

To  
Secretary  
RAILWAY BOARD  
Ministry of Railways  
Government of India  
New Delhi-110002

(THROUGH PROPER CHANNEL)

27-01-2015

Subject: Anomalies Pertaining to Recruitment & Fixation of Seniority in organised Group-A Services(IRSME).

I am Devidatta Satapathy, IRSME, 2008 IES examination batch, presently posted as DME/Diesel/Raipur, South East Central Railway.

Applicant is aggrieved from various decisions taken by Ministry of Railways under influence from Indian Railway Promotee Officers' Federation. These include artificially inflating Cadre Strength and consequently vacancies to be reported for Recruitment so as to induct more Promotee officers in Organised Group A services and placing them above Direct Recruits of Same Recruitment year by wilful misuse of Weightage Rule. I am aggrieved by the decisions taken by Ministry of Railways in forming the 2010-11 and 2011-12 panel of 145 Gr B officers and placing them above 2007 IES examination batch of Gr A IRSME officers by granting them DITS of 31-12-2007, thus jeopardising the future of all the officers below 2006 examination batch. (F-1).

Whereas I am senior to all the 145 officers in the panel of 2010-11 and 2011-12, as per the laid down rules and procedures of DOPT and IRSME Recruitment Rules.

It is respectfully stated that IRSME is an organized Group A service of Government of India under Ministry Of Railways. Presently the sanctioned strength of IRSME (All Grades from JS to HAG+) includes 695 Regular Senior Duty Posts and 143 Reserve Posts. Table-I shows the composition of service within different grades. In addition there are few IRSME posts in Junior Time Scale also but there is no clarity on the exact number of such posts since these posts are manned by both Group A Junior scale officers as well as Group B officers of Mechanical Department. Recruitment in IRSME is done in Junior Time Scale posts through primarily two modes, one through direct requirement (Engineering Services Exam & Special Class Apprenticeship Exam) and other by way of promotions from amongst eligible Group B officers.

Any change in cadre strength as well as the PQ: DR ratio is within the jurisdiction of cabinet (Not Ministry of Railways) with mandatory consultation from UPSC.

In the last decade that is from 2002 to 2009 total no of promotee officers inducted in Group A is 454 against 89 Direct officer. 156 more promotee officers have been inducted in Group A by merging the panels of 2012-13 and 2013-14. they had been placed above 2008 IRSME batch. Only 32 officers are recruited in 2008 batch including SCRA.

forwarded to DAM/2

4/2/16  
वरि. मंडल यांत्रिक इंजीनियर (डी)  
Sr. Divl. Mech. Engr. (D)  
द.प्र.म.रेलवे/डी.एल.एस./रायपुर

forwarded to

27/1/15  
CME/Secy अपर मंडल रेल प्रबंधक  
Addl. Divl. Railway Manager  
दक्षिण पूर्व मध्य रेलवे  
South East Central Railway, Raipur

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The situation is so grim that 2006 batch IRSME officer of SER is waiting for his adhoc JA grade. 2008 batch will not see adhoc JAG for atleast 5 more years . In zonal railways the ratio of direct officers to promote officers are skewed in favour of promote officers.

Despite this the cadre strength has been subsequently enhanced from 108 to 337 posts primarily to fulfil demands of IRPOF (**Without taking opinion of UPSC and referring the matter to cabinet for approval**). As on date out of 337 Junior Scale Group A posts, 253 posts belong to Direct Recruits and 84 posts belong to Promotee quota.

Relative seniority between Direct and Promotees is determined based on Date of Increment into Time Scale (DITS) of each member as per relevant provisions of Indian Railway Establishment Manual (IREM Vol. I - CHAPTER III - Para 327-341). For direct officers DITS is their date of appointment to IRSME, whereas for Promotee officers DITS is determined from a previous date after assigning weightage of up to five years to their date of appointment. Any change to seniority rules also requires mandatory consultation from UPSC. (6)

