 of 7th CPC pay matrix.
- l) The 7th CPC in Para 5.1.23 recommended that "when the employee receives a promotion or non-functional upgrade, he/she progress one level ahead on the horizontal range"
- m) The 7th CPC in para 1.27 also recommended that anomalies that were created after 6th CPC could not be rectified till date.
- n) Judgement Hon'ble CAT Chandigarh in OA 060/00211/2014 held that, Railway servants specifically excluded from CCS rules 2008 as per explanatory memorandum. Due to unique nature, Railways stands in different footing than other Ministries of Central or State Governments.
- o) Railways consciously made the decision vide its O.M dated 11.06.2010 to upgrade the Grade Pay of JE from Rs.4200 to Rs.4600 and SSE from Rs.4600 to Rs.4800 based on functional justifications, etc.
- p) Railways claim for establishing parity between accounts & non accounts officer cadres and between accounts & non-accounts senior supervisory cadres of all departments is different from that of plea of applicant claiming higher Grade Pay / Pay Level for Technical Supervisors based on the recommendations of pay commissions and based on the settled law.
- 7) Railway claimed that, they have addressed the issue pertaining to supervisory categories in all the departments in holistic manner and implemented upgradation through RBE No.155/2022 dated t7.11.2022 wherein 50% of the SSE posts were upgraded from Level-7 (GP 4600) to Level-8 (GP 4800) and with the implementation of the same, the grievance of the applicants remains addressed.
- 8) Applicant (IRTSA) claimed the no proposal regarding recommendations of 7th CPC on pay level of Technical Supervisors has been sent to Ministry of Finance by Ministry of Railways. Further RBE No. 155/2022 dated 17.11.2022 neither give any relief to Junior Engineers nor the expected relief to Senior Section Engineers as claimed by the respondent (Railways).
- 9) High Power Committee of Railways accepted the fact that, traditionally, pay scales allotted to other operational departments have been higher than the pay scales of Supervisors of Accounts departments on the Railways.
- 10) **As the Pay Commission is the expert body for determining the pay structure, we are of the considered opinion that the Respondent Zonal Railway, to take up the issue with the Railway Board which in turn, in-line with their own OM No. PC VI/2009/DAC/1 (P12) dated 11.06.2010, shall take up the issue of pay anomaly of the applicants, after getting the comments from the staff associations, like the 1st applicant association/ before the already constituted 8th CPC. Accordingly, we direct the Railway Board to take up the issue of pay anomaly of the applicants,**

before the 8th CPC after getting the comments from the 1st applicant association within a period of three months from the date of receipt of a certified copy of this order.

11) We request for necessary action from your goodself for the acceptance of our plea of higher Pay level for Junior Engineers and Senior Section Engineers working in Indian Railways.

Thanking you



K.V.RAMESH
General Secretary, IRTSA
9003149578

Enclosures

- 1) Copy of order of CAT Chennai in OA No.310/01568/2017.
- 2) Detailed memorandum on Pay Level of Technical Supervisors working in Indian Railways.

Copy for kind information and necessary action please

- 1) The Secretary, Ministry of Finance, New Delhi.
- 2) The Secretary, Ministry of Personal & Training, New Delhi.
- 3) The General Manager, Integral Coach Factory, Chennai-38.
- 4) The General Manager, Southern Railways, Chennai.
- 5) The Secretary, Room No.227, Railway Board, New Delhi -110001

SC Judgement [with Civil Appeals Nos. 4312 of 1994 and 4313 of 1994]

“Promotion” thus not only covers advancement to higher position or rank but also implies advancement to a higher grade.

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SUPREME COURT OF INDIA

Page 1 of 6

PETITIONER:
STATE OF RAJASTHAN

Vs.

RESPONDENT:
FATEH CHAND SONI

DATE OF JUDGMENT 12/12/1995

BENCH:
AGRAWAL, S.C. (J)
BENCH:
AGRAWAL, S.C. (J)
G.B. PATTANAIAK (J)

CITATION:
1996 SCC (1) 562 JT 1995 (9) 523
1995 SCALE (7)168

ACT:

HEADNOTE:

JUDGMENT:
[WITH Civil Appeals Nos. 4312 of 1994 and 4313 of 1994]
J U D G M E N T

S.C. AGRAWAL, J. :

The common question which falls for consideration in these appeals is whether seniority in the Selection Scale in the Rajasthan Police Service (for short 'the Service') is to be fixed on the basis of date of appointment to the Selection Scale or on the basis of seniority in the Senior Scale irrespective of the date on which appointment is made to the Selection Scale.

Recruitment to the posts in, and conditions of service of persons appointed to the Service is governed by the Rajasthan Police Service Rules, 1954 (hereinafter referred to as 'the Rules'). Originally, the Service consisted of posts in the Ordinary Time Scale and Posts in the Senior Scale as indicated in Schedule I to the Rules. In 1966 Schedule I to the Rules was amended and out of the posts in Senior Scale 3 posts were kept for officers drawing pay personally in Selection Grade. In 1974 the number of posts in the Selection Scale was increased to 14 and in 1978 it was increased to 19. In 1985 the said number was increased to 30. By virtue of notification dated April 19/20, 1988 issued under Rule 6 of the Rules the posts in the Service fall in four scales, viz., junior scale, Senior Scale, Selection Scale and superintendent scale. The number of posts in the Selection Scale was reduced from 30 to 22 and 8 posts were placed in the Super Time Scale.

Km. Badam Bairwa and Hari Ram Meena (appellants in Civil Appeal No. 4313 of 1994) and Fateh Chand Soni (respondent No.1 in the appeals) were all appointed to the Service by direct recruitment and were promoted to the Senior Scale. In the Senior Scale respondent No. 1 was senior to the said appellants. On the basis of recommendations made by the Selection Committee constituted under Rule 32 of the Rules all these three appellants were

promoted to Selection Scale by order dated April 27, 1989. The said appointment of these appellants was on the basis of seniority-cum-merit. The said order dated April 27, 1989, has been described as promotion order. Km. Badam Bairwa and Hari Ram Meena were appointed to the Selection Grade on posts reserved for the Scheduled Castes and the Scheduled Tribes. Respondent No. 1 was appointed to the Selection Scale by order dated January 24, 1991. In the Seniority List dated June 30, 1990 seniority in the Selection Scale was fixed on the basis of date of appointment to the Selection Scale. Feeling aggrieved by the fixation of the seniority in the said seniority list in respect of Selection Scale, respondent No. 1 filed a Writ Petition (C.W.P. No.3939 of 1991) in the Rajasthan High Court at Jaipur Bench wherein he challenged the seniority list dated June 30, 1990 in so far as it related to the seniority in the Selection Scale and sought a direction for maintaining the seniority of the incumbents of the Senior Scale even after the grant of the Selection Scale. Respondent No. 1 also assailed the validity of Rule 8 of the Rules as well as the reservation policy dated February 10, 1975 and the 100 point roster system dated July 9, 1985 as being ultra vires Article 16(4) of the Constitution.

The said Writ Petition filed by respondent No. 1 has been allowed by the High Court by the impugned judgment dated September 21, 1993. The High Court has held that there is/are no separate post/posts in the Selection Scale and that grant of Selection Scale to certain number of officers working in the Senior Scale so as to avoid stagnation and to keep interest of the officers in the Service intact does not involve promotion in the eye of law and that if, for any reason, a junior officer is granted Selection Scale in preference to his senior, it will not have any impact on the seniority position and it will not affect the position of the officers who were otherwise senior in the Senior Scale. Since the High Court was of the view that there is no separate post in the Selection Scale, it did not consider it necessary to examine the validity of Rule 8 of the Rules and the reservation policy and 100 point roster system. The High Court quashed that seniority list dated June 30, 1990 and directed that the seniority list be prepared afresh in the light of the decision.

Civil Appeal No. 4311 of 1994 had been filed by the State, Civil Appeal No. 4312 of 1994 had been filed by Kundan Lal Sharma and Civil Appeal No. 4313 of 1994 has been filed by Km. Badam Bairwa and Hari Ram Meena. Prahlad Rai Jawaria was also one of the appellants in Civil Appeal No. 4313 of 1994, but, at the time of hearing of the appeal, the learned counsel appearing for the said appellant stated that he does not wish to press the appeal on his behalf and the appeal, in so far as the said appellant is concerned, has been dismissed.

Seniority in the Service is governed by Rule 33 of the Rules. The relevant provisions of the said rule are as under :-

"Rule 33. Seniority:- Seniority of persons appointed to the lowest post of the Service or lowest categories of posts in each of the Group/Section of the Service, as the case may be, shall be determined from the date of confirmation of such persons to be said post but in respect of persons appointed by promotion to other higher posts in the Service or other higher categories

of posts in each of the Group/Section in the Service, as the case may be, shall be determined from the dated of their regular selection to such posts.

Provided :-

- (i) X X X
(ii) X X X

(iii) That the persons selected and appointed as a result of a selection, which is not subject to review and revision, shall rank senior to the persons who are selected and appointed as a result of subsequent selection.

Seniority inter-se of persons selected on the basis of seniority-cum-merit and on the basis of merit in the same selection shall be the same as in the next below grade, and

- (iv) X X X
(v) X X X"

Seniority in the Selection Scale has to be fixed as per the aforesaid provisions contained in Rule 33 if appointment to the Selection Scale is treated as promotion from Senior Scale to Selection Scale. The High Court has held that the said appointment cannot be treated as promotion for the reason that when an officer in the Senior Scale is granted Selection Scale, he neither leaves the post which was already held by him nor he occupies any new post and the post held by him remains the same and he starts getting the pay in Selection Scale instead of Senior Scale which, by itself, cannot confer a higher status or rank. According to the High Court, the grant of Selection Scale to Senior Scale officers does not exalt his status, rank or honour and an officer does not stand elevated to any superior or commanding position over other Senior Scale officers. The High Court has also referred to the fact that the post of Additional Superintendent of Police held by Senior Scale officers and officers who are being paid in the Selection Scale is interchangeable and such change or replacement and substitution by posting and transfer in the Service is a matter of routine and merely because the Government follows the process of selection to identify the officers to whom the Selection Scale is to be granted cannot confer a higher status so as to make it a case of promotion.

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". [See : Webster's Comprehensive Dictionary, International Edition, p. 1009]. "Promotion" thus not only covers advancement to higher position or rank but also implies advancement to a higher grade. In service law also the expression "promotion" has been understood in the wider sense and it has been held that "promotion can be either to a higher pay scale or to a higher post". [See : Union of India & Anr. v. S.S. Ranade, 1995 (4) SCC 462 at p. 468].

In Lalit Mohan Deb v. Union of India, 1973 (3) SCC 862, the pay scale of all the Assistants in the Civil Secretariat in Tripura was Rs. 80-180 and on the basis of the recommendations of the Second Pay Commission appointed by the Government of India the scales were revised and 25% of the posts were placed in the Selection Grade in the scale of

Rs.150-300 and the rest continued in the old pay scale of Rs. 80-180. For the purpose of filling the Selection Grade posts a test was held and those who qualified in the said test were appointed to the Selection Grade. The Assistants in the Selection Grade and the Assistants in the old pay scale were doing the same type of work. This Court observed that "provision of a Selection Grade in the same category of posts is not a new thing" and that "a Selection Grade is intended to ensure that capable employees who may not get a chance of promotion on account of limited outlets of promotions should at least be placed in the Selection Grade to prevent stagnation on the maximum of the scale" and that "Selection Grades are, therefore, created in the interest of greater efficiency". The Court took note of the fact that the basis for selection of some of the Assistants to the Selection Grade scale was seniority-cum-merit which is one of the two or three principles of promotion widely accepted in the administration and, therefore, the creation of Selection Grade in the category of Assistants was not open to challenge. In that case, the Court had proceeded on the basis that the appointment to the higher grade amounted to promotion.

The Rule governing appointment to the Selection Scale in the Service also envisage that such appointment constitutes promotion. The relevant provision is contained in Rule 28(A) of the Rules which prescribes the criteria, eligibility and procedure for promotion to Junior, Senior and other posts encadred in the Service. Under sub-Rule (5) of Rule 28(A) promotion from the lowest post or category of post in the Service to the next higher post or category of post in the Service is required to be made strictly on the basis of seniority-cum-merit. Sub-Rule (6) of Rule 28(A) provides that selection for promotion to all other higher posts or higher categories of posts in the Service shall be made on the basis of merit and on the basis of seniority-cum-merit in the proportion of 50:50. Sub-rule (7) reads as under :

"(7). Selection for promotion to the highest post/posts in the State Service shall always be made on the basis of merit alone:

Provided that :-

(a) in a Service or Groups or Sections thereunder, where there are only two scale e.g. junior scale or Senior Scale and there is only one promotion then promotion shall be made on the basis of seniority-cum-merit alone.

(b) in a Service or Groups or Sections thereunder, where there are three scales e.g. junior scale, Senior Scale and Selection Scale and there are two promotions then promotion shall be as under:-

(i) first promotion on the basis of seniority-cum-merit.

(ii) second promotion on the basis of seniority-cum-merit and merit in the proportion of 50:50.

(c) in Services or Groups or Sections thereunder, where there are more than tow promotions then first promotion shall be made on the basis of seniority-cum-merit alone and promotions to subsequent higher posts shall be made on

the basis of seniority-cum-merit and merit in the proportion of 50:50 except to the highest post.

Provided further that if the Committee is satisfied that suitable persons are not available for selection by promotion to highest post/posts strictly on the basis of merit in a particular year, selection by promotion to highest post/posts on the basis of seniority-cum-merit may be made in the same manner as specified in these Rules."

The said provision (especially clause (b) of the Proviso) would show that the Rules contemplate that appointment to the post in the Selection Scale does not constitute promotion under the Rules.

The High Court has referred to the decision of this Court in *Dayaram Asanand Gursahani v. State of Maharashtra & Ors.*, 1984 (2) SCR 703, wherein, after considering the resolution of the State Government sanctioning the post of District Judge in the Selection Grade, this Court has held that the said resolution did not indicate that there was any process of promotion by selection or otherwise from the cadre of District Judges to the Selection Grade District Judges. In the particular facts of that case it was held that mere nomenclature given to the extended pay scale as the Selection Grade pay scale does not lead to the inference that there is an element of selection involved in sanctioning it and that it should be treated as just an extended pay scale which forms part of the pay scale. The position in the present case is, however, different. Here the Selection Scale is a separate scale and is not an extension of the Senior Scale. Moreover appointment to the Selection Scale is made by selection on the basis of merit and seniority-cum-merit in accordance with Rule 28(A) of the Rules.

It must, therefore, be concluded that appointment to the Selection Scale of an officer in the Senior Scale in the Service constitutes promotion and seniority in the Selection Scale has to be fixed in accordance with Rule 33 of the Rules on the basis of the date of selection and a person selected and appointed as a result of an earlier selection would rank senior to a person who is selected and appointed as a result of a subsequent selection. Since the appellants were selected and appointed on the basis of earlier selection in 1989 while respondent No. 1 was selected and appointed on the basis of a subsequent selection in 1991, the appellants would rank senior to respondent No. 1 in the Selection Scale. The direction given by the High Court for revising the seniority list of the officers in the Selection Scale of the Service on the basis of their seniority in the Senior Scale cannot, therefore, be upheld and has to be set aside. The seniority of officers in the Selection Scale of the Service has to be fixed as per Rule 33 on the basis of date of selection.

Shri R. Mohan, the learned senior counsel appearing for the respondent No. 1, has agitated the question regarding the validity of Rule 8 dealing with reservation for Scheduled Castes and Scheduled Tribes and has submitted that such reservation in the matter of promotion to the higher post is impermissible in view of the decision of this Court in *Indira Sawhney & Ors. v. Union of India & Ors.*, 1992 Supp. (3) SCC 217. The said contention cannot be accepted since in *Indira Sawhney (supra)* this Court has indicated that the

existing provisions providing for reservation can continue to operate for a period of five years from the date of the said decision.