Table-II gives a rough idea of the situation applicant is aggrieved from. Despite the recruitment rules providing for 50:50 division of Direct and Promotee officers for their recruitment to the service .The latest seniority position consists of 610 Promotee officers against 109 direct officers between the years 2002 to 2009. The above situation is a combined outcome of various decisions and acts of Ministry of railways like **Unreasonable increase in recruitment, Incorrect fixation of Seniority etc. with a clear intention of giving undue benefit to Promotee officers under pressure from Indian Railway Promotee Officers' Federation.**

The paradox created by Ministry of Railways has led to a situation where, against 695 Permanent Senior Duty posts (Sr Time Scale & Above) in IRSME there are 1400 plus officers already recruited and working. In addition 191 SCRA officers are undergoing training. Not only this, recruitment of another 126 IRSME officers is in process. In addition percentage of Promotee officers wrt to total permanent posts in IRSME has exceeded 65%. Moreover this has happened during the period when there was 2/3<sup>rd</sup> ban on direct recruitment which exactly verifies the fact that excess recruitment was done after utilizing direct quota which was supposed to be surrendered as per DOPT policy on optimization of direct recruitment.

**The applicant is primarily aggrieved from**

**Anomalies Pertaining to Recruitment**

1. Unreasonable Increase in Junior Scale Cadre Strength
2. Promotee Recruitment in excess of quota
3. Incorrect Implementation of Policy on optimization of Direct Recruitment.

**Anomalies Pertaining to Fixation of Seniority**

4. Assigning benefit of weightage even to excess Promotees
5. Clubbing multiple batches of promoted officers.
6. Seniority of a date prior to one becomes eligible for promotion to Group A
7. Applicability of Connoted Pay Rule

1. Unreasonable Increase in JS Cadre Strength

With the system of giving weightage of up to five years to Promotee officers while assigning seniority, whenever there is an increase in recruitment, larger batches of Promotee officers come above smaller batches of direct officers in seniority list retrospectively which severely affects the career progression of direct recruits. Sudden increase in recruitment directly benefits Promotee officers and adversely affects direct recruits. Therefore any decision regarding increase in cadre strength has to be reasonable and should be based on genuine consideration of requirement of service only. Moreover it is against natural justice if direct recruits selected in previous years get affected due to increase in cadre strength in future years.

Junior scale cadre strength of IRSME was fixed to 108 posts in 1998, duly taking the annual recruitment level into account. But subsequently it has been arbitrarily increased in quick succession from 108 to 191 (March 2005), 191 to 194 (May 2006) & 194 to 337 (Feb 2007). Accordingly Promotee quota in Junior scale posts of IRSME has been increased in quick succession from 27 to 38 (March 2005), 38 to 48 (May 2006) & 48 to 84 (Feb 2007). This decision has been taken only fulfill persistent demand from Indian Railway Promotee Officers' Federation (IRPOF). Decision of increasing quota from 108 to 337 is totally arbitrary, illegal and based on unreasonable considerations.

Moreover this increase in quota from 108 to 337 posts has been done in complete secrecy. No public notification or Circular has been issued in this regard by Ministry of Railways. Any alteration in cadre strength of Group A services is within the jurisdiction of cabinet only. Despite this all these proposals have been given sanction without referring it to cabinet and without taking mandatory consultation from UPSC.

The decision regarding increasing Junior Scale Cadre Strength from 194 to 337 has been taken based on assumption that 143 reserve posts (Deputation, Leave etc.) form a part of Junior Time Scale only. Not only this, it has also been assumed that these 143 posts are vacant (Despite so many IRSME officers on deputation holding lien against these posts) and available for recruitment. Interestingly since 2007 recruitment against these 143 reserve posts is being done every year, despite that these posts are still vacant and once again offered for recruitment.

Historical average annual recruitment to IRSME has been around 35-40. But Annual recruitment from 2010 onwards has been done at a rate of 168 per year.

2. Promotee Recruitment in excess of quota

Table-III presents the case of over utilization of recruitment quota for Promotee recruitment as compared to direct recruitment. Quota Utilized for Promotee Recruitment is more Than for Direct Recruitment in the years 2006-07, 2007-08, 2008-09 & 2009-10.

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Table-III (Recruitment)								
Year	Direct Recruitment				Promotee Recruitment			
	Quota	Available	Vacancies	Recruitment	Quota	Available	Vacancies	Recruitment
2002-03	81	59	22	5	27	0*	27	27
2003-04	81	56	25	11	27	0*	27	27
2004-05	81	56	25	4	27	0*	27	22
2005-06	153	44	109	<u>26</u>	38	0*	38	<u>31</u>
2006-07	143	48	95	<u>14</u>	48	0*	48	<u>40</u>
2007-08	253	43	210	<u>42</u>	84	0*	84	<u>76</u>
2008-09	253	55	198	<u>27</u>	84	0*	84	<u>82</u>
2009-10	253	65	188	78	84	0*	84	80
2010-11	253	88	165	86	84	0*	84	71
2011-12	253	119	134	88	84	0*	84	74
2012-13	253	171	82	92	84	0*	84	76
2013-14	253	194	59	98	84	0*	84	80
			1312	571			755	686

Total 571 Direct officers have been recruited against 1312 vacancies during 2002-2013. Whereas 686 Promotee officers have been recruited against 755 vacancies during same period. These numbers are much higher keeping in mind there are only 695 senior duty posts in IRSME.  
\* It has been assumed that Promotee officers get promoted to Sr Scale Immediately after their induction to Group A due to weightage rule and vacate Junior Scale post; hence Promotee quota posts remain vacant even after recruitment.

**As evident from actual recruitment numbers, Direct recruitment to IRSME for panel years 2006-07, 2007-08, 2008-09 & 2009-10 has been done based on pre-revised Cadre Strength of 108 posts, whereas Promotee recruitment has been done based on revised cadre strength of 191 posts for 2006-07 & 337 posts for 2007-08, 2008-09 & 2009-10.** In addition direct recruitment has been suppressed by underreporting vacancies and against 872 vacancies that arose during 2002-2009 only 207 Direct recruitments have been done during 2002-2009. All this is contrary to provisions of Recruitment Rules.

DOPT on 07/02/1986 vide No. 35014/2/80-Estt. has issued an Office memorandum in respect of consolidated instructions on seniority. Wherein under point 5 it has been said,

“With a view to curbing any tendency of under-reporting/suppressing the vacancies to be notified to the concerned authorities for direct recruitment, it is clarified that Promotees will be treated as regular only to the extent to which direct recruitment vacancies are reported to the recruiting authorities on the basis of the quotas prescribed in the relevant recruitment rules. Excess Promotees, if any, exceeding the share falling to the promotion quota based on the corresponding figure, notified for direct recruitment would be treated only as ad-hoc Promotees.”

Direct officers has been suffering from double whammy, one their vacancy was restricted to 1/3<sup>rd</sup> during 2002-2009 and on other side railway ministry has enhanced the Cadre strength from 108 to 337 in quick succession during this period which would give only 1/3<sup>rd</sup> benefit to direct officer during the ban period, so this increase in quota during ban period is tantamount to tendency of under-reporting/suppressing the vacancies or in other words suppression of direct recruitment and hence in this case validity of recruitments shall be dealt in accordance with this clause. Therefore legitimately only 207 Promotees should

have been recruited during 8 year period of 2002-2009. But contrary to this a total of 385 Promotee officers have been recruited during this period. Promotees recruited in excess of 207 should be treated as ad-hoc and should be regularized against vacancies of future years.

Quota utilized in 2006-07, 2007-08, 2008-09 & 2009-10 for Promotee recruitment is more than Direct recruitment viz not permissible as per rules and inconsistent with view taken by Hon'ble supreme court as referred above. Therefore recruitment in excess of quota is invalid recruitment.

Here is another instance of over utilisation of quota. 80 officers have been recruited against panel year 2009-10 and given DITS w.e.f. 24-06-2006. Group A officers are required to serve for a minimum four years in Junior scale before they can get promoted to Sr Scale and vacate Junior Scale posts. This implies that all these Junior Scale posts under Promotee quota will remain occupied from 24-06-2006 to 24-06-2010. Consequently Promotee officers from panel year 2010-11 onwards cannot be given DITS prior to 24-06-2010. But all the 145 officers of 2010-11 & 2011-12 have been given DITS of 31-12-2007.