Shri Mohan has also submitted that provision for reservation for Scheduled Castes and Schedules Tribes can be made only against posts in the cadre and not against vacancies and that under Rule 8 of the Rules and the Reservation Policy and the 100 point roster such reservation is made on the basis of vacancies and that Km. Badam Bairwa and Hari Ram Meena have been promoted against vacancies reserved for the Schedules Castes and the Scheduled Tribes. Shri Mohan has placed reliance on the decision of the Allahabad High Court in J.C. Malik & Ors. v. Union of India & Ors., 1978 (1) SLR 844 which has been approved by this Court in R.K. Sabharwal v. State of Punjab, 1995 (2) SCC 945. We find no merit in this contention. In his writ petition respondent No. 1 has not challenged the promotion of Km. Badam Bairwa and Hari Ram Meena to the Selection Scale and therefore, this contention about the basis for reservation does not fall for consideration in this case. Moreover in R.K. Sabharwal (supra) this Court has directed that the interpretation given by the Court about the working of the roster and the findings on this point shall be operative prospectively which means that actions that have been taken prior to the decision in R.K. Sabharwal (supra) cannot be assailed on the basis of the law laid down in the said decision.

For the reasons aforementioned, the appeals are allowed, the judgment of the Rajasthan High Court dated September 21, 1993 is set aside and the Writ Petition filed by respondent No. 1 is dismissed. But in the circumstances there is no order as to costs.

Railway's O.M dated 11.06.2010 sent to Finance Ministry

Seeking approval for Technical Supervisors in pre-revised pay scales Rs.5000-8000 & Rs.5500-9000 placed in GP Rs.4600 and grant of GP Rs.4800 for posts including Technical Supervisors in pre-revised pay scales of Rs.6500-10500 and Rs.7450-11500.

S.No. 18

SECRET

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

No. PC VI/2009/DAC/1 (Pt2) New Delhi, dated 11.06.2010

OFFICE MEMORANDUM

Sub: Implementation of the recommendations of the VI Central Pay Commission – Departmental Anomaly Committee of the Ministry of Railways.

In pursuance of an agreement with the staff side Members of the Standing Committee of National Council (JCM) Department of Personnel and Training had issued an Office Memorandum dated 12.1.2009 providing for setting up of Anomaly Committees at the National as well as Departmental levels. These Committees were to consist of representatives of official side and the staff side and were expected to make recommendations for settlement of anomalies arising from the recommendations of the Pay Commission as defined in the said Office Memorandum. While a National Anomaly Committee was to be set up to deal with anomalies common to two or more departments and in respect of common categories of employees, Departmental Anomaly Committees were to be set up in each Department to deal with anomalies pertaining exclusively to the Department concerned and having no repercussions on the employees of another Ministry/Department.

A Departmental Anomaly Committee (DAC) had accordingly been set up in the Ministry of Railway vide letter No.PC-VI/2009/DAC/1 dated 16.2.2009. The Staff Federations raised 41 items for discussion in the DAC forum. These items were deliberated at length in the meetings of the DAC held during the subsequent period. During deliberations, it was noted that pursuant to staff side raising the issue in the National Anomaly Committee that the definition of anomaly which had been adopted earlier has been altered, the staff side has

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: 2 :

been requested to forward issues which could have become anomalies had the said para not been deleted for further examination of the same (Para 5 of the Minutes of the meeting of the National Anomaly Committee held on 12.12.2009 circulated vide DOP&T letter No.11/2/2008-JCA 05/02/2010). Keeping interalia this aspect in view, the issues along with justification in brief are enclosed in the Annexure -A for consideration and approval of Ministry of Finance.

Ministry of Finance is requested to consider and communicate their decision on the enclosed issues.

DA: As above

9/11



(Koshiy Thomas)
Jt. Director, Pay Commission
Railway Board

Attn. Smt. Madhulika P. Sukul, JS(Per)
Ministry of Finance,
Dept. of Expenditure,
North Block, New Delhi

DAC Item No. 3. TECHNICAL SUPERVISORS -

The pay structure allotted to the category consequent upon implementation of Sixth CPC pay structure is as follows :

Pre-revised scale	Revised pay structure	
	Pay Band	Grade Pay
7450-11500	PB2	4600
6500-10500		
5500-9000	PB2	4200
5000-8000		

It was brought out in the discussion that Technical Supervisors have superior recruitment conditions, duties and multifarious responsibilities to ensure out-turn targets, optimum productivity, quality control, safety, material management, optimum utilization of man-power machinery, equipment, rolling stock and other resources for efficient train operations. They are also given induction training after recruitment for 18 months period which is much longer as compared to other categories. The pay commission has allotted

them Pay Band – 2 with Grade Pay Rs.4200/- and Rs.4600/- to those who were pre-revised pay scale Rs.6500-10500 and Rs.7450-11500. Whereas the Accounts, teachers and Nursing staff who work under better working conditions and comparatively with no tension, have been allotted better pay. Accordingly, Technical Supervisors in pre-revised scales Rs.5000-8000 and 5500-9000 may be allotted grade Pay Rs.4600. This is consequential to the proposal already referred to Ministry of Finance regarding grant of GP Rs.4800 to posts including Technical Supervisors in pre-revised scale of Rs.6500-10500 and Rs.7450-11500.

Ministry of Finance may please consider the above proposal for allotment of entry Grade Pay of Rs. 4600 in place of Rs. 4200.

CAT Chennai order O.A.310/00706/2013

**Praying for higher Grade Pay for JEs (Junior Engineers) & SSEs (Senior Section Engineers)
on Railways than the Staff working under them**

1

CENTRAL ADMINISTRATIVE TRIBUNAL

MADRAS BENCH

OA/310/00706/2013

Dated Thursday the 21th day of July Two Thousand Sixteen

PRESENT

HON'BLE MR.JUSTICE G.RAJASURIA, Member(J)

&

HON'BLE MR. R. RAMANUJAM, Member (A)

1. Indian Railways Technical supervisors Association,
(IRTSA), Rep. by its Joint General Secretary,
Shri. K. V. Ramesh,
G3 – LIKITH HOMES, 3 – Lakshmanan Nagar,
West Street, Peravallur, Chennai – 600 082.

2. M.T. Sujith Kumar,
Working as Senior Section Engineer,
Basin Bridge Coaching Depot,
Southern Railway, Chennai – 600 003.
Resident of No. 37/67, St. Antony Street,
G.K.M.Colony, Chennai – 600 082.

...Applicants

By Advocate. M/s. K. M. Ramesh

Vs

1. Union of India,
Rep. by the Secretary,
Government of India,
Ministry of Railways,
Railway Board, Rail Bhawan,
New Delhi – 110 001.

2. Secretary,
Ministry of Finance,
Expenditure,
Government of India,
North Block, New Delhi – 110 001.

3. Secretary,
Ministry of Personnel and Training,
Government of India,
North Block, New Delhi – 110 001.



...Respondents

**By Advocate Mr. R. Krishnamurthy (R1)
Mr. K. Rajendran (R2)**

ORDER

(Pronounced by Hon'ble Mr. Justice G. Rajasuria, Member(J))

Heard both.

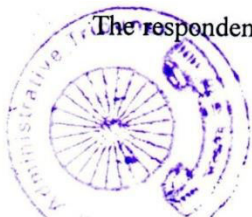
2. This OA has been filed seeking the following relief:

“(1) To call for the records relating Railway Service revised pay rules No. PC-VI/2008/1/RSRP (RBE No – 108/2008), dated 11th Sep. 2008 (Annexure – A16) and order of the Railway Board No. PC-VI/2008/1/RSRP (RBE No – 124/2008) dated 22.09.2008 on the Grade pays awarded to accounts, nursing and teaching staff placed in Group – c (Annexure – A17) and the Ministry of Railways Gazette notification No S. No. PC VI/19 (RBE No – 128/2008) dated 23rd sep.2008 on the Grade pays awarded to accounts, nursing and teaching staff placed in Group-B (Annexure – A18) and to quash the above orders;

(2) 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.”

3. At the outset, itself the learned counsel for the applicant would make a supine submission to the effect that the applicants would be satisfied if a direction is given to the respondent Financial Ministry concerned to consider the representation as contained in Annexure – A21 dated 11.06.2010 within a time frame and communicate the result to the railway department if not already communicated.
4. The learned counsel for the respondent would submit that if such a direction is given the same would be considered.
5. As such, in view of the submission made by the petitioner, we are of the view that without going into the substantive merit of the matter, the OA itself could be disposed of by issuing the following direction:

The respondent no. 2 the Ministry of Finance shall consider the office memorandum no.



PC VI/2009/DAC/1(pt2) dated 11.06.2010 sent by the railways, within a period of three months from the date of receipt of copy of this order, if not already considered and communicate the result to the railways.

5. Accordingly this OA is disposed of. No costs.

"Free Copy U/R 22 of
CAT (Procedure) Rules"

/ TRUE COPY /

K. Kishore
SECTION OFFICER

8/8/16.



Finance Ministry OM dated 29.11.2016 – Not accepting CAT Chennai direction

(42)

MOST IMMEDIATE
COURT CASE

No.36(1)/E.III.B/2005
Government of India
Ministry of Finance
Department of Expenditure

North Block, New Delhi-110 011
Dated the 29th November, 2016

OFFICE MEMORANDUM

Subject: Directions of Hon'ble CAT, Madras Bench in OA No.310/00706/2013 – Indian Railway Technical Supervisors Association v/s UOI – Regarding

The undersigned is directed to refer to Ministry of Railways' OM No.PC.VI/2013/CC/4 dated 5th September, 2016 forwarding therewith the Order dated 21.7.2016 of Hon'ble CAT, Madras Bench for consideration of the directions of the Hon'ble CAT.

2. The matter has been considered in this Ministry and the comments are as under:

- (a) The reason why the posts of Senior Technician and Junior Engineers come to lie in the same pay scale is because the 6th CPC merged the pre-revised pay scales of 5000-8000 and 5500-9000 in the same Grade Pay of Rs.4200/- for the sake of rationalisation and reduction in levels. In the specific case of Junior Engineers, the Commission has consciously merged JE-II and JE-I in the Grade Pay of Rs.4200/-, despite the fact of Senior Technician also being in the same Grade Pay (para 7.36.77 of the Report).
- (b) The 7th Central Pay Commission also considered the issue of Junior Engineers in Railways. However, the Commission has not recommended any change in their pay scale (paras 11.40.104 to 11.40.115).
- (c) The demand is not justifiable for the following reasons:
- (i) The same Grade Pay of Rs.4200/- for both JEs and Senior Technician is based on the recommendation of the 6th Pay Commission. This has been reviewed again by the 7th Pay
.....2/

From pre-page)

Commission without any change. Since the Commissions are expert bodies to go into all considerations, any modification therein is not justified.

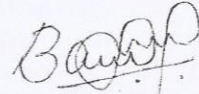
- (ii) Grade Pay of Rs.4200/- is a major pay scale in the Government in the Group 'C' category, belonging to Junior Engineers in all major Departments including CPWD, MES, etc. Any change in the pay scale of Railways will have direct impact on JEs in general, leading to substantial financial implications.
- (iii) In the Government, horizontal relativity is an important factor for pay scales. Thus, if Grade Pay of Rs.4200/- is revised, this will have cascading effect on all the posts which are in the same Grade Pay and it would be a tough task to deal with such demands. Further round of court cases will follow.
- (iv) If the Grade Pay of Rs.4600/- is allowed, the next higher grade in the Railways belonging to Technical Supervisors is Section Engineer/Senior Section Engineer, who are in the Grade Pay of Rs.4600/-. They will demand higher Grade Pay and this will set in another chain of repercussions. In fact, revision of pay scale of Technical Supervisors from Rs.4600/- to Rs.4800/- was considered in the Ministry of Finance on a proposal taken up by the then Minister for Railways in February, 2013 and it was not accepted at the level of the then Finance Minister because of its repercussions.
- (v) The possibility of immediate repercussion in the Ministry of Railways, as mentioned by them in their Counter Reply, is also real.
- (vi) The fact of higher and lower posts lying in a same Grade Pay does not appear to be unique in this case nor as a result of 6th CPC alone. The same issue arose in some cases at the time of 5th CPC. An order was issued by the Ministry of Finance on 24.11.2000 that if it is not possible to merge the post on functional reasons, then the benefit of fixation of pay on promotion, even though

(42)

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promotion taking place in the same pay scale, may be given. A similar order was issued after 6th CPC also on 7.1.2013. Thus, any special dispensation in this case may invite similar demands from such cases, which are not known readily.

3. This issues with the approval of Joint Secretary (Pers).



(Balachandran B.S.)

Under Secretary to the Government of India

To

Ministry of Railways
(Railway Board)
(Shri Ravindra Kumar,
Director (Pay Commission-II)
New Delhi.

**Pay level for Technical Supervisors included in the
National Anomaly Committee in item No.15.**

Minutes

No.11/2/2016- JCA-1(Pt.)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment (JCA-2) Section


North Block, New Delhi - 110 001
Dated: January 31, 2019

OFFICE MEMORANDUM

Subject: Minutes of the National Anomaly Committee Meeting held on Tuesday, 17th July, 2018 under the Chairmanship of Secretary (P) with the representatives of Staff Side, National Council (JCM).

A copy of the minutes of the National Anomaly Committee meeting held on 17th July, 2018 at 11:00 hours in Room No. 119, Conference Room, North Block, New Delhi under the Chairmanship of Secretary (P) is forwarded herewith for information and necessary action.

Encl: As above


(Juglal Singh)

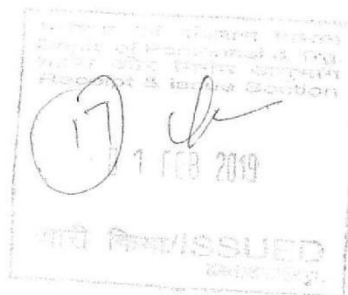
Deputy Secretary to the Government of India
Tel. No. 2309 2338

To

All Members of the National Anomaly Committee of National Council (JCM) as per list attached.

Copy for information to:

1. Secretary, Staff Side, NC (JCM), 13-C, Ferozeshah Road, New Delhi
2. General Secretary, AIRF, 4 State Entry Road, New Delhi
3. General Secretary, NFIR, 3 Chelmsford Road, New Delhi.



31. The following item has been referred to Departmental Anomaly Committee of the respective Department/Ministries.

- | | |
|--------------|--|
| Item No. 15. | Technical Supervisors of Railways |
| Item No. 16 | Anomaly in the assignment of replacement of Levels of pay in the Ministry of Defence, Railways, Mines etc in the case of Store keepers |
| Item No.17 | Anomaly in the assignment of pay Levels in the case of Research Assistants in Ministry of AYUSH, Homoeopathic Department |

32. The Staff Side then raised the following other issues

- (i) Central Govt. employees may be granted one more option to switch over to 7th CPC from a date subsequent to 25th of July 2016. The official side informed that the matter is under consideration and a decision would be taken shortly.
- (ii) The issue of pay fixation of ex-servicemen in the last pay drawn by them before retirement from armed forces is remaining unsettled. The official side informed that the matter has been referred to Ministry of Defence by DoPT for their comments. Decision would be taken after receipt of comments from Ministry of Defence.
- (iii) The Staff Side also informed of the decision taken by the NJCA in its meeting held on 03/07/2018 of the revival of the deferred indefinite strike by the Central Government Employees if no settlement is brought about on major demands like upward revision of minimum pay, fitment factor and NPS before 07/08/2018.

33. Secretary (Personnel) concluded the meeting by saying that the issues coming under the category of anomalies will be considered in the next Anomaly Committee Meeting and the grievances of the Staff Side pertaining to the other issues will be considered in the Standing Committee Meeting.