Exact scenario has been reiterated By Hon'ble Supreme Court in *Keshav Chandra Joshi v. Union of India* [1992 Supp (1) SCC 272]

“When promotion is outside the quota, seniority would be reckoned from the date of the vacancy within the quota rendering the previous service fortuitous. The previous promotion would be regular only from the date of the vacancy within the quota and seniority shall be counted from that date and not from the date of his earlier promotion or subsequent confirmation. In order to do justice to the Promotees, it would not be proper to do injustice to the direct recruits”

Therefore recruitment of Promotee officers outside their quota is invalid recruitment and need to be adjusted against vacancies of future years.

### 3. **Incorrect Implementation of Policy on optimization of Direct Recruitment**

DOPT on 16/05/2001 vide No.2/8/2001-PIC issued a policy for “Optimization of direct recruitment to civilian posts”. As per this policy Direct Recruitment was to be curtailed to 1/3rd of the vacancies arising for direct recruitment quota and rest 2/3rd posts were to be abolished each year. Purpose was reducing strength of all government departments by 2% every year. This policy remained in force till 2009. Accordingly recruitments through UPSC civil services and engineering service exams between the period 2002 to 2009 were based on 1/3<sup>rd</sup> vacancies. **It was specifically mentioned in the policy circular that the remaining 2/3<sup>rd</sup> of the posts will be abolished and will not be filled through promotion.**

But Ministry of Railways again implemented this policy only to the extent it benefited the Promotee officers. As shown in Table-IV against 872 vacancies that arose during 2002-2009 only 207 recruitments have been done. As per the provisions of the policy remaining 665 posts (872-207) should have been abolished. But these posts were kept vacant and the vacuum generated by these vacancies which subsequently moved to higher grades i.e. Senior Scale and Junior Administrative Grade etc. have been utilized for accommodating larger batches of Promotee officers in future years due to weightage rule.

This restriction on direct recruitment remained in effect from year 2002 to 2009. However, Ministry of Railway during the same period has increased JS Cadre strength in IRSME, in quick succession from 108 to 337 which is against the interest of Direct officers who are availing only 1/3<sup>rd</sup> advantage of the increased quota whereas Promotee are reaping full advantage that too retrospectively under guise of 5 years weightage. On one hand Ministry of Railways has suppressed Direct recruitment in the name of rightsizing the organization and on the other hand annual recruitment has been increased to benefit promoted officers.

Also this policy has been violated in letter and spirit. Ministry of Railway has implemented it in such a fashion that the number of officers working in IRSME has gone beyond the sanctioned strength of IRSME in all grades, instead of achieving desired objective of reduction in cadre strength. It has only achieved enhancement of Promotee recruitment at the cost of direct recruitment.

**Please find the attached letter of Director(GAZ) railway board. In which she is accepting that there was a curtailment of indent of GR A officer to UPSC till 2010. Now the ban has been lifted.**

**4. Weightage even to excess Promotees**

As shown in table-V below 610 Promotees have been placed in seniority during the period 2002-2009. Whereas during the same period only 109 direct officers have been recruited and placed in seniority list. In addition Direct officers of 2003 batch onwards are made to suffer only because JS Cadre Strength has been increased from 2008 onwards and keeping the weightage rule in place, large batches of Promotee officers recruited for the years 2008-09, 2009-10, 2010-11, 2011-12, 2012-13 & 2013-14 have come above smaller Direct recruitment batch officers.

It is against natural justice to place large batches of Promotee Officers above smaller batches of Direct recruits that too when increase in recruitment has no reasonable ground. Therefore benefit of weightage in seniority should be available only to extent of available quota of recruitment for that year.

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Table-V (Seniority Fixation 2002-2009)				
DITS (Senior most Officer)	Recruitment Mode (Direct/Promotee)	Number	Recruitment Year	Date Of Appointment (Senior most Officer)
09-02-2002	Direct (IES)	11	2001-02	09-02-2002
09-04-2003	Direct (IES)	4	2002-03	09-04-2003
10-06-2003	Promotee	71	2005-06 & 2006-07	10-06-2008
15-07-2003	Direct (SCRA)	12	1998-99	15-07-2003
20-03-2004	Promotee	158	2007-08 & 2008-09	20-03-2009
09-06-2004	Direct (IES)	1	2003-04	09-06-2004
26-06-2004	Direct (SCRA)	6	1999-00	26-06-2004
29-06-2005	Direct (SCRA)	7	2000-01	29-06-2005
19-09-2005	Direct (IES)	3	2004-05	19-09-2005
24-06-2006	Promotee	80	2009-10	24-06-2011
17-07-2006	Direct (SCRA)	6	2001-02	17-07-2006
12-11-2006	Direct (IES)	9	2005-06	12-11-2006
12-10-2007	Direct (IES)	11	2006-07	12-10-2007
31-12-2007	Promotee	145	2010-11 & 2011-12	31-12-2012
30-06-2008	Direct (SCRA)	7	2003-04	30-06-2008
15-12-2008	Direct (IES)	12	2007-08	15-12-2008
26-08-2009	Promotee	156	2012-13 & 2013-14	26-08-2014
14-12-2009	Direct (IES)	20	2008-09	14-12-2009
Looking at DITS Between 2002 to 2009 Total 610 promotee officers have been placed in seniority list against 109 Direct Officers (71 IES & 38 SCRA) in the same period.				

For example for year 2002 recruitment quota for Promotee was 27. Therefore only senior most 27 Promotee officers out of 131 should have been given seniority with 2002 batch and the remaining officers should be adjusted with junior batches. This implies out of 610 Promotee offices shown in table only 216 (27x8) officers can be given seniority between 2002-2009 batch and remaining officers need to be brought down in seniority list.

##### 5. Clubbing multiple batches of promoted officers

As evident from Table-V while assigning DITS to Promotee officers 2-3 Batches of Promotee officers have been clubbed together and placed between Two batches of direct officers. This is in gross violation of policy laid down by DOPT. Vide O.M. No. 9/11/55-RPS dated 29.12.1959. Part of that is produced below

“The relative seniority of direct recruits and of Promotees shall be determined according to the rotation of vacancies between direct recruits and Promotees, which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively, in the Recruitment Rules”

This implies that there can be only one batch of Promotee officers between two batches of direct officers and vice versa.

Promotee quota in Junior Scale Cadre of IRSME is 84. This implies that at any point of time total vacancies in the Junior Scale under Promotee quota cannot exceed 84. Contrary to this various panels e.g. panel years 2010-11 & 2011-12 have been merged and 145 Promotee officers have been recruited in IRSME against 84 posts.

*R. R. S. Subgok* 27-1-15  
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By clubbing together two batches Ministry of Railways has perhaps tried to compensate for the delay caused in recruitment through DPC route. But it is to be kept in mind that weightage of up to 5 years is given only to account for such reasons.

6. **DITS of a date prior to one becomes eligible for promotion**

It is well settled principle that seniority cannot be assigned from a date an officer is not even eligible for promotion to a cadre. But in present case there are so many Promotee officers who have been assigned seniority of a date prior to the date one becomes eligible for promotion. In recent panel of 145 IRSME officers (2010-11 & 2011-12) there are at least 19 such officers.

Hon'ble Supreme Court in CIVIL APPEAL NOS. 1712-1713 OF 2002 has stated

“This Court has consistently held that no retrospective promotion can be granted nor any seniority can be given on retrospective basis from a date when an employee has not even borne in the cadre particularly when this would adversely affect the direct recruits who have been appointed validly in the meantime.”

As per the provisions of Indian Railway Service of Mechanical Engineers Recruitment Rules, 1968 (Part III-Recruitment by Promotion, 21(1))

“Appointments to the posts in Junior Scale shall be made by selection on merit from amongst eligible Class II Officers (Including officiating Class II Officers) of the Mechanical Engineering and Transportation (Power) Department and of the Personnel Branch with not less than 3 year service in the grade.”

This implies that a Group B officer becomes eligible for promotion to IRSME only on completion of three years of service in Group B. Therefore no promoted officer can be assigned DITS of a date prior to when he completes 3 years of service in Group B.