34. The meeting concluded with a vote of thanks to the Chair.

Report of High-Power Committee formed by Railway Board to enhance the promotional avenue for supervisors from their apex grade of Level-7 upto Level-9

EXECUTIVE SUMMARY

1. The Board Meeting held on 02-11-2018 tasked this Committee with examining and submitting a report on enhancement of promotional avenues for Supervisors from their present apex grade of Level-7 upto Level-9. The Committee was further tasked with making its recommendations cost-neutral to the extent possible and to submit its report by 31st December, 2018.

1.1 The Committee has examined the background of the problem and brought out how merger of grades by the 6th CPC and successive rounds of cadre restructuring have resulted in this problem of stagnation at GP 4600/Level-7. Reversal of established parities between Accounts and non-Accounts Supervisors has also exacerbated the problem. An earlier effort to upgrade Apex Group-C scales to GP 4800/ for Technical Supervisors was not agreed to by MoF. In the context of the 7th CPC recommendations, another proposal to *inter alia* upgrade 75% of non-Accounts Supervisory posts from Level-7 to Level-8 has been sent in early 2017 to MoF, followed by several reminders. In the meantime, further upgradation of Sr. SOs of Accounts Department from L-8 to L-9 is under active consideration of the Government, based on 7th CPC recommendations.

1.2 The Committee, after analysis, has recommended upgradation in the cadre structure of Senior Supervisors (non-Accounts) to the functional grades of Level-8 and Level-9. While 25% of the existing GP 4600/Level-7 cadre strength will continue in this grade, 50% will be upgraded to GP 4800/Level-8 and 25% to GP 5400/Level-9 - all in Group C itself. In numerical terms, this means that out of the existing cadre strength of around 70000 in Level-7, around 35000 will be upgraded to Level-8 and around 17500 to Level-9. Around 17500 will continue to remain in Level-7. The resultant final Supervisory structure will therefore be four-tier (as it traditionally existed)- JEs and other Junior Supervisors in GP 4200/Level-6 who will progress to Levels-7, 8 & 9 respectively, in due course.

1.3 The financial implications of this upgradation exercise works out to about Rs. 359 crores (annual cost). The Committee proposes that this be met broadly through

the surrender of equivalent money value of 11432 DR category posts apportioned cost-wise in the ratio 20:40:40 amongst Level-6, Level-2 and Level-1 respectively. In numerical terms, this works out to a surrender of 1347 L-6 posts, 4789 L-2 posts and 5296 L-1 posts- thus, totaling 11432 posts in all.

1.4 In the light of past experience with similar proposals, the Committee recommends that the upgradation proposal be sent as a Cabinet Note rather than as a normal proposal to MoF/DoPT.

1.5 The Committee has also briefly examined logistical and administrative implications of the proposal and concluded that the proposal is feasible.

Car *K* 29/12 *11/yes* 29/12/18 *Car* *K* 29/12 *RI*

INTRODUCTION

A Committee consisting of EDPC-II (convener) and EDE(GC) and ED/Transf.Cell(Mech) (Members) was constituted to review the existing Classification Policy in Indian Railways. The report of the Committee was considered in the Board Meeting held on 02.01.2018. While finding the Report of the Committee not feasible for acceptance, the Board also decided that the same Committee be tasked with the assignment to assess the need for additional levels between Level 6 to Level 9 (erstwhile GP-4200 to GP-5400) with the objective of having more periodic promotional avenues during the career of employees. Copy of Board Minutes dated 02-11-2018 in this connection, are at Annex-A. Further, the Board Meeting held on 19-12-2018 while discussing this issue also desired that the Committee's recommendations in this regard be cost-neutral to the extent possible. Copy of extracts of Minutes dated 26-12-2018 is enclosed as Annex-B.

2. Background of the matter

The genesis of the stagnation in the Supervisory staff is primarily due to merger of grades by various Pay commissions especially 6th CPC and frequent cadre restructuring exercises. Comparative position across various Pay Commission is as below :-

Table -1

4 th CPC scale & designation	5 th CPC scale & designation	6 th CPC scale & designation	7 th CPC scale & designation
1400-2300/* 1600-2660 Chargeman-B	5000-8000 Junior Engineer-II	PB-2 (9300-34800) with GP 4200/-	Level-6
1600-2660/* 1640-2900 Chargeman-A	5500-9000 Junior Engineer-I	Junior Engineer	Junior Engineer
2000-3200 Asst. Foreman	6500-10500 Section Engineer	PB-2 (9300-34800) with GP 4600/-	Level -7
2375-3500 Foreman	7450-11500 Senior SE	Senior Section Engineer	Senior Section Engineer

3
A

B

2.1 It is therefore seen that the four level Supervisory structure that existed upto 5th CPC got changed to 2 levels post 6th CPC. As a result, a Supervisor joining in Level 6 (GP-4200) has only one promotion to Level 7(GP-4600) in his normal AVC, while one joining in L-7 (especially qualified candidates as SSE) has none. Further promotion from L-7 is for limited vacancies in Group 'B' through written examination based scheme, where seniority and a good service record will alone not suffice. This has led to stagnation in the cadre and MACP non-functional upgradation to L-8 and L-9 has failed to satisfy Supervisory staff.

2.2 Apart from the merger of grades by Pay Commission, frequent cadre restructuring exercises have resulted in drastic increases in the Apex Group 'C' posts often resulting in an inverted pyramid cadre structure. A detailed position in this regard is placed at Annexure 'C'. This, along with the reduction in the residency period for promotion within Group 'C' grades has enabled junior supervisor (Level-6) to reach senior supervisor (Level-7) rapidly. On the contrary, in other departments of Union of India which are governed by CCS (CCA) Rule minimum residency period for promotion from Level-5 to Level-6 is 8 years and Level-6 to Level-7 is 5 years.

2.3 The merger of various groups of supervisors and successive cadre restructuring has also resulted in dilution of command and control structure due to distortion of ratio between senior supervisors and other supervisors, as brought out in Annexure-C.

3. Effect of Recommendations of 6th and 7th CPCs

3.1 Traditionally, pay scales allotted to Supervisors of other operational departments have been higher than the pay scales of supervisors of the Accounts Department on the Indian Railways. The implementation of 6th CPC recommendations, resulted in upsetting/ reversal of this position both as regards Supervisors and Group-B officers, as brought out in Tables at Annexure-D.

3.2 Both Railway administration and Staff Federations have asked for restoring parity in Pay structure between Accounts and non-Accounts, in this connection. The issue was also raised in National Anomaly Committee. After examination, a

4
A

B

composite proposal was made to Ministry of Finance seeking grant of GP -Rs.5400 (in PB-2) instead of GP Rs 4800 in case of Group 'B' officers and to allot Grade Pay of Rs. 4800 w.e.f. 01.01.06 to various posts of senior supervisors of all the departments on the Railways who were in the pre-revised pay scales of Rs. 6500-10500 and Rs. 7450-11500 (Annex-E). However, these proposals were turned down by MoF (Annex-F)

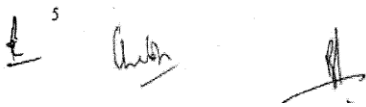
3.3 Views of Ministry of Railways before the 7th CPC: The issue was taken up in a detailed manner before the 7th CPC and the 7th CPC were requested to rectify this anomaly. It was apprised to the Commission that this anomaly needs the attention of the Commission for appropriate resolution.

3.4 Recommendation of 7th CPC: 7th CPC did not resolve this issue. In respect of Technical Supervisors, they did recommend (Para 11.10.113 of their Report) that in view of some degree of stagnation existing at GP Rs 4600 stage, the Railway Board may consider enhancing the number of posts in the next higher level. However, they recommended normal replacement scale/level for GP Rs 4600 (6th CPC) to the senior supervisors of Indian Railways i.e. level 7 while recommending further upgradation for SSOs of Accounts Category in the form of grant Level 9 (PB-2/GP-5400) on non-functional basis after four years. The recommendation for upgradation of SrSOs pay structure is presently under consideration by an Inter Ministerial Committee consisting of representatives of Ministry of Finance, DOP&T and Railways.

3.5 In an attempt to restore the parity in pay scales and improve promotional prospects of Technical Supervisors, a proposal was placed before Empowered Committee of Secretaries(E-CoS) constituted under the chairmanship of Cabinet Secretary to review the recommendations of 7th CPC, as below:

- i) Revision of Pay Level of Group 'B' Officers of all Railway Departments (other than Accounts Department) to Level 10 and Level of the 7th CPC Pay Matrix, on par with the Pay Levels of Group 'B' Officers of the Accounts Department of the Railways
- ii) Revision of the pay structure of Senior Supervisors in Group 'C' of all Departments (other than Accounts Department) to upgrade

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75% of such Supervisors from Level -7 (erstwhile GP-4600 to Level-8 (erstwhile GP-4800).

3.6. However, E-CoS also did not make a decision on these proposals. Subsequently, this proposal has been forwarded to Ministry of Finance on 08.02.2017 (Annex-G), followed by several reminders.

4. Committee's Analysis

4.1 That there is no functional advancement in the cadre in the normal course beyond the present apex Group-C level of GP 4600/Level-6 (for non-Accounts supervisors) is a matter of record. Promotion beyond this level is to Group-B gazetted through the normal promotional channel of written examination and viva voce. Considering that the promotional vacancies arising in Group-B every year are limited in number when compared to the large number of senior Supervisors, it is clear that promotion to Group-B gazetted cannot be the solution to stagnation at GP 4600/Level-6. While MACPS does give financial upgradation to Supervisors, this is non-functional in nature. Merger of grades by the 6th CPC has led to reduction of Levels of Supervisors from four to two (Table-2 refers). Cadre restructuring over the years has also made most Group-C cadres top-heavy. This is particularly noticeable in the case of Technical Supervisors where the ratio of SSEs to JEs is 2 : 1. This results in young and qualified persons reaching the apex Group-C scale of Level-7 quite early in their careers and not advancing functionally thereafter through seniority-cum-suitability promotions. This naturally creates frustration and resentment in these senior Supervisors. Those who join directly in Level-7 (SSEs, CLAs, Asst Public Prosecutors etc.) confront this fact immediately they join that they have no further functional advancement in their cadre, except for the very few who clear the Departmental selection for Group-B gazetted posts. There is therefore a clear and pressing need to have in place functional career advancement beyond GP 4600/Level-7, in the normal cadre itself. The 7th CPC has also stressed on the need for a promotional avenue beyond this level, as already mentioned in the earlier part of this Report.

4.2 A proposal to upgrade 75% of all Supervisors in GP 4600/Level-7 to GP 4800/Level-8 has already been sent to MoF in February 2017 itself (Annexure-G), as




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already mentioned earlier. This has been followed by reminders, including a DO from the Hon'ble MR (*Annex-II*) and from CRB (*Annex-I*). An interim reply has been received from MoF (*Annex-J*) that the proposal will be considered after DoPT decides on the 7th CPC-recommended proposal for upgradation of Accounts Supervisors (Sr. SOs) to GP 5400/Level-9.

4.3 As regards this proposal (for upgradation of Sr SOs of Accounts Department) that is presently under consideration in DoPT, the M/o Railways' stand is clear. As communicated to DoPT (*Annex-K*), Railway Board has pointed out that post the 6th CPC, the relativity between the Accounts and non-Accounts Supervisors has already been upset, with the former now occupying a higher pay grade (GP 4800/L-8) as compared to the latter (GP 4600/L-7). Further upgradation of the former, in isolation, would accentuate this disparity and could lead to problems at the operational/field level. Accordingly, Railway Board had suggested that upgradation of Sr SOs of Accounts to Level-9 be accompanied by a concomitant upgradation of 75% of non-Accounts Supervisors in Level-7 to at least Level-8, in terms of the pending proposal with MoF. This would prevent exacerbation of the already existing disparity between Accounts and non-Accounts Supervisors.

4.4 The fact of the matter however remains that other Departments/Ministries under Govt have already fallen in line as regards implementation of the upgraded scale of Level-10 to Accounts Supervisors. It would thus not be fair to deny this to Accounts Supervisors in M/o Railways too. Further, there are two more aspects as regards present proposal pending with MoF regarding upgradation of non-Accounts Supervisors. Firstly, it has taken over a year and a half after the proposal was initially sent- and DO reminders by Hon'ble MR and CRB, plus other follow-up, for even the interim response at *Annex-J* to be received. It is thus reasonable to assume that even after DoPT finalises its recommendations regarding upgradation of pay structure of Accounts supervisors, a decision from MoF on Railways' pending proposal will take a long time coming- and with no guarantee of a favourable decision. Secondly, when the issue was originally raised, Accounts Supervisors had moved one grade beyond non-Accounts supervisors (GP 4800/ vis-a-vis GP 4600). The proposal for one-level upgradation of Technical (and other non-Accounts) Supervisors was first conceived in this context. Presently, there is an imminent likelihood of this disparity becoming two

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

levels, when Accounts Supervisors' upgradation to GP 5400/L-9 comes through. Therefore, the stand of the Railways needs to be tweaked factoring not only the aspirations of Technical (and other non-Accounts) Supervisors, but also the reality of facts and circumstances on the ground both with respect to Accounts Supervisors' further upgradation to L-9 and the difficulty of getting a proposal for upgradation cleared by MoF in the normal course.

5. Committee's Recommendations

5.1 Based on the analysis above, the Committee therefore recommends that a proposal be framed for providing promotional avenues to Supervisors upto Level-9 (GP 5400) in their Group-C AVC itself. For Technical & other non-Accounts Supervisors, this would mean introduction of 2 stages/levels in the present cadre structure- Level-8 (GP 4800) and Level-9 (GP 5400). For Accounts Supervisors, who are already in Level-8, this would merely mean acceptance of the 7th CPC recommendations in this regard on par with other organised Accounts services for upgradation to Level-9 and would entail no fresh efforts from M/o Railways.

5.2 Presently, there are around 70,000 posts in GP 4600/L-7. The proposal recommended by the Committee envisages that half of this total number (that is, 35000 posts) be upgraded to GP 4800/Level-8, and one-fourth of this total number (that is, 17500) be upgraded to GP 5400/Level-9. Keeping total number of posts in GP 4600/L-7 & above constant at 70000, the resultant cadre structure would be as follows:

- A) Total number of posts in GP 4600/L-7 = 70000 (approx.)
- B) In terms of proposal already sent & pending with MoF:
- i) Posts in GP 4800 (L-8) = 52500 (75% of posts in L-7)
 - ii) Posts to remain in GP 4600 (L-7) = 17500 (remaining 25% of posts)
- C) In terms of Committee's recommendations now:
- i) Posts in GP 5400 (L-9) = 17500 (25% of the posts)
 - ii) Posts in GP 4800 (L-8) = 35000 (50% of the posts)
 - iii) Posts in GP 4600 (L-7) = 17500 (remaining 25% of the posts)

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5.3 Financial Implications

5.3.1 In order to ensure that the proposal framed now has a reasonable chance of success, the Committee proposes that the upgradation and consequent revision of cadre structure be essentially cost-neutral. For this to be achieved, the financial outgo on account of this upgradation has to be met by commensurate surrender of posts having equivalent money value., as detailed below

5.3.2 Based on MoF's latest guidelines on calculating money value of posts (Annex-L), the additional yearly cost due to the proposed upgradation at 5.2 (C) above works out to approx. Rs.359/ crores, as listed at Annexure-M. To safeguard promotional interests of existing employees, the matching surrenders should be in categories/grades where Direct Recruitment is there. The lowest categories/grades that these exist in are GP 1800/L-1, GP 1900/L-2 and GP 4200/(L-6). If each of these categories/grades were considered for matching surrender in stand-alone terms, the number of posts to be surrendered works out to 6734, 11972 and 13241 for L-6, L-2 and L-1 respectively.