Let us take example of one promoted officer ShMadanMarandi. He is promoted to IRSME through vacancy of panel year 2010-11. His date of appointment is 31-12-2012. Subsequently he has been assigned DITS of 31-12-2007.

His date of appointment in Group B was 06-08-2006. Accordingly he becomes eligible for promotion to Group A on 06-08-2009. Therefore his correct DITS should be 31-12-2009. Consequentially all promoted officers recruited for panel year 2011-12 has to be placed below ShMadanMarandi. Due to this all Promotee officers of 2011-12 who are presently placed below 2006 batch direct officers will move down and will get their place below 2008 batch direct officer.



## 7. Applicability of Connoted Pay Rule

Relative seniority between Direct and Promotees is determined based on Date of Increment into Time Scale (DITS) of each member as per provisions of Indian Railway Establishment Manual (IREM Vol. I - CHAPTER III - Para 327-341). For Promotee officers DITS is determined from a previous date after assigning weightage of up to five years to their date of appointment. Para 334 (2) (ii) governs weightage which says

The DITS of the above officers shall be determined by giving weightage based on:

- a) the year of service connoted by the initial pay on permanent promotion to Group 'A' service; or
- b) half the total number of years of continuous service in Group 'B', both officiating, and permanent;

Whichever is more, subject to a maximum of 5 years; provided that the weightage so assigned does not exceed the total non-fortuitous service rendered by the officer in Group 'B'

Most of the officers recruited through panel year 2012-13 & 2013-14 have rendered less than 10 year service in Group B. Despite this all of them have been given full weightage of five years by application of connoted pay rule. Validity of this rule needs to be understood before its application. Substantive pay of Group B officer which is used for comparison with Group A service while applying connoted pay rule is a consolidation of various increments earned by him throughout his service and not during the Group B service alone. This way service rendered in Non-Gazetted group C service also gets counted while assigning weightage which is not at all justified. With most of the Group C employees earning more pay than Group A direct officers due to very small difference in their starting pay these days, this connoted pay rule has become arbitrary. Therefore before its application its constitutional validity has to be looked into and it needs to be looked through a wider frame keeping the overall picture in mind. I would request you to kindly go through the attached documents placed at F-2

In which the connoted pay issue been resolved by railway board. Board it self agrees that the file notings delineating the relation between pay drawn by an employee and the relative seniority is not traceable in Establishment Directorate (F-2). It can be seen that the figure of 18950 has a serious flaw. It has not included Grade Pay( F-3). It is not signed by anybody and as it is assumed that a Direct officer gets his Senior Scale after completion of Four years he becomes eligible for GP of Rs 6600/- , and as per SIXTH Pay Commission the pay is equal to pay in pay band plus grade pay. **Hence the connoted pay should have been Rs 26320 (19720+6600).**(F-4)

A letter of FROA regarding this arbitrary fixation of Rs 18950 for grant of five years weightage been sent to board .( F-5 ).

## PERIM RELIEF SOUGHT

difference to the recent FROA letter in the context of irregularities in promotion from GROUP B to GROUP A DT 27/10/2014 sent to CRB,MM,MT,MS,ME,ML and FC it is requested that the recent panels viz 2010-11,2011-12,2012-13,203-14 of dt 11-11-2014 of **145+156 Group B officers of mechanical department who are being placed senior to the against 26+ 32 direct IRSME officers of 2007 and 2008 batch, may please be reviewed. The FROA letter is attached which clearly says that EDGC is fully satisfied that gross violation of rules and procedures have been committed.**

## RELIEF SOUGHT

For all the reason stated above the Applicant respectfully pray that Competent Authority may please appoint a Committee at appropriate level to enquire into all these wrongdoings and take measures to correct the anomalies pertaining to Recruitment,fixation of DITS & Inter se seniority of Promotee officers recruited for Panel years 2002-2003,2003-2004,2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13 & 2013-14 wrt available direct officers.