5.3.3 Another option is to distribute the number of posts to be surrendered for financial neutrality among various grades, instead of effecting it exclusively in any one grade. On merits also, while JEs and other Junior Supervisors would, of course, be more immediately benefited by the proposed upgradation as compared to lower-level employees, it is nevertheless true that even Technicians and erstwhile Group-D (L-1) employees would also be benefited over the medium and long-term due to increase in promotional avenues. Also, future manpower requirements are increasingly likely to be for more skilled and supervisory categories vis-a-vis relatively unskilled categories. The cadre strength of posts below GP 4200/L-6 is also much more as compared to GP 4200/ & above (< 3 lakh employees in GP 4200/L-6 & above vs. almost 10 lakh in grades below L-6).

5.3.4 Considering discussion at 5.3.3 above, the Committee therefore proposes that the matching surrender cost of the recommended upgradation be distributed in the ratio of 20:40:40 amongst posts in GP 4200/L-6, GP 1900/L-2 and GP

9

1800/L-1 respectively. This works out to about 1347 posts in L-6 (against a cadre strength of approx. 2.2 lakh in this grade), 4789 posts in L-2 and 5296 posts in L-1. Total number of posts to be surrendered will therefore be about 11432, as brought out in Annex-M. This total figure is around 0.87% of the overall Group-C strength of the Railways.

5.4 Promotion methodology

The Committee recommends that promotion from GP 4600/L-7 to L-8 would be through seniority-cum-suitability with a minimum residency period of four years non-fortuitous service in the grade L-7. However, GP 5400/L-9 in the cadre would be classified as a Group C 'selection post'. Accordingly, promotion from L-8 to L-9 will be through a departmental selection based on written examination (objective type) and record of service. Minimum qualifying service in the grade of L-8 would be 5 years for considering promotion to L-9.

5.5 Path to be followed for approval

After concurrence of internal stakeholders and approval of Board and Hon'ble MR, the Committee proposes that the route of Cabinet Note be followed for clearing the proposal. This is because once draft Cabinet Note is prepared and sent, comments of DoPT and MoF are to be received within a short and specified time-frame. This will avoid the long gestation period that would likely follow were a proposal to be sent in the normal course to MoF. With the adequate justification that exists and the financial neutrality moreover that is being offered, there is a fair chance of the Cabinet Note being considered favourably and a time-bound decision being arrived at. With the proposed Cabinet Note, it will of course, be communicated to MoF that our earlier proposal (for 75% upgradation to GP 4800/L-7) stands superseded by the new proposal contained in the Cabinet Note. The 7th CPC recommendation of upgradation to Accounts Supervisors can also be through without any contingent riders/implications that we have been highlighting to DoPT, so far.

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5.6 Logistics/challenges

5.6.1 If the recommendations are accepted by Board, the biggest challenge, will of course be to get the proposal (Cabinet note) accepted by the Government. Internal stakeholders, including staff Federations, should not have a problem with the proposal, as it enhances promotional prospects of employees. While the number of posts in GP 4600/ L-7 will come down (due to upgradation to higher grades of L-8 and L-9), this should not affect existing employees in this Grade as they will continue to work against the higher grade posts till they move up in their turn. This will be made clear to avoid any misgivings that there may be any reversions on this account.

5.6.2 As the upgraded posts will continue in Group-C/non-gazetted, there should probably be no administrative command-and-control or operational implications. However, one anomaly in the existing Pay structure for non-Accounts Departments is unavoidable. The entry pay structure for Group-B gazetted for non-Accounts Officers continues to be L-8, while Senior Supervisors will reach L-9. This, fortunately, is not a new event in our Classification and command-and-control structure. Even now, Teachers and Nursing Staff draw functional Pay Levels of L-10 and even L-11, while continuing to remain in Group-C and under the administrative control of gazetted officers who may be in a lower Pay level. While MoF will therefore continue to be requested to upgrade non-Accounts Officers' entry pay to L-9 (as for Accounts Officers), our classification structure will need to be amended appropriately as and when the proposal for upgradation is approved.

5.6.3 Non-conferment of gazetted Group-B status will likely be a sore point with the Supervisors. However, dissemination of the positive spin-offs of continuing to remain in Group-C- such as the RRs remaining under the purview of M/o Railways, and their amendment being done in-house to cater to the upgraded posts; DoPT conditions of minimum residency period for promotion not being applicable; all existing Allowances continuing to be drawn; and transfers continuing to be confined mainly to the administrative unit concerned (instead of across Divisions as for Group-B gazetted) will help in assuaging sentiments. It can also be pointed out that the smaller number of Apex Group supervisors (in L-9) as compared to present Apex group

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supervisors (in L-7) should help in restoring the traditional importance accorded to Senior Supervisors in the field. As Group-C employees, they will also continue to be eligible for participation in Trade Union activities- a fact that will also be noted by staff Federations.

5.6.4 Another logistical challenge, as and when the proposal is approved, will be in identifying the posts required for matching surrender. The ratio and grades worked out on an overall basis at para 5.3.4 above, will obviously not be immutable in their application to all categories of Supervisors. As long as matching value is made available, this should not really matter. If any particular Unit has a genuine difficulty in arranging matching surrender value for upgradation, Vacancy Bank of the Division/Railway concerned- and in extreme cases, the Board's vacancy bank; can also be utilised, wherever inescapable.

5.6.5 While framing the RRs for the upgraded posts, the question of their designation will also have to be decided. A simple way of designating the posts could be in terms of Gr-III, Gr-II and Gr-I. For example, SSEs in GP 4600/L-7 would be designated as SSE-III, those in GP 4800/L-8 as SSE-II and those in GP 5400/L-9 as SSE-I. Use of prefixes such as "Chief" or "Head" could be another way of distinguishing the upgraded L-8 and L-9 Supervisory posts from the existing L-7 designations. This, of course, is an issue that needs to be taken up only after the proposal is finally approved.

6. The Committee's Report and its recommendations are submitted accordingly for Board's kind consideration.

<i>[Signature]</i> 29/12	<i>[Signature]</i> 29/12/18	<i>[Signature]</i> 29/12/18
Chetan Prakash Jain	A. K. Chandra	S. Balachandran Iyer
Executive Director /Est.(GC) /Railway Board & Member of the Committee	Executive Director/ Mechanical/Railway Board & Member of the Committee	Executive Director/PC-II/Railway Board and Convener of the Committee

Para 16 of Chapter 19, 3rd CPC recommendation

3rd CPC recommended for creation of new grade of Master Craftsman (Senior Technician) in the scale of Rs.425-640 (scale no.25 of 3rd CPC) as personal post for those who not opting for the promotion to Chageman-B (Junior Engineer)

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scale to replace the present six semi-skilled scales as shown below :—

Existing Scale Rs.	Proposed Scale Rs.
75-95	200-280
75-110	
80-110	
85-110	
95-110	
85-128	

The employees on the existing scale of Rs. 75-95 in Defence Establishment and in other departments should be allowed to proceed beyond the maximum of Rs. 240, applicable to non-workshop staff in the scale of Rs. 75-95, only subject to their passing the prescribed trade tests of the standard applicable for getting into the existing workshop scale of Rs. 85-110 on the corresponding grade. We further recommend that in view of the complaint of the Defence Employees' Organisations that some of the workers borne on the scales of Rs. 85-110 and Rs. 85-128 are doing work which is regarded as "Skilled" in other departments, the posts on these scales should, where necessary, be re-classified after proper evaluation so as to fit these posts into the semi-skilled or lower skilled categories, as the case may be.

13. It has also been urged before us that the pay scale of a skilled artisan should be comparable to that of a Lower Division Clerk (LDC). Such an equivalence has already become well-established in organisations which have only one scale at this level. We, therefore, recommend the following revised scales in replacement of the existing scales :—

Existing Scale Rs.	Proposed Scale Rs.
110-131	260-350
110-139	
110-143	
110-155	
125-155	
130-185	320-400
140-175	
140-180	
150-180	
110-180	260-400
125-180	
130-175	
130-205	

The posts which are on the existing scales (Rs. 100—130 and Rs. 100—142) should be suitably re-classified into semi-skilled or lower skilled grades after a reassessment of the jobs. Pending such re-classification they should be allotted the scale of Rs. 225-308. Similarly posts in the scale of Rs. 130-205 should also be properly classified either into the upper skilled grade or into highly skilled grade II. Pending this, they should be fixed as shown above.

14. We have considered it necessary to improve the scales of the highly skilled category for two reasons. Firstly, the highly skilled grade marks the apex grade for skilled workmen and it should thus be comparable to the grade of Upper Division Clerk. Secondly, we have recommended an improved scale for the Ministries in workshops and if a corresponding improvement is not made for highly skilled staff, there would be a tendency to gravitate to supervisory posts. This might result in losing a highly skilled worker and getting an indifferent supervisor. We accordingly propose the following scales to replace the existing rules :—

Existing Scale Rs.	Proposed Scale Rs.
130-212	330-480
150-205	
150-240	380-560
175-240	
205-240	

15. It has been suggested to us by some technical experts that new trades and processes requiring higher skills and new equipment with high degree of precision and sophistication have been developed and introduced in the field of electronics, instrumentation, automatic cutting tools etc. during the last decade or so. These developments call for a much higher level of operative skill and technical knowledge than before. Further, much of the new equipment, being highly sophisticated is also expensive and required to be handled with care, as defective operation can cause heavy damage. For efficient use the machines have to be fully utilised during working hours, and this adds to the work-load and responsibility of the operator. The pay structure should reflect these additional requirements. Other considerations advanced in support of the proposal are that the creation of a new grade of Master Craftsman would be an incentive to the highly skilled artisans to remain in their own line and not try to become Supervisors where their special skills cannot be productively utilised in operational jobs. It would also help the Government to retain the highly skilled staff in many critical trades for which there is considerable demand outside.

16. We accept the force of these arguments, and recommend the creation of a new grade of Master Craftsman in the scale of Rs. 425—640. In order to avoid the new scale suggested by us for the Master Craftsman becoming a normal promotion level, we suggest the following criteria for allotment of this grade:—

- (i) trades where this grade would be useful should be identified in advance. Even in these trades the posts in this grade should be allowed only as personal to the incumbent who is adjudged to possess the requisite skill;
- (ii) work norms and standards of precision and operative skill should be laid down for the Master Craftsman's grade and these should, of course, be higher than for the highly skilled Grade I; and

- (iii) elevation to Master Craftsman's grade should be subject to the passing of the trade test to ensure that criterion at (ii) above is satisfied.

We further suggest that in order to ensure a uniform approach and standards in this matter an inter-departmental committee should work out further detailed criteria for the allotment of this grade.

17. Some employees' organisations including the Indian National Defence Workers' Federation (INDWF) and the All India Defence Employees' Federation (AIDEF) have asked for the appointment of a Classification Tribunal for the purpose of classifying various trades on the basis of the job content and fitting the employees into the scales recommended by us. They apprehend that if the work of classification is not carried out in a systematic manner, the existing anomalies will get perpetuated as the workers will get fitted into the new scales primarily on the basis of their existing scales which, according to them, do not correctly reflect the skills, duties, responsibilities and difficulties involved in the job. Both the Secretary, Defence Production, and the Director General of Ordnance Factories also emphasised the need for reviewing the existing categorisation of workshop staff. We observe that the Second Pay Commission had recommended the constitution of expert bodies consisting of a technical expert conversant with the content and responsibilities of the various jobs in a workshop, a person with experience of wage problems and a neutral chairman with experience in wage adjudication for the purpose of allocating workshop jobs to the scales recommended by the Commission. It had further suggested that the recommendations made by the various bodies should be coordinated by a common chairman, or a joint meeting of the chairmen of all the bodies. We understand that the Government did not accept this recommendation and decided that expert bodies need be constituted only when disputes arose in respect of fitment of workshop staff in the new pay scales recommended by the Second Pay Commission. Subsequently, however, departmental committees were set up in the P. & T., the Railways and Defence Establishments (Civilian) to look into the classification of trades.

18. We appreciated the force of the arguments urged in support of the demand for proper classification of workshop jobs, which reinforced our own conclusions based on our examination of the matter and our first hand impressions of visits to some workshops. We, however, realised that it would not be possible for us to undertake job evaluation, as we had neither the time nor the experience for such work. We, therefore, suggested that Government might consider the desirability of setting up expert bodies under various Ministries to go into the question of reviewing the existing categorisation of workshop staff serving under them. We also suggested the need for installing a coordinating machinery simultaneously with the setting up of the expert bodies, so that a uniform approach is adopted by the various classification bodies. We have been informed by Government that with the exception of the Railways, all the major employing ministries have agreed to

take steps to set up expert committees for reviewing the existing categorisation of workshop staff. In the case of Railways, a one-man Committee was appointed in 1969 to review the existing classification of all categories of artisan staff in the workshops and for prescribing standard trade tests. This Committee does not seem to have carried out job evaluation/classification in the strict sense of the term. It appears that a Joint Committee consisting of the representatives of the Railways and the workers' organisations has been set up to study the report of the one-man Committee and arrive at agreed conclusions before final decisions can be taken. Government has also agreed to set up an inter-departmental coordination machinery for ensuring a reasonable measure of uniformity of standards in the process of recategorisation.

19. We have recommended the number of levels and the pay scales considered suitable by us and we have also suggested the correspondence between the existing scales and the revised scales. The initial allotment of revised scales to these categories should be on the basis of correspondence suggested by us. Eventually, however, fitment of the categories into the proposed scales should be made on the basis of the recommendations of the expert bodies. We have recommended the cautious adoption of job evaluation techniques over a limited sphere, particularly for industrial and fairly standardised jobs, as an experimental measure*. We would only add here that the concerned authorities may consider the feasibility of trying out these methods on a selective basis to assist them in re-categorising the posts in the industrial establishments.

20. It would be appropriate to discuss here the incentive schemes in the various departments. Under the incentive scheme in force in the Railway production units and workshops, the basic wages are guaranteed to all the workers. Time is the yardstick for measuring work and a standard time is fixed for a given job on the basis of a time and motion study for an average worker. Different percentages are added for gauging, handling, fatigue and personal allowances etc. A production and bonus allowance of 33-1/3% is also added to the standard time. The scheme is based on the concept that an average operative when working under non-incentive conditions is assumed to be working at a rating of 60 units. The same average operative when working under incentive conditions could be expected to improve his rating to 80 units i.e. 33-1/3% more. Hence, an allowance of 33-1/3% is added as a production and bonus allowance. It is expected that an average operative would complete an operation in 3/4th of the allowed time. The time saved/lost on the time 'allowed' in each operation is calculated separately for each worker and the loss/gain is balanced for each wage period. The ceiling limit on "profit" is fixed at 50% of the time taken in each of the operations.

21. The hourly rates of pay for the purpose of calculating rates for incentive bonus are based on the weighted mean of the pay scales allotted to the cate-

* Chapter 5--Principles of Pay Determination.

Para 44 of Chapter 19, 3rd CPC recommendationPay scale of Rs.425-700 (scale no.26 of 3rd CPC) was recommended for Chargeman (Junior Engineer-II).

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and sometimes even those of Foremen 'A'. Improvements in the pay scales of Foremen or the lines decided by the Tribunal will help in rectifying this imbalance to some extent. If a more satisfactory solution is considered administratively essential, it may be necessary also to modify the incentive scheme and the hourly rates within the framework of the revised pay structure. Official witnesses in the course of the evidence agreed in general with the need for improving the emoluments of the Foremen in view of the introduction of the incentive scheme but they preferred a scheme of special pay to higher scales of pay. We, however, would prefer a higher scale of pay to special pay, as the addition to work or responsibilities in these posts is of a permanent nature which would justify placing them in a higher grade. Further, the incumbents of these posts are not normally liable to transfer to non-workshop posts. Yet another reason is that the system of special pay generally works out to be more and not less expensive than a higher scale of pay.

44. Taking into account the demands and suggestions of the Federations and Associations, the views of the official witnesses and the verdict of the Miabhoy Tribunal, we recommend the following scales of pay for the technical supervisors both in the repair workshops and the production units:—

Designation	Existing scale Rs.	Proposed Scale Rs.
Chargemen 'C'	205-280	425-700
Chargemen 'B'	250-380	
Chargemen 'A'/ Foremen 'C'	335-425	550-750
Foremen 'B' (Civil Engineering)	335-485	700-900
Foremen 'B'	370-475	
Assistant Shop Superintendents (Production units)	450-575	
Foremen 'A' Shop Superintendents (Production Units)	450-575 450-575 + Spl. Pay Rs. 150	840-1040

It would be necessary to redistribute the posts in the Civil Engineering workshops in the revised scales shown above. This is a matter which can best be decided by the Railway administration.

45. Above Foreman 'A' we recommend a special grade of Principal Foreman for whom the upper segment of Class II scale viz. Rs. 840—1200 will be suitable. In recommending the introduction of this special grade we have taken into account the high level of emoluments which are available to the highest grade of Foreman outside Government service. Moreover, there are likely to be Foremen who though excellent in their own line on the shop floor might be found unsuitable for promotion as officers in the administrative or managerial lines. We are not conceiving of a specified number of posts being created in this grade. On the other hand, the posts in this grade should be created on a personal basis as reward for specially meritorious work and proven efficiency in improving out-turn and maintaining discipline. Safeguards should be introduced to ensure that these posts do not degenerate into normal promotional posts but are reserved for a select band of outstanding Foremen.

46. The Technical Supervisors who are in charge of repair and maintenance of locomotives in the loco sheds may be dealt with on the same lines as recommended above, as their method of recruitment, qualifications and duties are similar to those of their counterparts in the workshops. We understand that the differences such as exist between the loco sheds and the workshops are generally unfavourable to the former.

III—Technical Supervisors in Defence Workshops

47. The supervisory staff in the Defence Workshops are distributed over 9 scales of pay. A wide variety of nomenclature exists for posts involving the same duties and responsibilities. The categories comprised in this group, their number and scales of pay are given in the table below:—

TABLE IV

S. No.	Scale of pay Rs.	DGOF	EME	AOC	NAVY	AIR FORCE	GRF	R & D	DGI	TOTAL
1.	450-25-650	612	—	—	97	—	—	—	389	1098
2.	450-25-575	—	—	6	76	—	—	207	—	289
3.	370-20-450-25-500	1129	—	—	—	—	—	213	556	1898
4.	335-15-485	997	141	22	70	6	76	99	307	1718
5.	250-10-290-15-380	1977	405	—	91	277	36	186	606	3578
6.	205-7-240-8-280	6414	—	45	638	1	82	159	950	8289
7.	150-5-160-8-280-10-300	—	305	—	—	—	—	—	—	305
8.	150-5-175-6-205-7-240/175-6-205-7-240	29	—	—	—	—	—	196	1861	2086
9.	150-5-175-6-205-7-240	115	—	91	16	—	281	—	—	503
Total		11273	851	164	284	988	475	1060	4669	19764

DGOF : Director General Ordnance Factories.
EME : Electrical & Mechanical Engineers
AOC : Army Ordnance Corps.
GRF : General Reserve Engineer Force
R & D : Research & Development
DGI : Director General Inspection

Copy of para 54.33, 54.34, 54.35, 54.36, 54.37 & 54.38 of 5th CPC

5th CPC removed the anomaly by recommending the pay scale of Rs.4500-7000 to Master Craftsman (senior technician) and Rs. 5000-8000 for Technical Supervisors / Chargeman-B (since redesignated as Junior Engineer-II).

Master Craftsman 54.33 The concept of Master-Craftsman in the pay scale of Rs.1400-2300 was introduced with the basic objective of retaining skilled workers in the trade. The Railway and Defence Employees Federations have emphasised the continued need to retain the skills of experienced industrial employees particularly in view of the technical advancement and procurement of sophisticated machines in Government workshops and factories. The Federations have argued for a higher replacement payscale and further pay scales for promotion of Master Craftsmen. The Ordnance Factory Board anticipating re-orientation in the technologies in use and induction of new technologies which use computer based programmable manufacturing operations, has predicted increasing demand for knowledge based operating skills in the ranks of industrial workers. The Board has suggested creation of two additional grades for Master Craftsmen as follows :-

Existing	Proposed by Ordnance Factory Board
Master Craftsman Rs.1400-2300	Master Craftsman Grade - I Rs.2000-3200
	Master Craftsman Grade - II Rs.1600-2660
	Master Craftsman Grade - III Rs.1400-2300

Our recommendations 54.34 We accept the contention that the 'Knowledge-Worker' is the need of the hour. However, the grant of higher pay scale (s) as proposed would disturb the existing relativities with the payscales proposed by us for Technical supervisors in Workshops. Status quo may, therefore, be maintained.

Mistries in Railways 54.35 Mistries in Railway Workshops and Production Units are in the same scale of pay (Rs.1400-2300) as Chargeman 'B' which is a promotion post for them. The Federations of Railwaymen have contended that the Mistries who are promoted from ranks after long years of service and experience work like Chargemen 'B' as supervisors and technical advisors to the technicians. The Federations have, therefore, demanded that Mistry be redesignated as Chargeman 'B'. The Ministry of Railways has explained that the Mistries were in the scale of pay of Rs.330-560 which was lower than that of Chargeman 'B' (Rs.425-700) before the 4th CPC report. We have recommended a slightly higher pay scale of Rs.1600-2660 for the Chargeman 'B'. Accordingly, the Mistry being lower than Chargeman 'B', cannot be redesignated as Chargeman 'B'. We recommend that the payscale of the Mistries be retained at the present level of Rs.1400-2300. The Ministry of Railways in consultation with the recognised Federations of Railwaymen, has recently changed the designation of the 'Mistry' as 'Supervisor' without any change in duties, responsibilities and pay scale. We suggest that the Ministry may consider the revision of designation of 'Mistry' to 'Master Technician' without any change in status.

- (iii) The Master Craftsmen have to seek promotion as Mistries who in turn get promotion to the posts of Chargemen 'B'.
- (iv) The posts of Chargeman 'B' are in technical supervisory cadre and those of Mistry are specifically excluded from this cadre.

Our recommendations

54.38 We find that the direct recruitment qualification for the initial pay scale of technical supervisors in Workshops is Diploma in Engineering of relevant discipline or Graduation in Science. We have, as a general principle decided to improve the remuneration of Diploma Engineers in Government. In accordance with this general approach, we recommend following grade-structure for technical supervisors in Workshops :-

	Existing (Rs.)	Recommended (Rs.)	Revised Designations in Railways(#) decided by the Ministry in July'96.	Remarks
Chargeman 'B' / Chargeman	1400-2300	1600-2660	Junior Engineer Grade-II (Workshop)	Higher scale due to engg. diploma entry at this level
Chargeman 'A' / Senior Chargeman	1600-2660	1640-2900	Junior Engineer Grade-I (Workshop)	Due to feeder grade being upgraded
Assistant Shop Superintendent/Deputy Shop Superintendent/Assistant Foreman (*)	2000-3200	2000-3500	Section Engineer (Workshop)	Higher scale due to rationalisation as also the degree in engg entry at this level
Shop Superintendent/ Foreman	2375-3500	2375-3750	Senior Section Engineer (Workshop)	Due to rationalisation

- (*) Part Direct Recruitment of Engineering Graduates in Railways.
- (#) Other Departments may revise designations, if necessary, in consultation with representatives of organised labour

**Railway Board's letter No 269/1998 improving pay scale of
Master craftsman (senior Technician) from Rs.4500-7000 to Rs.5000-8000**

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

S.No.PC-V/ 141

R.B.E. No. 269/98

No.PC-V/97/R-II/17

New Delhi dated 24-11-98

The General Managers/OSDs/CAOs
All Indian Railways & Production Units
(As per mailing list)

Sub : Pay Scales of Artisan Staff in the Railways

In pursuance of the recommendations of the V Central Pay Commission, the Artisan Staff in the Railways were granted normal replacement scales in terms of Railway Board's letter No.PC-V/97/R/RSRP/1 dated 16.10.97.

2. The matter of improvement in the pay scales of Artisan staff was taken up by the Staff Side during their discussions with Group of Ministers in September, 1997, in the wake of the Strike Notice given by the Federations, and it was agreed that the matter pertaining to pay scales of Artisans in the Railways will be taken up by the Ministry of Railways with the Cabinet in accordance with the Transaction of Business Rules 1961. Accordingly, the matter has been examined in consultation with the concerned Ministries and it has been decided with the approval of the President to allot the following pay scales to the Artisan staff working in the Railways:-

Category	Existing pay scales (Rs.)	Revised pay scales (Rs.)
Skilled Artisan Grade III	3050-4590	3050-4590
Skilled Artisan Grade II	4000-6000	4000-6000
Skilled Artisan Grade I	4000-6000	4500-7000
Mistries	4500-7000	4500-7000 * plus Rs.100 per month
Master Craftsmen	4500-7000	5000-8000

Note : * The nomenclature for the payment of Rs.100 per month will be communicated separately. This additional remuneration of Rs.100/- per month granted to the Mistries will have no additive value and will not be counted for any purpose such as determining rates of various allowances, pay fixation on promotion etc.

- The above pay scales will take effect from 1.1.1996.
- Amendment in the procedure laid down for recruitment/promotion in these categories will be communicated separately as necessary.
- Hindi version will follow.

Neera Kshuntia
(Neera Kshuntia)
Director Pay Commission
Railway Board

ARTISAN/MDG
11/23/98
11:48 AM

Copy of Railway Board's letter No. E(NG)/I/99/PM7/3 dated 22-2-2005 (RBE No.31/2005)

To maintain supervisory order between supervisors and persons being supervised, Railway Board issued this order stating that, work of senior technician will be supervised by Junior Engineer-I.

Sub: Filling up of promotion quota vacancies in the category of JE Gr. II scale Rs.5000-8000 consequent upon implementation of V Pay Commission scales of pay.

The avenue of promotion of Mistries (Redesignated as Supervisors) and Master Craftsmen (Redesignated as Sr. Technicians) to the post of JE Gr.II scale Rs. 5000-8000 has been laid down in this Ministry's letters No. E[NG]/I/87/PM7/9 dated 29-9-1987 and No. E[NG]/I/86/PM7/8 dated 17-10-1990. In terms of these instructions, the then existing Gr. I Artisans as on 29-9-1987, till such time they remain available for promotion, along with Master Craftsmen and Mistries are eligible to be considered for promotion by selection as JE Gr.II based on their integrated seniority with reference to their date of entry on regular basis in the category of Skilled Gr.I Artisans and Mistries, keeping in view the stipulations that:-

i) by reason only of his opting for and getting fitted in as Master Craftsman, a Skilled Gr.I Artisan will not gain in seniority over others who opt to continue as Skilled Gr. I Artisans or fail to qualify as Master Craftsman; and

ii) If a Gr. I Artisan is not found suitable for the post of Mistry in future or does not avail of the chance of promotion as Mistry he will be considered junior to a Gr. I Artisan who may qualify for the post of Mistry and be promoted thereto.

1.1 The stipulation at (i) above is based on the consideration that the scheme of introduction of the category of Master Craftsman vide para 1(iii) of this Ministry's letter No. PC-III/82/PS3/10 dt. 14-02-1986 provides that the scale of pay attached to the post will be personal to the incumbent.

2. Consequent upon the implementation of V Pay Commission scales of pay in which while Senior Technicians (erstwhile MCMs) and JE-II came to be placed in the identical scales of pay though the former continued to be held as personal by Skilled Gr.I Artisans, the Mistries were placed distinctly in the lower scale of pay of Rs.4500-7000 plus Rs.100 as special allowance, the question of revision of the basis of filling up the promotion quota posts of JE-II has been under consideration of this Ministry in consultation with the recognized Federations. The federations have, however, been insisting on the question of upgradation of posts of Mistries, being decided in the first instance. The posts of Supervisors (erstwhile Mistries) have since been upgraded in all departments except P.Way Mistries in Civil Engineering Department as JE-II vide instructions contained in this Ministry's letter No. PC-III/2003/CRC/6 dt. 9-10-2003. Accordingly the question as to what should be the basis for promotion of Master Craftsmen to the post of JE Gr.II, has been considered afresh by the Ministry of Railways.

It has now been decided as under:

i) The post of MCM (redesignated as Sr. Technician) in the scale of pay Rs.5000-8000 will no longer be personal to Technician Gr.I but will constitute a part of the regular hierarchy in the artisan cadre thereby making it as a normal / functional channel of promotion for Technician Gr. I. Accordingly, the Railway should review the existing duties and responsibilities of Sr. Technicians and prescribe additional duties and responsibilities which are of greater importance than those of existing Sr. Technicians / MCMs) and Artisans Gr.I,

ii) The post of Sr. Technician will be filled from amongst Technician Gr. I on the basis of seniority-cum-suitability,

iii) The post of JE-II earmarked for promotion by selection will be filled from amongst Sr. Technicians in identical grade Rs.5000-8000 subject to the condition that the existing Technician Grade I as may be senior to those fitted as Sr. Technician as per procedure in force until now will also be considered for selection for promotion as JE-II,

iv) Sr. Technicians on their promotion as JE-II though in the identical scale of pay may be allowed the benefit of fixation of pay under Rule 1313FR 22(1)a(1) R-II (erstwhile FR22C),

v) The work of Sr. Technicians in grade Rs.5000-8000 will be supervised by JE grade I scale Rs.5500-9000 instead of JE-II scale Rs.5000-8000.

3.1 Para 3(iv) above also disposes of Staff Side demand in the DC-JCM.

These instructions shall come into force from the date of issue of this letter

This issues in consultation with and concurrence of Finance Directorate of the Ministry of Railways.

Para 2.2.11 of 6th Pay Commission Recommendations

2.2.11 Under the system of running pay bands being recommended by the Commission, all the employees belonging to the aforesaid 4 categories will be placed in distinct running pay bands. At the time of promotion from one post to another in the same running pay band, the grade pay (being a fixed amount attached to each post in the hierarchy) attached to posts at different levels within the same running pay band will change. Additionally, increase in form of one increment will also be given at the time of promotion. Rates of grade pay have been generally computed at the rate of forty percent of the maximum of the corresponding pre-revised pay scale which is rounded off to the next multiple of hundred. In a few cases, the rates of grade pay have been computed differently. This was necessary to fit the system of grade pay in the scheme of revised running pay bands. **Grade pay will determine the status of a post with (apart from the two apex scales of Secretary/equivalent and Cabinet Secretary/equivalent that do not carry any grade pay) 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.** In case of promotions between one pay band to the next pay band, the revised band pay will, in no case, be less than the minimum of the higher pay band. All the running pay bands will have annual increments in form of two and half percent of the total of pay in the pay band and the corresponding grade pay. In some cases, this may result in a slight drop vis-à-vis the existing rate of increment along with dearness pay and dearness allowance thereon. This, however, is inevitable as a completely new scheme is being recommended where annual increments are payable on a percentage basis without any fixed, quantized stages. Further, the initial loss is more than made up in the higher stages as the actual amount of annual increment will not be static as at present but is going to increase every year. In the revised scheme, the **date of annual increments, in all cases, will be the first of July. Employees completing six months and above in the scale as on July 1 will be eligible.** This is being recommended to alleviate a large number of anomalies that arise due to the present system of annual increments where the increments are given on the basis of the month of joining a particular post and which frequently leads to a senior drawing lesser salary than his/her junior. This date will also give ample time for all inputs to be considered while deciding variable increments for individual employees discussed in the next para.

para 3.8.26 & 3.8.27 of the Sixth Pay Commission on the pay scales for work shop staff other than supervisory categories.