Forwarded to DRMIN

27/01/15  
वरि. मंडल यांत्रिक इंजीनियर (डी)  
Sr. Divl. Mech. Engr. (D)  
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SECR/DLS/Raipur

Forwarded to

28/1/15  
CM/SECR मंडल रेल प्रबंधक  
Addl. Divl. Railway Manager  
दक्षिण.पूर्व.मध्य रेलवे, रायपुर  
South East Cental Railway, Raipur

DEVIDATTA SATAPATHY

IRSME-2008

Devisional Mech Engineer

South east central railway

Diesel Locomotive Shed

Raipur

Annexure -I- Impugned panel of 2010-11 and 2011-12

Annexure -II-date of entry into Gr B as per Railway board

Annexure -III-List of 19 officers who are not eligible to be in Gr A as on 31/12/2007.

Annexure-IV-Latest Approved cadre strength of IRSME

Annexure-V- Cadre strength as provide by Railway board

Annexure -VI -connotation of pay as per rti reply from board

Annexure-VII- FROA letter dt-20/12/13

Annexure-VIII-actual pay that should be taken

Annexure-IX-DOPT letter regarding fixation of inter se seniority

Annexure-X- FROA letter dt-27/10/14

Annexure-XI-table of actual recruitment of IRSME for better appreciation of the case

(B) Revised Cadre structure of Indian Railway Service of Mechanical Engineers (IRSME)

S.No	Grade/Scale	No. of existing posts (X)	No. of posts recommended by the Cadre review committee (Y)	Variation (Y-X)
1	HAG (Rs.26,000 Fixed)	1	1	Nil
2	HAG (Rs.24,050-26,000)	2	2	Nil
3	HAG (Rs.22,400-24,500)	14	25	+11
4	SAG (Rs.18,400-22,400)	108	139	+31
5	JAG (Rs.14,300-18,300 & Rs.12,000-16,500)	364	413	+49
6	STS (Rs.10,000-15,200)	383	257	-126
7	JTS (Rs.8,000-13,500)	194	194	Nil
8	JTS (Reserves) (Rs.8,000-13,500)	143	143	Nil
9	Total	1209	1174	

**FINANCIAL IMPLICATION**

8. There is no additional expenditure involved in the above cadre review proposals of IRSEE & IRSME Group 'A' Railway Services as the same are budget neutral.
9. The Statement of Implementation Schedule in respect of the above proposals has been given in Appendix to the Memorandum.
10. The above proposals have also been approved by the Minister for Finance & Company Affairs.

Annexure-VI R 501E  
20.3.2009

Pandit 2007, 08

भारत सरकार  
रेल मंत्रालय (रेलवे बोर्ड)  
GOVERNMENT OF INDIA (BHARAT SARKAR)  
MINISTRY OF RAILWAYS (Rail Mantralaya)  
(Railway Board)

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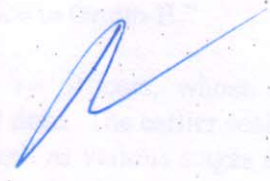
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BRANCH FILE NO.

विषय  
SUBJECT

Fixa tion of Inter-se seniority of promotee  
officers at Group 'A' Junior Scale level on their  
appointment from Group 'B' to Group 'A' -  
principles regarding.

पिछला संदर्भ  
Previous Reference

सम्बन्धित  
Connected



**Sub: Fixation of inter-se seniority of promotee officers at Group 'A', Junior Scale level on their appointment from Group 'B' to Group 'A' - principles regarding.**

The relevant seniority principles for determination of the DITS and the inter-se seniority of the officers on their promotion from Group 'B' to the Junior Scale of Group 'A' contained in para-334 of the Indian Railway Establishment Manual Volume-I (SN-1) are as under:-

"In the case of Group 'B' officers permanently promoted to Junior Scale of Group 'A' services:

(1) Officers of a particular department promoted from the earlier panel shall rank senior to officers promoted from the later panel.

(2) If two or more than two officers are promoted on the same date, the following method shall be followed to determine their inter-se seniority within the Railway:-

(i) The relative seniority of officers of each Railway shall be in the order of their position in the panel for that Railway.