3.8.26. Workshop Staff comprises Artisans and personnel working in Railway Workshop premises such as loco running establishments, etc. and personnel employed in Central Government workshops, production units and departmentally run establishments. Most of the workshop staff is employed under the Ministry of Railways, Ministry of Defence and Printing Presses. Workshop staff is classified as unskilled, semi-skilled, skilled, highly skilled and master craftsman. The Fifth CPC had recommended that the nomenclature of unskilled should be replaced by 'Shramik'. The minimum qualifications and the pay scale attached to the post of unskilled worker were, however, not changed. This Commission is of the view that all Government jobs require some level of skill and has, accordingly, recommended upgradation of all existing Group 'D' posts to Group 'C' with no future recruitment to take place in Group 'D'. Accordingly, the category of unskilled workers would cease to exist in workshop staff with all the existing unskilled workers being upgraded as Group 'C' employees in the pay band PB-1 along with grade pay of Rs.1800 corresponding to the pre-revised pay scale of Rs.2750-4400. The skilled workers are presently in the scale of Rs.3050-4590. The next higher grade of highly skilled workers is in the scale of Rs.4000-6000. **The posts of skilled and highly skilled workers have an established relativity with the posts of LDCs and UDCs respectively. The Commission proposes to retain this relativity.** The next higher post of Master Craftsman is in the scale of Rs.4500-7000 in all workshops other than those in the Railways. **The Railways have upgraded the post of Master Craftsman and placed it in the scale of Rs.5000-8000 even through its promotion post – that of Chargeman 'B' – is also in an identical scale. The post of Master Craftsman is proposed to be kept in the pay band corresponding to the existing pay scale of Rs.4500-7000 in future. This is essential because pursuant to the merger of the pre-revised scales of Rs.5000-8000, Rs.5500-9000 and Rs.6500-10500, the next higher scale in the hierarchy would be that of Chargeman 'A'. In the existing hierarchy, Chargeman 'B', apart from being the feeder cadre for promotion to the post of Chargeman 'A', is also the promotion post for Master Craftsman. As such, it has not been possible to place the post of Master Craftsman in the pay band corresponding to the pre-revised pay scale of Rs.5000-8000. Besides, no functional justification also exists for such upgradation.**

3.8.27 Keeping the above discussion in view, the Commission recommends the following structure of pay scales for the workshop staff other than the supervisory categories:

Designation	Present pay scale	Recommended pay scale	Corresponding Pay Band & Grade Pay	
			Pay Band	Grade Pay
Unskilled	2550-3200	2750-4400	PB-1	1800
Semi Skilled	2650-4000	2750-4400	PB-1	1800 *
Skilled	3050-4590	3050-4590	PB-1	1900
Highly Skilled	4000-6000	4000-6000	PB-1	2400
Master Craftsman	4500-7000	4500-7000	PB-1	2800 #

* The existing grades of unskilled workers and semi skilled workers shall stand merged in the revised pay band PB-1 along with grade pay of Rs.1800.

Master Craftsmen presently in the scale of Rs.5000-8000 shall be merged in the cadre of Chargeman 'B'. In future, the post of Master Craftsman shall be operated only in pay band PB-1 of Rs.4860-20200 along with grade pay of Rs.2800 (4500-7000).

Gazette Notification No. G.S.R. 552(E), dated 28.07.2009
Modification for Master craftsman from Rs.4500-7000 to Rs.5000-8000 (GP Rs.4200)

THE GAZETTE OF INDIA : EXTRAORDINARY

[PART II—SEC. 3(1)]

MINISTRY OF FINANCE

(Department of Expenditure)

NOTIFICATION

New Delhi, the 28th July, 2009

G.S.R. 552(E).—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the following amendments to Central Civil Services (Revised Pay) Rules, 2008 are hereby issued :

(i) Additional entries at Sl. Nos. 4 and 5 under Sl. No. XIX in Section II, Part B of the First Schedule which relates to Workshop Staff shall be added as under :—

Sl. No.	Post	Present Scale	Revised Pay Scale	Corresponding Pay Band and Grade Pay		Para No. of the Report
				Pay Band	Grade Pay	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
XIX WORKSHOP STAFF						
4.	Highly Skilled Workers**	4000—6000	4000—6000 (50%) 4500—8000 (50%)	PB-1	2400	3.8.27 (Modified by Government)
5.	Master Craftsmen	4500-7000	5000-8000	PB-2	4200	3.8.27 (Modified by Government)

** The cadre of Highly Skilled Workers stands evenly split in a ratio of 50:50 and re-designated as Highly Skilled Worker Grade-II (Grade Pay of Rs. 2400 in Pay Band PB-1) and Highly Skilled Worker Grade-I (Grade Pay of Rs. 2800 in Pay Band PB-1).

[F.No.1/1/2008-IC]

MADHULIKA P. SUKUL, Jt. Secy.

Foot Note:—The Central Civil Services (Revised Pay) Rules, 2008 were notified vide G.S.R. 622(E), dated the 29th August, 2008/Bhadrapada 7, 1930.

Railway Board order RBE No: 205/2009, dated 25.11.2009



Kush 21/11/09

Government of India/ भारत सरकार
Ministry of Railways/ रेल मंत्रालय
(Railway Board/ रेलवे बोर्ड)

S.No.PC-VI/161
 No. PC-VI/2008/IC/9

RBE No. 205/2009
 New Delhi, dated 25.11.2009

The GMs/CAO(R),
 All Indian Railways & Production Units
 (as per mailing list)

Sub: Railway Services (Revised Pay) Rules, 2008 – Schedule for
 Revised Scales of Pay.

Reference Note 6 of Boards' letter No.PC-VI/2008/II/RSRP/1 dated 31.10.2008 (S.No.PC-VI/41 & RBE No.162/2008), advising that the recommendations of 6th CPC regarding revised pay scale of Master Craftsman (Sr. Technician) in the Railways is to be referred to Fast Track Committee and pending decision of the Government normal replacement pay structure (viz. PB-2; GP Rs.4200) would apply. Thus above category / existing Master Craftsmen (Sr. Technician) would continue to be separate from that of Jr. Engineers in identical revised pay structure, as per the position already existing.

2. Consequent upon acceptance of the recommendation of the Fast Track Committee by the Government, the President is pleased to decide that the above Note 6 may be read as follows:-

* The category of Sr. Technicians in the present (pre-revised) scale of Rs.5000-8000 placed in Revised Pay Structure Pay Band PB-2 GP Rs.4200 would continue to be operated as part of Artisan Cadre as per prescribed %age distribution separate from that of Jr. Engineers in the revised pay structure PB-2 GP Rs.4200.*

2. This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

Kt
 (Koshy Thomas)
 Joint Director, Pay Commission-II
 Railway Board.

No. PC-VI/2008/IC/9

New Delhi, dated 25.11.2009

Copy to Deputy Comptroller and Auditor General of India (Railways),
 Room No. 222, Rail Bhavan, New Delhi (with 40 spares)

S. Chatterjee
 for Financial Commissioner/Railways.

7th CPC

The anomalies created subsequent to the modification done in 6th CPC recommendations could not be rectified till date and they also not dealt with them.

Para 1.27 A number of grievances or so called anomalies have been placed before the Commission. Many have their roots not in the recommendations made by the VI CPC, but in the subsequent modifications made by the government and the resultant orders issued by it. Often these resulted in anomalies, many of which could not be rectified till date. Wherever possible we have tried to remove these anomalies. We also suggest that an appropriate body may be created to look into anomalies, if any arising out of the implementation of the recommendations of the Seventh CPC. The body so created may be in position for a period of six months at least so that if any anomaly arises in implementation of the recommendation of this Commission, it can be immediately attended to and the affected persons need not wait for another decade.

7th CPC

Para 5.1.21 The pay matrix comprises two dimensions. It has a “**horizontal range**” in which each level corresponds to a ‘**functional role in the hierarchy**’ and has been assigned the numbers 1, 2, and 3 and so on till 18. The “**vertical range**” for each level denotes ‘**pay progression**’ within that level. These indicate the steps of annual financial progression of three percent within each level. The starting point of the matrix is the minimum pay which has been arrived based on 15th ILC norms or the Aykroyd formula. This has already been explained in Chapter 4.2.

Para 5.1.22 On recruitment, an employee joins at a particular level and progresses within the level as per the vertical range. The movement is usually on an annual basis, based on annual increments till the time of their next promotion.

Para 5.1.23 When the employee receives a promotion or a non-functional financial upgrade, he/she progresses one level ahead on the horizontal range.

**Allotment of higher pay scales to Railway Accounts staff 07.03.2003.
All four grades upgraded one level higher.**

**GOVERNMENT OF INDIA/भारत सरकार
MINISTRY OF RAILWAYS/रेल मंत्रालय
(Railway Board)**

S.No. PC-V/364
No. PC-V/98/1/11/23

RBE No.48/2003
New Delhi, dtd. 7.03.2003

**The GMs/OSDs/CAO(R)
All Indian Railways and PUs,
(As per mailing list)**

Sub : Allotment of higher pay scales to Railway Accounts staff.

In pursuance of the recommendations of the V Central Pay Commission contained in para 83.235 in its report, the Accounts staff in the Railways were granted normal replacement scales in terms of Railway Board's letter No. PC-V/97/1/RSRP/1 dated 16.10.97.

2. The matter of improvement in the pay scales for Accounts Staff was under consideration of the Government for some time. Accordingly, the matter has been examined in consultation with the concerned Ministries and it has been decided with the approval of the President to allot the following revised pay scales to the under-mentioned categories of Accounts staff in the Railways:-

Designation	IV CPC Pay Scale (Rs.)	Existing Pay Scale (Rs.)	Revised Pay Scale now allotted (Rs.)
Jr. Accounts Assistants	1200-2040	4000-6000	4500-7000
Accounts Assistants	1400-2600	5000-8000	5500-9000
Section Officers/ Inspectors of Accounts/Cost Accountants (20%)	1640-2900	5500-9000	6500-10500
Sr. Section Officers/ Sr. Inspectors of Accounts / Sr. Cost Accountants (80%)	2000-3200	6500-10500	7450-11500

3. The above revised pay scales have been granted on notional basis with effect from 01.01.96 and actual payment prospectively from the date of approval of Cabinet i.e. 19.02.2003.

4. Hindi Version is enclosed.



(Koshi Thomas)
Dy. Director, Pay Commission - V
Railway Board

No. PC-V/98/1/11/23

New Delhi, dtd. 7.03.2003

Copy (with 40 spares) forwarded to ADAI (Railways), New Delhi.



(G. Suman)
For Financial Commissioner, Railways

The GMs, N.F. Railway (Const.), CAO, Southern Railway (Const.) and Central Railway (Const.)
The FA & CAOs, All Indian Railways, Production Units, N.F. Railway (Const.) and Southern Railway (Const.) & Central Railway (Const.)
The Director General, RDSO/Lucknow
The General Manager and FA & CAO, Metro Railway/Calcutta
The CAO and FA & CAO, COFMOW/New Delhi
The General Manager and FA & CAO, CORE/Allahabad
The Principal, Railway Staff College/Vadodara
The CAO (Const.), MTP(R)/Mumbai
The CAO (Const.), MTP(R)/Chennai
The Director, CAMTECH/Gwalior-474020
The Director, IRICEN/Pune, IRIEEN/Nasik Road, IRIMEE/Jamalpur, IRISSET/Secunderabad
The Managing Director, RITES, IRCON, IRFC, CONCOR of India Limited, Executive Director, CRIS
The Chairman and Managing Director, KRC Limited/New Delhi
Office of the Chief Project Administrator (Telecom), Indian Railway Central Organisation for Telecom (IRCOT) Consultancy, Shivaji Bridge/New Delhi
The Director (Movement), Railways/Calcutta
The Joint Director(Finance), RDSO, Lucknow
The Joint Director, Mil Rail, Ministry of Defence
The Joint Director, Iron & Steel, 3, Koila Ghat Street/Calcutta
Chief Mining Advisor, Ministry of Railways, Dhanbad, Bihar
The Chairman, RCC, Lok Sabha Secretariat/New Delhi
The Chairman, RCT/Delhi
The Chairman, RRT/Chennai
The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneswar, Chandigarh, Chennai, Calcutta, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad and Trivandrum
The Editor, 'Bhartiya Rail',
The Editor 'Indian Railways'

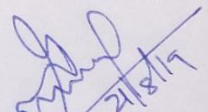
No proposal sent for upgradation of Technical Supervisors

No. : MORLY/R/2019/02056

Sub: Information sought by Mr. K. V. Ramesh under RTI Act, 2005.

Item No.	Information sought by party	Ministry's response
1	As in application	No proposal regarding recommendations of 7 th CPC on pay level of Technical Supervisors as contained in Paras 11.40.104 to 11.40.115 of 7 th CPC report has been sent to Ministry of Finance by Ministry of Railways.
2	As in application	Does not arise in view of response to Item No. 1 above.

Authenticated


 Deputy Director/PC-VII

Railway Board asked approval for approval of the Finance Ministry for introduction of level-8 and cadre distribution of Level-8 – 50%, Level-7 – 17% and Level-6 – 33%

Annexure-I

Sl. No.	Recommendation of the 7 th CPC	Para No. of the Report	Whether directly concerns the Department	If answer to Column 4 is yes, specific views of the Department (mandatory)	Representations, if any, received from the Staff Associations and the demand	Views of the Department on the demand	Views, if any, on any general recommendation not directly concerning the Dept.
(ii)	Section Officers of Accounts Department 7 th CPC vide para 11.4.83 of its recommendations have recommended Level 9 (PB-2, GP-5400) as non functional grade to Senior Section Officers of Accounts Department.	Para 11.40.83	Yes	Implementation of the 6th CPC needs to be rectified. Detailed proposal in this regard is enclosed as Annexure-I. The present proposal will supplement the earlier proposal on this issue conveyed vide this Ministry's O. M dated 06.04.2016. It had been advised vide this Ministry's O. M dated 06.04.2016 that E - Cos may review the recommendation of 7 th CPC to grant Level 9 (PB-2, GP-5400) as NF grade to SO of Accounts Dept. The said recommendation has now been reviewed and Ministry is of the view that the recommendation of 7 th CPC can be accepted.			
(iii)	Pay Structure of Supervisors/Technical Supervisors of Officers of all Departments other than Accounts Department	11.40.104 to 11.40.113	Yes	On implementation of the recommendations of the Sixth CPC, the historical parity that existed between SOs of Accounts Department and Supervisors of Non Accounts departments in Railways got disturbed thereby causing serious resentment & demoralisation amongst technical supervisors/supervisors of non accounts department.	National Federation of Indian Railway Men (NFIR) and All India Railway Mens have requested for grant of Level 8 (PB-2, GP-4800) to supervisors of all departments other than accounts.	Views of Ministry have been furnished in Annexure II	NA

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M. S. Guler

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Sl. No.	Recommendation of the 7 th CPC	Para No. of the Report	Whether directly concerns the Department	If answer to Column 4 is yes, specific views of the Department (mandatory)	Representations, if any, received from the Staff Associations and the demand	Views of the Department on the demand	Views, if any, on any general recommendation directly concerning the Dept.
				<p>Further, due to merger of various pay scales recommended by 6th CPC, the number of supervisory levels, which used to be in four grades, got reduced to two levels. It is viewed that this has adversely affected administrative efficiency and also lead to reduced promotional avenues amongst the supervisors.</p> <p>In view of the fact that Ministry of Railway being a multi-disciplinary organization; maintaining historical horizontal and vertical relativities between different categories is absolutely essential and in order to avoid serious discontentment and demoralization amongst the supervisors of other departments in Railways, it is suggested that past relativities (pre 6th CPC) that existed between the accounts and non accounts departments in Ministry of Railways needs to be maintained. Furthermore; it is also significant to note that 7th CPC vide para 11.40.113 of its report (pertaining to technical supervisors) has recommended that Railway Board</p>			

Sl. No.	Recommendation of the 7 th CPC	Para No. of the Report	Whether directly concerns the Department	if answer to Column 4 is yes, specific views of the Department (mandatory)	Representations, if any, received from the Staff Associations and the demand	Views of the Department on the demand	Views, if any, on any general recommendation not directly concerning the Dept.	
				<p>should consider enhancing the number of posts in the next higher level, with commensurate increase in the number of directly recruited Group 'A' officers so as to maintain the 1:1 ratio, keeping its functional requirement in mind. Keeping in mind these facts M/o Railways suggests that a portion (75%) of Supervisor posts currently in GP Rs. 4600 may be upgraded to next level i.e. GP 4800 which will continue to be classified as Group 'C' post. This would be applicable to all Group 'C' supervisory categories where apex level is GP- 4600 and would result in a three level supervisor cadre (GP 4200, 4600 & 4800) instead of current two level structure. This suggestion is linked to M/o Railway's suggestion at S. No. 1 above granting GP 5400 in PB-2 (Level-9) to 20% Group 'B' cadre of all departments in Railways instead of Level-8 (GP 4800, PB-2). Detailed proposal is enclosed as Annexure-II</p>				
(ii)	Upgradation of pay Mail/Express Loco Pilots.	11.40.5 6 to 11.40.6	Yes	Detailed proposal is enclosed as Annexure IV.	The Railway Federations AIRF and NFIR have demanded Upgradation of the pay scales	Views of Ministry have been	NA	

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M. Narasimha

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Annexure-II

Proposal of Ministry of Railways w.r.t recommendations of 7th CPC regarding Technical Supervisors

Historical background of the case :

1. On the recommendations of the 6th CPC, as accepted by the Union Cabinet, the SO/SSOs of organized Accounts Services were granted PB 2, GP 4800. On the other hand, the Supervisors of departments other than Accounts Department were placed in GP.4600 in PB-2.