(ii) The date for increment on time scale (DITS) of the above officers, shall be determined by giving weightage based on:

(a) the year of service connoted by the initial pay on permanent promotion to Group 'A' service; or

(b) half the total number of years of continuous service in Group 'B', both officiating and permanent;

whichever is more, subject to a maximum of 5 years; provided that the weightage so assigned does not exceed the total non-fortuitous service rendered by the officer in Group 'B'.

(iii) The DITS of the junior officer(s) in any Railway shall not be earlier than the DITS of his immediate senior in the same panel.

(3) The integrated seniority of the officers on All Indian Railways basis, shall be determined as under:-

(i) The integrated seniority shall be on the basis of DITS, the officers having earlier DITS being senior.

(ii) The inter-se seniority of officers having same DITS shall be in the order of the length of non-fortuitous service in Group-B."

2. In respect of the officers, whose Gp-B service falls short of 10 years, pay connotation used to be done. The earlier scale of pay of Gp-A JS was Rs 8000-275-13500, i.e., the pay scale as well as various stages in the scale were clearly defined. However, in the revised pay structure (implemented w.e.f. 01.01.06), the stages have to be worked out as in the new structure, Gp-B Railway officers (Rs 8000-13500), Gp-A JS (Rs 8000-13500), SS (Rs 10000-15200) and JAG (Rs 12000-126500) have been given Pay Band-3 (Rs 15600-39100) plus Grade Pay (GP) w.r.t. various grades, with the stipulation that the

...2/-

Ref: noting on pre-page

The background relating to the nexus between pay drawn by an employee and the relative seniority assigned to him is not available in the file. The same also could not be located in the papers available in the branch. Accordingly, the factual position obtaining when such a nexus was established and relevance of the same in the now prevailing revised pay structure can not be commented upon by this directorate. However, it may be mentioned consequent upon acceptance / implementation of recommendations of 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Central Pay Commissions regarding in-situ promotion scheme in the year 1991, ACP Scheme in 1998 and now modified ACP Scheme already accepted by the Government, even the pay scales have considerably lost their significance for determination of relative seniority. Due to implementation of above schemes related to financial upgradations coupled with successive cadre restructuring exercises undertaken over the period of time, the circumstances might have undergone a considerable change. In the existing scenario a much junior subordinate may be not only at a higher pay stage but even in a higher pay scale / Grade Pay than his senior / supervisor. In such a changed situation relevance of nexus between the seniority and stages of pay drawn by an employee may be examined by the nodal branches concerned with the issue.

However, as far as pay fixation of fresh Direct Recruit Group 'A' Officer appointed after 1.1.2006 is concerned, the initial and subsequent incremental stages would be as indicated by DS/D&A at S.No. 2.

EDF(E) may also please see.

~~JDPC-II~~

~~DPC-II~~

~~EDPC-II~~

~~EDF(E)~~

~~JS(G)~~

JDPC-I

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DDP(SO)

File No. E(O) I / ~~2008~~ / SR-6 / 22 may please be linked before the case is further seen in FEJ.

~~JDPC-I~~

~~DS(D&A)~~

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Ref: Noting on pre-page.

Finance is in agreement with the remarks given by EDPC-II at portion sidelined 'x' of noting on page 3/n ante that initial and subsequent incremental stages of a fresh Direct Recruit Group 'A' Officer appointed after 01.01.2006, in Pay Band- 3 i.e. Rs.15600/- and Grade Pay of Rs.5400/-, would be as specified in the flow chart placed at s.no.2.

~~20/3/09~~

DDF(E)I (on leave)

~~JDF(E)~~

*Deerams*  
22/3/2009

~~EDF(E)~~

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JS(G)

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JS(E+P)

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Stages of pay for Gp 'A' J.S.

SN-2

Stage	PAY	G_PAY	TOTAL	INCR. @ 3%	NEXT MULTIPLE OF 10
Initial	15600	5400	21000	630	630
First	16230	5400	21630	649	650
Second	16880	5400	22280	668	670
Third	17550	5400	22950	689	690
Fourth	18240	5400	23640	709	710
Fifth	18950				

Officers (promoted from Gp-B to Gp-A JS) whose pay is fixed at Rs 18950 or more on the date of promotion will get full weight age of 5 years for DITS for seniority