1.1 Traditionally, in Indian Railways the pay scales allotted to Supervisors of other operational departments have been higher/same as the pay scales of supervisors of the Accounts Departments indicated in table 1 & 2 below :

Table 1 – Comparison of Tech. supervisors with SO/SSOs of accounts Dept.

Category	III CPC Scales	IV CPC Scales	V CPC Scales	From 7.3.2003*	VI CPC Scales
Section Officer / Sr. Section Officer -Accounts	Rs 775-1000 (Non-functional Selection Grade granted on personal basis) Rs 500-900 (functional grade)	2000-3200 (w.e.f. 1.4.87)	6500-10500	7450-11500	PB-2, GP 4800
Foreman / SSE / Station Superintendent	840-1040	2375-3500	7450-11500		PB-2, GP 4600
Section Officer Accounts	500-900	1640-2900	5500-9000	6500-10500	PB-2, GP 4800
Asstt. Foreman/SE / Dy. Station Supdt	700-900	2000-3200	6500-10500		PB-2, GP-4600

* Improvement of scales.

Table 2 – Comparison of Ministerial cadre supervisors with SO/SSOs of accounts Dept.

Category	III CPC Scales	IV CPC Scales	V CPC Scales	From 19.2.2003	VI CPC Scales
Section Officer/ Sr. Section Officer (Accounts)	775-1000 (Non-functional Selection Grade on personal basis)	2000-3200 (w.e.f. 1.4.87)	6500-10500	7450-11500	PB-2, GP 4800
Chief Office Supdt.	-	-	7450-11500		PB-2, GP 4600
Office Supdt. Gr I	700-900	2000-3200	6500-10500		PB-2, GP 4600
Accountants / Section Officer (Acs)	500-900	1640-2900	5500-9000	6500-10500	PB-2, GP 4800
Office Supdt.	550-750	1600-2660	6500-10500		PB-2, GP 4600

* Improvement of scales.

Silvanshulab

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1.2 Thus, from Table 1 & 2 it is seen that 6th CPC had resulted in a virtual reversal of the relativities vis-à-vis position prevailing under different Pay Commissions. As a result the Supervisors (belonging to Non Accounts Departments) feel strongly aggrieved and demoralized. The issues of maintaining parity between accounts and non-accounts supervisors in Ministry of Railways was taken up in DAC/NAC & also with Ministry of Finance, however this was not agreed to.

1.3 Views placed before the 7th CPC: Detailed inputs of Ministry of Railways for pay scales of technical supervisors were also submitted to the 7th CPC. However, this issue has also not been resolved by the 7th CPC. However, in case of technical supervisors 7th CPC vide para 11.40.113 of its recommendations recommended that Railway Board should consider enhancing the number of posts in the next higher level, with commensurate increase in the number of directly recruited Group 'A' officers so as to maintain the 1:1 ratio, keeping its functional requirement in mind.

2. Proposal of Ministry of Railways w.r.t recommendations of 7th CPC in respect to the Supervisory categories (other than Accounts)

2.1 Ministry of Railway being a multi-disciplinary organization, maintaining historical horizontal and vertical relativities between different categories is absolutely essential. The working of Indian Railways is characterized by synergistic contribution of its various constituent departments for which comparable packages of benefits for staff/officers placed at comparable levels across the departmental boundaries is to be ensured. In order to avoid serious discontentment and demoralization amongst the supervisors and officers of other departments (non accounts) in Railways, the issue of disturbance (inversion) of past relativities (pre 6th CPC) that existed between the accounts and non-accounts departments in Ministry of Railways needs to be addressed.

2.2 Moreover, subsequent to the merger of Levels post 6th CPC the number of Levels in the supervisory category in Railways got reduced from earlier 4 Levels to 2 Level. It is seen that the merger of Level has adversely impacted the functioning and administration efficiency in Railways. It is viewed that given the complexity of work; vast geographical spread, number of employees to be supervised, multitude of functions to be carried out by supervisors along with co-ordination with multiple departments & agencies the existing 2 layer supervisory level is inadequate for meeting the needs of smooth Railway functioning. It needs to be expanded by insertion of additional level.

2.3 Further more; the 7th CPC in Para 11.40.113 (pertaining to technical supervisors) of its report has recommended that Ministry of Railways should consider enhancing the number of posts in the next higher level, with commensurate increase in the number of directly recruited Grade 'A' officers so as to maintain the 1:1 ratio. This recommendation has been given in context of the conclusion drawn by 7th CPC regarding stagnation to GP 4600.

Nikram Guleri

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2.4 Keeping in mind the above facts, it has been decided by Ministry of Railways that a new Level 8 (PB 2, GP 4800) in Group 'C' should be introduced for supervisors. For this a portion(75%) of existing supervisor posts in GP-4600 in case of all non accounts departments (Technical and non technical), where GP 4600 is presently the apex Grade 'C' scale would be upgraded to create this new supervisory level in GP 4800. This will help in improving the administrative efficiency, ensure better supervision and also meet the observation of 7th CPC regarding need to resolve existing large stagnation in GP 4600 of supervisor level. This change will help to maintain uniformity and will also be applicable for certain categories like Chemists & Metallurgists, station masters etc for whom specific recommendation have also been made by 7th CPC. For illustration, the existing and revised structure of some prominent technical and non technical supervisory cadres is given in **Appendix A**. The promotion to the new supervisor level in GP 4800 will be with the condition that employees with minimum number of years of regular service in Level 7 (Say 5 years, given the multitude of supervisory cadres and given their distinct RR, this can be finalized later on by MoRly) will be eligible to be promoted to Level 8 after passing a National Level Centralized Proficiency Exam. This will ensure that employees with merit get placed in the new apex Level of supervisors which leads to improved supervision. The promotion of employees to the new level will be done once the RRs for these posts are approved. The RRs of the new level would be decided by Ministry of Railways once this proposal is approved by Gol. It is emphasized that this proposal will be possible only when accompanied by the grant of level 9 to 20% Group 'B' officers of all Departments which is also being recommended.

Nikhil Kumar Guleri

SN	Category	Present Structure (GP)	Existng		% As per 7th CPC	Proposed by MOR	
			%age	Sanctoned Strength		%age	Sanctoned Strength
1	Technical Supervisors	4800	---		---	50	29721
		4600	67	39628	---	17	9907
		4200	33	19519	---	33	19519
				59147			59147
2	Station Masters including WMI	4800	---		---	30	11205
		4600	40	14940	40	10	3735
		4200	53	19795	60	60	22409
		2800	7	2614	0	0	0
		37349			37349		
3	Ministerial Staff	4800	---		---	14	8462
		4600	19	11283	---	5	2821
		4200	53	31474	---	53	31474
		2800	15	8908	---	15	8908
		1900	13	7720	---	13	7720
		59384			59384		
4	Traffic Controllers	4800	---		---	67.5	1848
		4600	90	2464	---	22.5	616
		4200	10	274	---	10	274
				2738			2738
5	Comml. Inspectors	4800	---		---	56	982
		4600	75	1309	---	19	327
		4200	25	436	---	25	436
				1745			1745
6	Drawing/Desig. Staff	4800	---		---	45	1841
		4600	60	2455	---	15	614
		4200	40	1636	---	40	1636
				4091			4091
7	Telephone Operator	4800	---		---	9	104
		4600	12	138	---	3	35
		4200	57	656	---	57	656
		2400	20	230	---	20	230
		1900	11	127	---	11	127
		1150			1150		
8	Chemical & Metallurgical Staff (CMT)	4800	---		80	60	770
		4600	80	1027	20	40	514
		4200	20	257			0
				1284			1284
9	Depot Material Supdt.	4800	---		---	45	1163
		4600	60	1550	---	15	388
		4200	40	1034	---	40	1034
				2584			2584

Alvina G. G. G.

Relevant portion of 48th meeting of National Council (JCM) held on 26.06.2021

No.3/4/2021-JCA
 Government of India
 Department of Personnel & Training
 Establishment (JCA) Section

North Block, New Delhi-110001.
 Dated: 14th July, 2021

To

Shri Shiva Gopal Mishra,
 Secretary, Staff Side
 13-C, National Council (JCM)
 New Delhi.

Subject: **Minutes of the 48th Meeting of the National Council (JCM) held on 26.06.2021**

5.21 Item No. NC-48/12/21: Grant of Gazetted Status to Senior Section Engineers (SSEs) of Ministry of Railways.

Chairman, Railway Board, informed that Railway management is keen to resolve the issue. The number of employees involved in the decision is about 70000, for whom the 7th CPC did not recommend the gazetted status. A Committee of

Secretaries also examined this issue, but it could not be resolved. He stated that the element of direct recruitment in the SSE grade is from highly qualified candidates, but they currently stagnate at a low level without appropriate status.

Leader, Staff Side, in his remarks, mentioned that the representation given to the 7th CPC by the Railways was erroneous, which has resulted into this injustice. The SSEs function 24 hours and have no proper career progression. The Direct Recruit SSEs appointed in Rs.4600 GP only get MACP and no promotion, which is unfair. Secretary, Staff Side, also stated that SSEs are highly qualified and occupy a critical role, but the treatment given to them has always been unfair. He further said that when SSO's in Audit/Accounts and Railways have been given GP of 5400, it should not be denied to the SSE's and the similarly placed supervisors in Railways. He also informed that earlier SSE's and Chief Controllers were getting grade of 840-1200 which has been down-graded.

Decision:- Chairman asked Chairman, Railway Board and DoE to resolve the issue expeditiously.

Finance Ministry's approval note for upgradation of pay structure of supervisory cadres of Railways working in level-7

57-

In this file we are considering the proposal of Ministry of Railways for upgradation of the pay structure of Supervisory Cadre (Group 'C') of Railways, to resolve the issue of stagnation in these cadres. The proposal envisages for the:-

- (i) **Up-gradation from Level-7 to Level-8** of 50% posts of Supervisory Cadres (Pre-revised PB-2/GP-4600 to PB-2/GP-4800 of 6th CPC); &
- (ii) **Non-functional up-gradation to Level-9** of these 50% posts after 4 years of service in Level-8 (Pre-revised PB-2/GP-4800 to PB-2/GP-5400 of 6th CPC).

In this regard after receiving the initial proposal from Railways, additional information has been obtained from them and meetings have also been arranged with the Officers of Railways Board so as have better clarity about the various aspects and issues involved with the proposal.

2. For better appreciation of the issues involved in consideration of the present proposal, the justifications, as contained in the Railway's proposal are summarized as under:-

Proposal's Justifications

2.1 Railway Board has intimated that in Railways various services are broadly categorized under Organised Departments and Other/Misc. Departments. Organised Departments have identical cadre structure with a component of direct recruitment in Level-10 which does not exist in Misc/Other Departments which include cadres belonging to Hindi, Printing, Legal, Para-medical, etc. Out of total of eight Organised Departments, details about seven Departments is given in the table in para 2.2, excluding the Accounts Department.

2.2 The present proposal covers all supervisory cadres of these seven organised departments, as Railways has been maintaining that post-wise selective up-gradation approach would not be desirable for an operational organisation involving sensitive safety aspects, the smooth and co-ordinated functioning. It has been pointed out that Railways is a multi-departmental, multidisciplinary organisation having distinct horizontal and vertical relativities amongst various departments. The synergistic contribution of all these departments is vital for optimum output for the entire railways network, spread throughout the length and breadth of the Country.

The details show that the sanctioned strength of supervisory cadres in seven departments of Railway's about 87,143. Out of which the number of posts of engineering cadres (Senior Section Engineer-SSE) is 48,546 and the remaining 38,597 posts belong to supervisory cadres in the departments of Traffic/Commercial/Store/Personnel.

S.No.	Department	Main designation	Sanctioned Strength	Posts filled
1.	Civil*	Senior Section Engineer (SSE)	14243	10518
2.	Electrical*	Senior Section Engineer (SSE)	10266	8937
3.	Mechanical*	Senior Section Engineer (SSE) & Chemical & Metallurgical Supdt.	18901	16350
4.	Signal & Telecom*	Senior Section Engineer (SSE)	5136	4657
5.	Traffic/ Commercial#	Chief Controller, Station Manager /Station Supdt., Chief Yard Master (CYM), Traffic Inspector, Commercial Supdt., CRS, Chief Booking Supervisor, Chief Ticketing Inspector	27044	23627
6.	Store*	Senior Section Engineer (Printing Press) & Chief Depot Material Superintendent	1927	1511
7.	Personnel/ Ministerial #	Chief Office Superintendent, Chief Staff & Welfare Inspector	9626	7776
*DR - 20% #No DR			Total	87143
				73376

2.3 Railways has also clarified that a conscious decision has been taken to include Supervisory Categories of Organised Departments only in the present proposal, other than Accounts. It has also been stated that the instant proposal will not lead to any distortion of horizontal relativity amongst the cadres having identical cadre structure. Categories under various Misc. Departments broadly follow the pay structure of other nodal Ministries like MHA, Health, etc. Certain other categories such as Chief Loco Inspector, Chief Crew Controllers, Chief Power Controller, and Chief Traction Controllers etc. have not been included as they are getting the benefit of 30% fixation and other associated allowances as admissible to Running Categories.

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2.4 Amongst the various departments, Supervisory Cadres is most important and considered as the backbone playing a vital role in the smooth operation of Indian Railways thereby ensuring safety of entire Railways system. They are responsible for safe and efficient running of trains and around 7 lakh technician and helpers work under them. The historical edge in the pay scales enjoyed by the SSE lost due to grant of replacement scales to these cadres by the subsequent CPCs whereas up-gradations have been granted to the other categories of employees.

2.5 Exclusion of certain categories of posts belonging to ministerial/personnel and traffic/commercial from the present proposals has been discussed in detail with the Railways officers. Ministry of Railways has pointed out that historically the pay scale of these Supervisory Cadres were similar to Engineering Supervisors with the pay scale of Rs.7450 - 11500 and Rs. 6500-10500 which have been granted Grade Pay of Rs.4600 in 6th CPC. Historically parity among all these posts had been maintained by the successive Pay Commission and no difference was made between the supervisors of Technical and Non-Technical Departments. Hence, excluding the Supervisory categories of the departments of traffic/commercial and personnel/ministerial from the present proposal could result in resentment in these categories. Hence, this has not been found viable by Railways. It has been further clarified for certain categories which could be omitted from the proposals have already been excluded.

= p-68/c

2.6 Level of Stagnation in supervisory cadre varies from department to department and different zones of Railways. However, on an average it takes approximate around 11 to 20 years against the requirement of minimum residency period of 3/5 years to reach Group 'B'. The reason behind the acute stagnation is attributable to the wide difference in the sanctioned strength of supervisory cadre of Level-7 (Group 'C' in Railways) i.e. 87,143 whereas the approved sanctioned strength of next higher level posts in Level-8 (Group 'B') is 3712 (i.e. 4.25%) (Ref.-P-657/c). In this regard, the details showing the degree of stagnation in these zones/cadres i.e. the actual time taken for promotion from Level-7 to Level-8 in different zone of Railways is placed at pages-527-529/c.

2.7 The other grounds in favour of the proposal include:-

- (i) The matter relating to SSE was also discussed in the Meeting of National Council of JCM on 26.06.2021 as Item No. NC-48/12/21 and Cabinet Secretary asked the Chairman Railway Board and DoE to resolve the issue expeditiously (Ref.-para-5.21 of NC- (JCM) minutes).
- (ii) Due to merger of pay scales in 6th CPC, the four grade hierarchical structure of Supervisors (Non-Accounts) reduced to two grade structure;
- (iii) Relativities between pay scale of Accounts Supervisors and Non-Accounts Supervisors got disturbed in 6th CPC on grant of GP-4800 which got exaggerated in 7th CPC on grant of Level-9 on non-functional basis to Accounts Supervisors;
- (iv) Railways have maintained that these posts even after the proposed up-gradation will remain in Group 'C' only and the same will not result in any changes in the vertical hierarchy. The proposed up-gradation is on the similar lines as that of Accounts Department.
- (v) For addressing stagnation, the 7th CPC (para 11.40.113) suggested to consider increase the number of posts in Group 'B' which is not found feasible by Railway Board keeping in view of 1:1 relativity with Group 'A' posts.

+ p-535-36/c

o p-349/c
V.P.T

x p-416/c
(P.S.M)

p-416/c
(P-4/M)

3. References received from Hon'ble M.P.s and Railways Association

Besides, Ministry of Railway's main proposal, D.O.s have also been received from Hon'ble M.P.s including Ms. Aparajita Sarangi, Shri Pradeep Kumar Singh, Shri M.Shanmugam, Dr. B.V. Satyavathi, Shri Bellana Chandra Sekhar, Ms Goddeti Madhavi, Shri R.M. Naidu Kinjarapu and Shri Su. Thirunavukkarasar, Dr. Kalanidhi Veerasamy, Shri R.S. Bharathi and Shri T.K.S. Elangovan. Further, the different associations of Railway's Technical Supervisors like Indian Railways Technical Supervisors Association and East Coast Railways Engineers Association have also submitted their representations. These representatives have also made personal visits to place their grievances and demands personally before the higher officers. These Associations attracted attention towards the issues relating to historically higher pay scales of Technical Supervisors upto 4th CPC, acute stagnation affecting their work output and

p-624/650/c

p-578/c
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688/c

p-59/n

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cadres, 7th CPC specific recommendations for Engineering cadre, etc. These associations have demanded grant of Pay Level-9 to SSE, citing the historical pay patterns and also forwarded letters from AIRF and NFIR in this regard. It has also been mentioned there would be no appreciable net financial implications since most of them are already in higher pay levels by virtue of financial up-gradations got under MACPs.

Recommendations of CPCs

4.1 Sixth Central Pay Commission (6th CPC)

op 349/c
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The 6th CPC in para 7.36.77 on Railways Technical Supervisors noted that it is not possible to extend the scheme of time bound promotions and cadre structure similar to that existing in CPWD in the Ministry of Railways as this would disturb the entire functional structure of the Railways and would upset many of the existing relativities. Railway's proposals for up-gradation pay scales of Senior Supervisors by the way of grant of GP-4800 against the pre-revised pay scales of 6500-10500/7450-11500 w.e.f. from 1.1.2006 were considered by DoE in the year 2009 and onwards. Subsequently, also in 2013 the proposal was not agreed to on the grounds that the similar posts in the pay scale of Rs. 6500-10500/7450-11500 (pre-revised pay scale of 5th CPC) exist in various other Ministries/ Departments and agreeing the proposal for Railways in isolation would result in wide repercussions. It was also observed that such an up-gradation would entail changes in the entire cadre of the Railways and vertical relativity would be disturbed in a large scale and accordingly, the replies were sent to Hon'ble Ministers/M.Ps in response to their references during the 6th CPC period.

4.2 Seventh Central Pay Commission (7th CPC)

p-618/c

(a) The 7th CPC had examined the issues of Technical Supervisors (i.e. Engineering Cadre) of Railways in paras 11.40.104 to 11.40.115¹ of its report and acknowledged the vital role played by Technical Supervisors in safe and efficient running of the trains and dealt with the issue of stagnation faced in the cadres of Technical Supervisors in para 11.40.113 and suggested to consider increase the number of posts in Group 'B'. However, the same was not found feasible by Railways Board citing the 1:1 relativity with Group 'A' posts.

1 p-495.48/c

(b) The 7th CPC's specific recommendations in para 11.40.124¹ for up-gradation of Chemical & Metallurgical Superintendent (CMS) from level-7 to Level-8 is not accepted taking into account of the relativities involved with the supervisors of other cadres and recruitment criteria and this would disturb the relativity between supervisors.

2 p-617/c

(c) The 7th CPC considered the issues relating to Subordinate Engineering Cadres in the chapter relating of common category posts in para numbers 7.4.8 to 7.4.13. The Commission in para 7.4.13², recommended earmarking of posts in Level-8 equal to 10% total strength in Level-6 and Level-7 and filling up of posts in Level-8 in the ratio of 70:30 similar to Railways. The Commission also recommended grant of non-functional up-gradation to 80% of employee to Level-9 upon completion of four years in Level-8. The recommendations of 7th CPC providing for placement of 10% of Gr. 'C' & 'B' in Level-8 in respect of Subordinate Engineering cadre of Department of Defence Production have already been notified by MoF in the CCS(RP)(Amendment) Rules, 2017 dated 15.6.2017.

Railways Proposal in 7th CPC regime

5. After implementation of the 7th CPC recommendations, Railways in their proposal referred to DoE in 2017, proposed up-gradation of 75% of posts of Senior Supervisors to Level-8 which has been brought down to 50% in the present proposal, apparently for better acceptability of their proposal with the reduced financial implications involved. Railways, vide, order dated 21.06.2021³ implemented the recommendations of the 7th CPC for grant of non-functional up-gradation to the Supervisors of Railways Accounts Dept. from Level-8 to Level-9 which in-turn affected inter-departmental relativities in Supervisors cadre of organised departments. This point has been cited as one of the main grounds by Railways in favour of their present proposal. After their present initial proposal submitted on 17.9.2021⁴, further feedback has been received from Railways on 2.12.2021 and 7.3.2022⁵. Other aspects which have linkage to the proposal like horizontal and vertical relativities within Railways as well as with other departments have been discussed in details with the seniors officers of Railways in the meetings held in April/July, 2022.

3 p-495/c

4 p-411-12/c
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5 p-416/c
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6 p-644/c

- p-60/m

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Scope of the present proposal

6. On the issue of the scope of coverage of present proposed up-gradation, Ministry of Railways reiterated that it is not feasible for them to increase the number of posts in Level- 8, (Group 'B') in view of 1:1 relativity with Group 'B' posts. Up-gradation of entire posts from Level-7 to Level 8 may require surrender of additional double number of posts to meet the criteria of matching saving which is not a feasible course of action in view of the process of cadre restructuring of Group 'C' categories and the recruitment and the drive to fill up the vacant posts.

→ p-687/

Financial implication

7. Railways have calculated financial implications of Rs.177 cores⁹ (approx.) per annum for up-gradation of above 50% posts of total of 87143 i.e 43,571 posts. The proposal has been made financially neutral by matching surrender of 5570 posts in Level-1. Additional financial implications for grant of non-functional scale in Level-9 would be Rs. 8.82 Crore per month i.e. 106 Crore per annum. Railways has stated that since NFS in Level-9 is only up-gradation hence does not involve creation of new posts.

→ p-687/

The above figures of financial implications are based on the normative method followed for it. However, Railways, after taking into account level of stagnation in these cadres is of the view that since that most of these officers have already been granted Pay Level-8 under MACP which implies that grant of promotional increment under FRs may not be required in such cases. Since they are already drawing pay in the same level, the resultant actual financial implications would be much less. In this regard, the associations of Senior Supervisors in their informal projections also hinted about reduced actual implications taking into account the financial up-gradation already enjoyed in Level-8/9 on account of MACP benefits.

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Analysis

- 8.1 The 7th CPC referred to the "some element of stagnation at the GP-4600 stage" (para-11.40.113 of report). However, the Commission also arrived at the conclusion that the recruitments at the level of Assistant Engineer provide opportunity to the meritorious and deserving J.E. to become Assistant Engineer directly, bypassing the SSE stage (para 11.40.110), although this logic still valid, however, this is more relevant to lower level of Supervisors cadre (Pay Level-6, pre-revised GP-4200). Since the 7th CPC suggestions relating to Senior Supervisors for increasing the number of posts in the promotional Pay Level-8 was not found feasible for implementation by Railways Board citing the 1:1 relativity with Group 'A' posts, no improvement accrued to the grade of Senior Supervisor in Level-7. As such the present proposal is focussed to address the acute stagnation level in the grade of Senior Supervisors, it is expected that agreeing to the present proposal would provide much wanted relief to these cadres.

→ p-618/

- 8.2 The main grounds for not accepting the Railway's earlier proposals during 6th CPC regime was the point of inter and intra Departmental repercussions, as an up-gradation invite similar demands from other cadres affecting both vertical and horizontal relativities. This issue of inter-departmental disturbance in relativity has been addressed by the 7th CPC in Para 7.4.13 of it's report covering entire the Subordinate Engineering Cadres of Govt. of India, as submitted in para-4.2(c) above. Therefore, we have now fresh grounds for consideration of Railway's proposal as the point of disturbance in relativities between different organisations has been addressed by the said recommendations of 7th CPC.

→ p-619/

- 8.3 With regard to the issue of affecting on inter-cadre relativity within the organisation of Railways (Ref. para-2.2 to 2.5 above), Railways has clarified that a conscious decision has been taken and the instant proposal will not lead to any distortion of horizontal relativity amongst the cadres having identical cadre structure even after the proposed up-gradation these posts will remain in Group 'C' only and the same will not result in any changes in the vertical hierarchy. Since Railways has elaborately gone into the proposal after taking into all the various issues, the proposal of Railways may be considered favourably.

→ p-619/

- 8.4 Details in respect of stagnation in different cadres as well as in various Railways Zones has been placed at pages-527-529/c, about which Railways has mentioned that on an average from SSE it take around 11-20 years to reach Gr 'B'. While the time taken for

→ p-619/

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promotions in most of the cadres/zones are more than 15 years, there exists a wide variation in different cadres/zones in different zones for which apparently some other factors may be responsible. As the Railways is expecting the bring down the level of stagnation to half of the existing level of stagnation, the present proposal would certainly besides benefitting the employees concerned.

Inference

9. The up-gradation of the 50% posts i.e. 43,571, out of the total sanctioned strength of 87,143 in Railways supervisory cadres in seven organised departments would involve estimated financial implications of about 177 Crore per annum as per the formula. However, the actual financial implications would be much less as the senior employees are already drawing pay in the higher levels due to the MACP benefits. In view of the position submitted above and the fresh grounds for consideration in light of the 7th CPC specific recommendations relating to Subordinate Engineering Cadres, which provided for the creation of a new Level-8 with a provision of grant of non-functional up-gradation in Level-9 after four years of service in the Level-8, the Railways present proposal may be considered, favourably.

10. Accordingly, the Ministry of Railways proposal contained in the para-3 of their O.M. dated 17.9.2021 for grant of 50% up-gradation to Supervisory Cadres from Level-7 to Level-8 and further non-functional up-gradation to these posts from Level-8 to Level-9 after four years of regular service in Level-8 may be concurred with. This may be agreed to for implementation with the prospective effect.

00524973

Approval of Hon'ble FM may kindly be obtained for the para -10 above.

S.S. (Per.)

PSM
12/9/22
D.S. (E.D.B)

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The proposal of the Ministry of Railways is to upgrade 50% posts (out of around 87,000 posts) in various Supervisory cadres under the streams of engineering, traffic, commercial, personnel, with the bulk being in the engineering cadre. The proposed upgradation is from the pay scale Level 7 to Pay Level 8 with a provision of moving into the next Level 9 after 4 years.



2. This is a long pending proposal, which was mooted primarily to mitigate stagnation that occurred due largely to rationalization of hierarchical pays scales by way of merger over the years based on Central Pay Commissions.

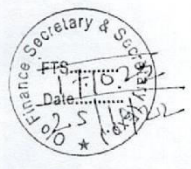
3. The present proposal follows a recommendation of the 7th CPC to increase the promotional posts of Assistant Engineers in the engineering cadre to create promotional avenues. Thus, the recommendation was confined to engineering cadre only and, that too, by way of increasing posts of AEs. Ministry of Railways has, however, proposed upgradation of lower posts and further, their proposal not only covers engineering cadre, but also other analogous cadres in order to mete out a similar treatment to similarly placed cadres.

4. The proposal will entail financial implications of Rs. 106 crore per annum, as estimated by the Ministry of Railways. This will be met by them from out of their existing budget.

5. We may agree to the proposal of Ministry of Railways. The upgradation will take effect from a prospective date. We may seek approval of the Finance Minister.

300524973

Annie G. Mathew
 (Annie G. Mathew)
 SS(Pers)
 18.10.2022



FS

T.V. Somanathan
 T.V. Somanathan
 Finance Secretary



Hon'ble MoS F has approved the note through email, being on four, Signed copy of the note is attached and may be treated as part of the file.

S
 O. MoS F (PC)

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SS(Pers) - on leave
DS (F. Li B)

**Ministry of Finance
Department of Expenditure**

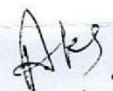
**Subject : Proposal for upgradation of the pay structure of Supervisory
cadres of Railways working in Level-7 of Pay matrix.**

**Reference: Ministry of Railways ID Note No.PC-VII/2019/RSRP/3
(Pt.) dated 02.12.2021.**

Ministry of Railways may please refer to their notes on pre-pages in connection with upgradation of 50% of Supervisory cadres in Level-7(PB-2, GP 4600) to Level-8(PB-2, GP 4800) and further upgradation of these posts to Level-9 (PB-2, GP 5400) on non-functional basis after 4 years of service in Level-8.

2. The matter has been examined in this Department. This Department agrees to the upgradation of 50% of posts in the Supervisory cadres covered under this proposal from existing Level-7 to Level-8 of the pay matrix, and further upgradation of these posts to Level-9 after 4 years of regular service in Level-8, with prospective effect.

3. This issues with the approval of Finance Minister.


(Ambrish Kumar Sharma)
Under Secretary(E.III-B)
Ph. 23095724

**Principal Executive Director (Ms. Aruna Nayar), Ministry of Railways,
Railway Board, Rail Bhawan, New Delhi.**
M/o Finance, D/o Expenditure ID No.36(1)/E.III(B)/2015 dated 1.11.2022